

Template: FAA speaking order on a first appeal

Base template for a disposal order by the First Appellate Authority under Section 19(6) of the Right to Information Act, 2005. Structured as a judicial-style speaking order to reduce the scope of the second appeal before the Information Commission. Notes on state variants appear at the end.

When to use this

This template is used by the First Appellate Authority to dispose of a first appeal under Section 19(1) of the Act. The order must be passed within thirty days of the receipt of the appeal, or within a further period of fifteen days for reasons to be recorded in writing, the total period not exceeding forty-five days.

A well-reasoned first appellate order serves two purposes. First, it disposes of the appeal on the merits, either by upholding the decision of the Central Public Information Officer, or by modifying it, or by setting it aside. Second, it narrows the points for consideration at the second appeal, by recording findings on the specific grounds urged in the first appeal. A well-reasoned order reduces the scope of litigation before the Central Information Commission or the State Information Commission.

The Act does not prescribe a format for the first appellate order. Good practice, however, is to follow a judicial-style structure. The template below reflects that practice.

The template

[Letterhead of the Public Authority]

In the matter of First Appeal No. [number] / [year] under Section 19(1) of the Right to Information Act, 2005.

[Full name of the appellant],
 [Full address of the appellant]. . . . Appellant

Versus

The Central Public Information Officer,
 [Name of the Public Authority],
 [Full address]. . . . Respondent

Order of the First Appellate Authority

Present: [Name and designation of the First Appellate Authority]
 Date of hearing: [Date, if a hearing was held]
 Date of order: [Date of the order]

1. The present appeal is preferred under Section 19(1) of the Right to Information Act, 2005 against the [decision / non-decision] of the Central Public Information Officer of [name of the public authority] dated [date], on the RTI application of the appellant dated [date].

Brief facts

2. The appellant, by an application dated [date] under Section 6(1) of the Act, sought the information specified therein from this public authority. The application was received on [date] and the prescribed fee of ten rupees was tendered therewith. A copy of the application is on record.

3. By a communication dated [date], the Central Public Information Officer [rejected the application / partly rejected the application / furnished incomplete information / demanded further fee under Section 7(3) / did not communicate any decision within the period of thirty days prescribed under Section 7(1)]. The specific reasoning in the communication was that [set out the reasoning briefly].

4. Aggrieved by the aforesaid decision or non-decision, the appellant has preferred the present first appeal, received in this office on [date].

Grounds of appeal

5. The grounds urged in the first appeal are as follows.

- a. [Ground A, reproduced in brief.]
- b. [Ground B.]
- c. [Ground C.]

Submissions of the Central Public Information Officer

6. The Central Public Information Officer, on notice, has submitted that [set out the submissions, whether received in writing, orally, or through a representation filed by the Officer]. The specific points made by the Officer are that [summarise].

Consideration and findings

7. The First Appellate Authority has considered the appeal, the grounds urged therein, the submissions of the Central Public Information Officer, and the record. The findings on each ground are recorded below.

On ground (a) – [brief description of ground]

8. [Set out the reasoning. Identify the issue. Identify the applicable provision of the Act. Apply the provision to the facts. Record a finding. The finding should be specific: whether the ground is accepted or rejected, in whole or in part.]

On ground (b) – [brief description of ground]

9. [Repeat the structure.]

On ground (c) – [brief description of ground]

10. [Repeat the structure.]

On the public interest question under Section 8(2)

11. [Where the matter engages Section 8(2) of the Act, the First Appellate Authority records the proportionality reasoning. The reasoning should engage the specific public interest asserted, the specific protected interest asserted, and the balance struck

between them. Where Section 8(1)(j) is engaged, the reasoning must be read in the light of the amendment effected by the Digital Personal Data Protection Rules, 2025, and the fundamental right to privacy affirmed in Justice K.S. Puttaswamy v. Union of India (2017) 10 SCC 1.]

On severability under Section 10

12. [Where the record contains both exempt and non-exempt information, the First Appellate Authority records whether severability has been applied by the Central Public Information Officer, and whether the severability applied is satisfactory. Where severability has not been applied, the Authority records whether it ought to have been, and directs the Officer accordingly.]

