

# State RTI vs Central RTI — which jurisdiction, which forum

**Did you know?** Filing a **State** matter at the **Central Information Commission** wastes ninety days — the CIC cannot hear State appeals. The jurisdiction follows who **holds** the record, not who the question is about.

**Notice on DPDP Rules, 2025.** The Digital Personal Data Protection Rules, 2025 were notified on 14 November 2025. With this notification, Section 44(3) of the Digital Personal Data Protection Act, 2023 became operational and amended Section 8(1)(j) of the Right to Information Act, 2005. The earlier public interest override within clause (j) stands removed. Public interest reasoning now operates through Section 8(2) of the RTI Act, which has not been amended. This page has been reviewed in the light of this change. For the full practitioner note, see [DPDP Rules, 2025: The amendment to Section 8\(1\)\(j\) of the RTI Act](#).

*A concise reference on when to file a State-level RTI and when to go to the Central Government under the **same** Right to Information Act, 2005. The confusion is common: applicants often file the right question at the wrong address and lose thirty days to a Section 6(3) transfer. This page removes that confusion.*

**In one line. One Act, two parallel regimes.** Pick the regime by asking: which government “substantially finances” or controls the body that holds the record? Central Government → Central RTI. State Government → State RTI.

**What that means in practice.**

- **Central matters:** file at [rtionline.gov.in](https://rtionline.gov.in), Rs 10, appeal to Central Information Commission.
- **State matters:** file with the State PIO (post or State portal), State-prescribed fee, appeal to the State Information Commission.
- **Unsure:** file with the most proximate authority. The Officer **must** transfer under Section 6(3) within five days.

**New to RTI?** Start with the three most-used guides on this site:

- [How to File RTI Online in India — 2026 Step-by-Step Guide](#).
- [Why RTI Applications Get Rejected — and How to Avoid It](#).
- [FAQ — twenty-five most-asked RTI questions](#).

## The structural point

There is **one** Right to Information Act, 2005 — a Central enactment that extends to the whole of

India. But the Act creates **two parallel regimes** under it:

- **Central Government** public authorities — Ministries, Central departments, Central PSUs, CBI, Passport Office, Railways, Post Office, Income Tax, EPFO, Indian Oil, NTPC, AIIMS, IITs, IIMs, central universities, the President's Secretariat, the Comptroller and Auditor General, the Election Commission, the Central Information Commission itself.
- **State Government** public authorities — State Secretariats, district collectors, State police, State PSUs, State universities, municipal corporations, panchayats, State Information Commissions.

The Act, the exemptions, the 30-day timeline, and the appeal ladder are **identical** for both. What differs is **who holds the record, where you file, what you pay, and which Commission hears the second appeal**.

## Which regime applies — a four-question test

### 1. Who holds the information?

The regime follows the **holder**, not the subject. A Central employee's service record held by the Department of Personnel and Training is a **Central** RTI. A State employee's service record held by the State's General Administration Department is a **State** RTI. Same question, different regime.

### 2. Is the body established or controlled by the Central or the State Government?

Section 2(h) of the Act defines a “public authority” by reference to the **Government that constituted or substantially finances** it.

- Created by Parliament's law → Central. Example: Life Insurance Corporation, State Bank of India (before consolidation), Reserve Bank of India.
- Created by State legislature's law → State. Example: Maharashtra State Road Transport Corporation, Kerala State Electricity Board.
- Substantially financed or controlled → follow the money. Example: a private law college receiving 60% State grant → State public authority under *Thalappalam*-style analysis.

### 3. Is the subject a concurrent or central-only matter?

The Constitution's division of legislative power is a useful cross-check.

- **Union List** subjects (Railways, Posts, Defence, External Affairs, Atomic Energy, Foreign Exchange) → Central regime.
- **State List** subjects (Police, Public Health and Sanitation, Land, Agriculture, Local Government) → State regime.
- **Concurrent List** subjects (Education, Criminal Law, Forests, Electricity) — depends on which government holds the record.

### 4. Is there a district-level office of the Central Government near you?

Many Central bodies have **regional or zonal offices** (Income Tax, Passport, EPFO, CGHS, Post Office). You file with the **nearest Central office that holds the record**, through the Central portal or in person. The RTI does not have to go to Delhi.

## Filing channels

Regime	Primary channel	Offline alternative
<b>Central Government</b>	<b>rtionline.gov.in</b> (Central RTI online portal, operated by DoPT through NIC). See <a href="http://rtionline.gov.in">rtionline.gov.in</a> — portal walk-through.	Post or counter submission at the Central office; Rs 10 by Indian Postal Order.
<b>State Government</b>	State RTI online portal where one exists. Examples: <b>rtionline.karnataka.gov.in</b> , Kerala's portal, Tamil Nadu's department-level pilots.	Post or counter submission to the State PIO; State-prescribed fee by Postal Order, DD, or cash.

Each State's rules vary slightly. See [RTI Rules — Central, State, and Commission](#) for the per-State picture.

