

Template: Second appeal

If your RTI was rejected. See [Why RTI Applications Get Rejected in India — and How to Avoid It](#). Five reasons, the exact fix for each, and two case studies.

Base template for an appeal under Section 19(3) of the Right to Information Act, 2005, addressed to the Central Information Commission. Substitute “State Information Commission” and the applicable State for State jurisdictions. Notes on state variants appear at the end.

When to use this

A second appeal lies to the Central Information Commission from the decision of the First Appellate Authority, or from the non-decision of the First Appellate Authority within the period of thirty or forty-five days prescribed under Section 19(6).

The second appeal must be filed within ninety days from the date on which the decision of the First Appellate Authority ought to have been made, or was actually received. The Commission may admit a delayed appeal if the appellant shows sufficient cause.

A second appeal is the last stage within the Act. Thereafter, the remedy lies in writ jurisdiction before the appropriate High Court.

The template

Before the Central Information Commission, New Delhi

Second Appeal No. _____ of 2026 [to be allotted by the Commission]

In the matter of:

[Full name of the appellant],
son / daughter of [father's or mother's name],
resident of [full residential address]. . . . Appellant

Versus

The Central Public Information Officer,
[Name of Public Authority],
[Full address of the Public Authority]. . . . Respondent No. 1

The First Appellate Authority,
[Name of Public Authority],
[Full address of the Public Authority]. . . . Respondent No. 2

Appeal under Section 19(3) of the Right to Information Act, 2005, against the order dated [date] of the First Appellate Authority / against the non-decision of the First Appellate Authority within the period prescribed under Section 19(6) of the Act.

May it please the Commission,

1. The appellant, a citizen of India, most respectfully begs to submit as follows.
2. The appellant had made an application dated [date of original application] under Section 6(1) of the Right to Information Act, 2005, seeking the information specified therein from the public authority. A photocopy of the application, together with the proof of the prescribed fee, is filed as Annexure A.
3. By a communication dated [date], the Central Public Information Officer of the public authority [rejected the application / partly rejected the application / furnished incomplete information / did not furnish the information within the prescribed period]. A photocopy of the communication is filed as Annexure B. [Omit if the Officer did not communicate at all.]
4. Aggrieved by the decision or non-decision of the Central Public Information Officer, the appellant preferred a first appeal dated [date] under Section 19(1) of the Act to the First Appellate Authority of the public authority. A photocopy of the first appeal is filed as Annexure C.
5. By an order dated [date], the First Appellate Authority [dismissed the first appeal / partly allowed the first appeal / did not pass any order within the period of thirty or forty-five days prescribed under Section 19(6)]. A photocopy of the order is filed as Annexure D. [Omit if the First Appellate Authority did not pass any order.]
6. Aggrieved by the order or non-order of the First Appellate Authority, the appellant prefers the present second appeal under Section 19(3) of the Act on the following grounds.

GROUNDS

- A. The Central Public Information Officer has denied the information sought without recording reasons as required by Section 7(8)(i) of the Act. A denial without reasons is not a denial in law.
- B. The First Appellate Authority has [not passed a speaking order / not considered the grounds urged in the first appeal / passed an order that does not deal with the specific grounds of appeal / not disposed of the appeal within the time prescribed by Section 19(6)].
- C. The information sought does not fall within any of the exemptions under Section 8 or Section 9 of the Act. [Amplify with reference to the specific exemption, if any, invoked in the orders under appeal.]
- D. Where Section 8(1)(j) of the Act has been invoked, the Officer and the First Appellate Authority have not considered Section 8(2) of the Act. Public interest in disclosure, where engaged, operates through Section 8(2). [Amplify with the specific public interest on the facts of the case.]
- E. Severability under Section 10 of the Act has not been considered. Where a record contains both exempt and non-exempt information, the non-exempt portions must be severed and furnished.
- F. The onus of establishing that the denial was justified lies on the Officer under Section 19(5) of the Act. This onus has not been discharged.
- G. [Any other ground on which the appeal is preferred.]

7. In the circumstances aforesaid, the appellant most respectfully prays that this Honourable Commission may be pleased to:

a. set aside the order of the First Appellate Authority dated [date] and the decision of the Central Public Information Officer dated [date];

b. direct the Central Public Information Officer to furnish the information sought in the application dated [date], in the form requested, within the period specified in the order of the Commission;

c. impose a penalty on the Central Public Information Officer under Section 20 of the Act, for denying the information without reasonable cause;

d. recommend disciplinary action against the Central Public Information Officer under Section 20(2) of the Act; and

e. pass such further or other orders as the Commission may deem fit in the circumstances of the case.

