

inspection under rti,rti process

Procedure for Inspection



According to the RTI Act, 2005, clause 6(1), in many cases, persons who have applied for getting information, are intimidated by the Public Information Officers to come and inspect the documents. The State Information Commissioner has objected to this in some cases. If the person has not applied for inspection of documents & the information he has requested is not voluminous, he should not be asked to come for inspection of documents. In such cases number of pages should be counted & the applicant should be informed to pay the prescribed charges.

In cases where the information requested by the applicant is voluminous, he may be given a chance to see & inspect the documents and given copies of the requisite records by charging the prescribed fee.

In cases where the applicant has applied for inspection of the documents or the information he has requested is voluminous, an index of all the documents should be prepared before he is called for inspection of the documents. Also each page in the file must be numbered. Three dates & timings should be intimated to the applicant before he is called. If these dates are not convenient to the applicant, he should be asked to get in touch with the Public Information Officer. The file numbers of the files in which the information requested by the applicant is available, should be intimated.

In case, on the date on which the applicant is coming, the concerned Public Information Officer has to go out of the office because of some important work, he should hand over the responsibility of giving documents for examination, to his colleague or assistant.

As directed by the Circular ¹⁾, the office telephone no. as well as the e-mail address of the PIO, should be intimated to the applicant.

All the Department Heads/Assistant Commissioners/PIOs should follow these directions meticulously.

GUIDELINES FOR INSPECTION UNDER RTI

1. Even if you do not desire to carry out an actual inspection of records, invariably request as under in RTI application:

“After receipt of information under this application, I intend to carry out an actual inspection of records and obtain certified photocopies of records identified by me during the inspection. I may be permitted such inspection.”

This will have deterring effect on PIO against providing false information.

2. If you are not very conversant with the language of record or have any other disability, please also add the following sentence in RTI application:

“I may also be permitted to seek the assistance of one of my assistant/advocate/C.A. during the

inspection, as I am not fully conversant with the language in which your records are maintained. [refer decision dated 15-10-08 of Central Information Commission in appeal No. CIC/WB/A/2007/00692-SM]”

3. When you get permission for inspection from PIO, FAA or Information Commissioner, send a letter by speed post to PIO stating list of records that you would like to inspect. Please also mention three tentative dates with time which would be convenient to you and also seek an exact name, address, email ID and phone number of PIO.
4. On appointed day, visit the office well before fixed time with your assistant [if permitted] and with copy of relevant decision, photocopy of your photo ID proof [election card, PAN card, passport etc], digital camera, mobile [with recording facility], blank papers, carbon papers, note pad, blank CD, 20-25 paper flaps [for putting in registers or files to identify papers], pen, pencil, copy of RTI Act and Rules etc.
5. Please make note of your visit and that of your assistant in register maintained at entry point or reception as now most of govt. offices are having such register. This will be proof of your visit at the fixed date and time.
6. Contact the PIO and request for inspection.
7. Ask PIO to prepare inspection slip for noting down date and time etc of commencing inspection and ending inspection and payment of inspection charges. Some offices have register for these details. If he insists that charges be paid in advance before commencing inspection as per tentative hours required for inspection, pay the amount against receipt and then start the inspection.
8. Please insist that PIO or any other person from office should be present with you during the inspection.
9. In case if sitting arrangement, lighting and air in the room are not conducive to inspection, inform PIO orally and in writing [if need be], with time and date.
10. Start inspection and whatever record you find worth obtaining certified photocopies, use your digital camera and put a paper flap.
11. Go on making notings in your notepad of whatever is necessary from the record with page number and name of register or file etc.
12. In case despite all efforts, you are not in a position to inspect, give in writing to PIO all the reasons and obtain his acknowledgment on copy then and there. Also inform personally or on phone to FAA.
13. If you need data from computers, ask PIO to provide assistance of office staff for accessing computer data. Note down details so that required information can be obtained in a CD. Do not operate office computer yourself.
14. Whenever you talk to PIO keep the audio recorder on in your mobile and ensure that conversation is recorded.
15. At the end of inspection or during it ask PIO that you need certified photocopies of record where flaps are kept and collect the same before leaving the office.
16. Once you end inspection, make entry into inspection slip or register with problems faced by you if any or that you want to continue inspection on next date. Put date and time and pay or seek a refund of the balance of inspection fees. Pay as per RTI rules applicable for central govt.

or state govt. rules for inspection as the case may be.

17. In case certified copies or CDs are not provided before leaving the office, give a written request [against acknowledgment] with page numbers of record etc to PIO for the certified copy.

18. Be cool, collected and courteous during entire visit and inspection. Thank all the staff and PIO if they have cooperated with you for inspection.

19. Do not write anything on govt. record.

20. Next week mail a list of papers you require from PIO which have been identified by you during inspection, as a reminder. Pay the charges if papers are provided within 30 days of submission of RTI application.

21. If you face serious difficulties in inspection, file the detailed written complaint with FAA or Information Commissioner [with copy to PIO in his name] and request for appropriate orders to facilitate proper inspection.

22. CIC has permitted videography and photography during the inspection in following two decisions:

CIC/WB/A/2006/00144 decision dated 03-08-2006 and

CIC/AD/A/09/00125 dated 23-02- 2009²⁾

More Articles from Guide Section

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- Guidelines for First Appellate Authority
- Guidelines for Public Information Officer

1)

Circular no. MOM/445 dated 09.07.2009

2)

Original Article



Right to Information Wiki

The working reference for India's Right to Information Act, 2005.



Read online

<https://www.righttoinformation.wiki/guide/applicant/application/procedure-for-inspection-under-rti?rev=1681558578>

Main website

<https://www.righttoinformation.wiki/>

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