## Fee structure

Regime	Application fee	Copies	First appeal	Notes
<b>Central</b>	<b>Rs 10</b>	Rs 2 per page	<b>Free</b>	BPL applicants exempt on certificate.
<b>Gujarat</b>	Rs 20	Rs 2 per page	Free	Highest among major States historically.
<b>Most States</b>	<b>Rs 10</b>	Rs 2 per page	Free	Confirm against State Gazette — some States have revised.
<b>Some States</b>	Rs 50	Varies	Free	Check State rules.

Always confirm the current figure — State fee notifications get amended without wide publicity.

## Appellate forum

Regime	First appeal	Second appeal
<b>Central</b>	Officer senior to the PIO in the same public authority. No fee. Thirty days (extendable to forty-five).	<b>Central Information Commission</b> at <b>cic.gov.in</b> . Ninety-day window from the First Appellate Authority's order.
<b>State</b>	Officer senior to the PIO in the same State public authority. No fee. Thirty days.	<b>State Information Commission</b> of the concerned State. Ninety-day window.

The **Central Information Commission hears only Central matters**. It cannot hear a State RTI appeal even if the matter seems routine. Filing there loses time.

## Language of filing

**Section 6(1)** read with **Article 350** of the Constitution gives the applicant the right to file in **English, Hindi, or the official language of the State** in which the application is being made.

- **Central portal:** English or Hindi only in the text box. Short phrases in other Indian languages render, but avoid in the application proper.
- **State filings:** the **State's official language** is always accepted. Tamil Nadu takes Tamil, Karnataka takes Kannada, Kerala takes Malayalam, Maharashtra takes Marathi, West Bengal

takes Bengali, and so on.

## Worked examples

### Example 1 — Property registration records

**Question:** *“I want the registry documents of my house purchase in Pune.”*

**Jurisdiction:** State. Property registration is a **State subject** (Entry 6 and 18, State List). Maharashtra's **Department of Registration and Stamps** holds the records. File with the District Sub-Registrar's Public Information Officer under the **Maharashtra Right to Information Rules, 2005**.

### Example 2 — Passport application status

**Question:** *“Why has my passport application not moved in sixty days?”*

**Jurisdiction:** Central. Passports are a **Union subject** (Entry 19, Union List). The **Passport Office** is a Central public authority under the Ministry of External Affairs. File on **rtionline.gov.in**, choose **Ministry of External Affairs → Consular Passport & Visa Division**.

### Example 3 — Service record of a State government employee

**Question:** *“I want my full service record from Karnataka Police where I served for twenty years.”*

**Jurisdiction:** State. Karnataka Police is a State public authority. File with the PIO of the **State Police Department** or the specific unit where the record is held, under the **Karnataka RTI Rules, 2005**. Appellate forum is the Karnataka Information Commission.

### Example 4 — EPF withdrawal

**Question:** *“Status of my PF withdrawal claim with EPFO, Bangalore.”*

**Jurisdiction:** Central. Employees' Provident Fund Organisation is a **Central public authority** under the Ministry of Labour and Employment. File on **rtionline.gov.in**, choose **Ministry of Labour → EPFO → the Regional Office concerned**.

### Example 5 — Drinking water complaints in a city

**Question:** *“Why is the municipal corporation not fixing the leak in my ward?”*

**Jurisdiction:** State (local body). Municipal corporations are **local authorities** notified as public authorities under Section 2(h) by the State Government. File **at the municipal corporation's PIO counter** directly — most corporations have a ward-level Public Information Officer.

### Example 6 — Information from the Central Information Commission itself

**Question:** *“What is the pendency of appeals in the CIC?”*

**Jurisdiction:** Central. The CIC is a Central public authority for its **own** records (under Section 2(h)(d)). File a Central RTI via **rtionline.gov.in** selecting **Central Information Commission** from the authority list.

## What if I pick the wrong regime?

You are **not** penalised. The Officer must **transfer** the application under **Section 6(3) within five days** of receipt to the correct public authority and notify the applicant. The thirty-day clock re-starts from the transferred-authority's receipt date. Transfer is automatic; you don't need to file again.

That said, transfer delays the reply. The four-question test above avoids the round trip.

## Related

- [rtionline.gov.in](https://rtionline.gov.in) — Central Government portal walk-through.
- [How to File RTI Online in India — 2026 step-by-step.](#)
- [RTI Rules — Central, State, and Commission rules.](#)
- [Public authority — Section 2\(h\) explained.](#)
- [Substantially financed — the Thalappalam test.](#)
- [FAQ.](#)

## Sources

1. The Right to Information Act, 2005 (No. 22 of 2005), Sections 2(h), 6, 15, 18, 19, 27, 28.
2. The Constitution of India, Seventh Schedule (Union, State, and Concurrent Lists).
3. *Thalappalam Service Cooperative Bank Ltd. v. State of Kerala*, (2013) 16 SCC 82.

## Last reviewed on

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### Right to Information Wiki

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



#### Read online

<https://www.righttoinformation.wiki/state-vs-central-rti>

#### Main website

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

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