Operative order

13. In view of the findings recorded above, the present first appeal is [allowed / partly allowed / dismissed].

14. [Where the appeal is allowed, wholly or in part:] The decision of the Central Public Information Officer dated [date] is [set aside / modified to the extent indicated above]. The Central Public Information Officer is directed to furnish the information sought in the application dated [date], in the form requested, within [number] days of the receipt of this order, [subject to the payment of such further fee as may be intimated under Section 7(3) of the Act / at no further fee].

15. [Where the appeal is dismissed:] The decision of the Central Public Information Officer dated [date] is upheld. The appellant is at liberty to prefer a second appeal under Section 19(3) of the Act to [the Central Information Commission / the State Information Commission], within ninety days from the date of the receipt of this order.

16. [If applicable:] The attention of the Central Public Information Officer is drawn to the [specific lapse, such as the failure to record reasons, the failure to consider Section 10, or the failure to consider Section 8(2)]. The Officer is advised to apply the correct procedure in future matters. A copy of this order is forwarded to the Head of the Department for information and necessary action.

17. A copy of this order is issued to the appellant, to the Central Public Information Officer, and [where applicable] to the third party heard under Section 11.

[Signature]

[Name of the First Appellate Authority]

[Designation]

[Date]

[Place]

Legal basis

- **Section 19(1)** of the Act confers the right of first appeal on any person aggrieved by a decision of the Central Public Information Officer, or on any person who has not received a decision within the time specified in Section 7(1).
- **Section 19(5)** of the Act places the onus of proving that a denial was justified on the Officer.
- **Section 19(6)** of the Act requires the disposal of the first appeal within thirty days of its receipt, extendable to forty-five days for reasons to be recorded in writing.

- **Section 7(8)(i)** of the Act requires reasons to be recorded for any rejection.
- **Section 8(2)** of the Act provides the public interest override.
- **Section 10** of the Act provides for severability.
- **Justice K.S. Puttaswamy v. Union of India** (2017) 10 SCC 1 and its proportionality framework apply where the right to privacy is asserted as a restriction on the right to information.

Common mistakes

- **Passing an order that does not engage the specific grounds urged in the first appeal.** A speaking order must record findings on each ground. An order that dismisses the appeal in general terms is vulnerable at the second appeal.
- **Failing to record findings on Section 8(2) where public interest is material.** The Information Commission expects the First Appellate Authority to have applied its mind to Section 8(2) where the matter engages public interest. An order that omits this consideration is often remanded.
- **Failing to record findings on severability under Section 10.** Similar considerations apply to Section 10. A blanket upholding of a denial, without engaging severability, is vulnerable.
- **Passing the order beyond the forty-five-day limit.** Section 19(6) imposes a firm outer limit. Orders passed beyond forty-five days are liable to be treated as non-orders, and the second appeal in those cases is on the ground of non-disposal.
- **Failing to distinguish between the reasoning and the operative directions.** Good practice is to number the consideration and findings separately from the operative order. This makes the order easier to implement and easier to challenge or defend on appeal.
- **Directing the Officer to furnish the information “in accordance with law” without specifying what is to be furnished.** A direction that is too general imposes no real compliance obligation on the Officer and leads to a further round of litigation. The direction should specify the information, the form, and the timeline.

Related pages

- Guide for First Appellate Authorities
- Justification for denial is mandatory
- Severability
- Grounds for rejection
- DPDP Rules 2025 and the amendment to Section 8(1)(j)
- Template: first appeal
- Template: standard reply within thirty days

Notes on state variants

- **Section 19(6) is applied uniformly.** The thirty-day and forty-five-day timelines are the same across Central and State jurisdictions.
- **Cause title.** Some State conventions prefer “Order of the Appellate Authority” or “Decision of the First Appellate Authority”. Use the convention in force in the public authority.

- **Forwarding of the order.** Central practice is to forward the order by registered post with acknowledgement due, or by email where the appellant has provided an email address, or both. Some State Rules require a specific mode. Check the applicable Rules.

Last reviewed

19 April 2026

rti, templates, faa, section-19, speaking-order, 2026



Right to Information Wiki

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



Read online

<https://www.righttoinformation.wiki/templates/faa-speaking-order>

Main website

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

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