Place: [Place]

Date: [Date]

[Signature of the appellant]

[Full name of the appellant, typed or printed]

Verification

I, [full name], the appellant named above, do hereby verify that the contents of the foregoing appeal are true and correct to the best of my knowledge, information, and belief, and that nothing material has been concealed therein.

Place: [Place]

Date: [Date]

[Signature of the appellant]

List of enclosures:

1. Annexure A: Photocopy of the application under Section 6(1) dated [date], with proof of fee.
2. Annexure B: Photocopy of the decision of the Central Public Information Officer dated [date].
3. Annexure C: Photocopy of the first appeal under Section 19(1) dated [date].
4. Annexure D: Photocopy of the order of the First Appellate Authority dated [date].
5. [Any other document on which the appellant relies.]
6. Index of documents filed.

Legal basis

- **Section 19(3)** of the Act provides that a second appeal against the decision under Section 19(1) shall lie within ninety days from the date on which the decision should have been made or was actually received, with the Central Information Commission or the State Information Commission.
- **Section 19(5)** of the Act casts the onus of proving that a denial was justified on the Officer

who denied the request.

- **Section 19(7)** of the Act provides that the decision of the Central Information Commission or the State Information Commission shall be binding.
- **Section 20(1)** of the Act empowers the Commission to impose a penalty of two hundred and fifty rupees per day, subject to a maximum of twenty-five thousand rupees, on a Central Public Information Officer who, without reasonable cause, refuses to receive an application, does not furnish information within the time specified, malafidely denies the request, knowingly gives incorrect or incomplete information, destroys information, or obstructs the furnishing of information.
- **Section 20(2)** of the Act empowers the Commission to recommend disciplinary action against a Central Public Information Officer under the service rules applicable to the Officer.
- **The Central Information Commission (Management) Regulations, 2007** prescribe the procedure for filing a second appeal, including the format, the documents to be enclosed, and the verification.

Common mistakes

- **Failure to implead the First Appellate Authority.** The second appeal lies from the order of the First Appellate Authority. The First Appellate Authority is a proper party to the appeal and ought to be impleaded as Respondent No. 2. An appeal that impleads only the Officer is often returned for amendment.
- **Failure to attach the first appeal and the order of the First Appellate Authority.** The Commission requires the full record of the matter below. A second appeal that does not annex the first appeal or the order in first appeal is liable to be returned.
- **Filing after ninety days without an application for condonation of delay.** The Commission may condone delay on showing sufficient cause. The delay must be explained on affidavit. An appeal that is delayed and does not seek condonation is liable to be returned.
- **Failure to engage Section 8(2) where public interest is material.** After the amendment to Section 8(1)(j) effected by the Digital Personal Data Protection Rules, 2025, public interest reasoning operates through Section 8(2). Many second appeals continue to be drafted as if the earlier public interest override within clause (j) still applies. This is an error.
- **Failure to verify the appeal.** The Regulations require the appeal to be verified in the prescribed form. An unverified appeal is returned for compliance.

Related pages

- [Justification for denial is mandatory](#)
- [Severability](#)
- [DPDP Rules 2025 and the amendment to Section 8\(1\)\(j\)](#)
- [Raj Kumar Goyal sworn in as CIC](#)
- [RTI at twenty: report card for 2024-25](#)
- [Template: first appeal](#)

Notes on state variants

- **State Information Commission.** In matters arising from a State public authority, the second appeal lies to the relevant State Information Commission, not the Central Information

Commission. Each State Information Commission has its own Regulations and its own filing procedure. The cause title and the governing Regulations must be adapted accordingly.

- **E-filing.** The Central Information Commission supports online filing through its portal. Several State Commissions have operational e-filing portals. A few require physical filing only. Check the Commission's notice for the current position.
- **Court fee.** Neither the Act nor the Regulations prescribe a court fee for a second appeal. Some State legal practitioners attach a nominal court fee out of abundant caution. It is not a requirement under the Act.

Last reviewed

19 April 2026

rti, templates, applicant, second-appeal, section-19, 2026



Right to Information Wiki

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



Read online

<https://www.righttoinformation.wiki/templates/second-appeal>

Main website

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

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