

No.05/52/2016-1AR
GOVERNMENT OF HARYANA
CHIEF SECRETARY'S ORGANISATION
GENERAL ADMINISTRATION DEPARTMENT
(Administrative Reforms Branch)

Dated: Chandigarh, the 09th February, 2023

To

1. All the Administrative Secretaries to Govt., Haryana.
2. All Head of Departments in Haryana.
3. All the Chief Administrators and Managing Directors of Boards/Corporations in Haryana.
4. All the Divisional Commissioners in Haryana.
5. All Deputy Commissioners in Haryana.
6. The Registrar of all Universities in State of Haryana.

Subject:- Regarding implementation of Right to Information Act, 2005 and Rules framed thereunder, in its true letter and spirit.

Sir/Madam

I am directed to invite your kind attention on the subject noted above, and to inform you that certain instructions were issued to public authorities in the state for implementation of Right to Information Act, 2005 and Rules framed thereunder.

2. It has come to the notice of the Government that the instructions are not being complied seriously by the various public authorities of the State. Therefore, the following points may be kept in mind while dealing with RTI applications received in the public authorities:-

- i. Penalties imposed u/s 20 of the RTI Act, 2005 by the State Information Commission, Haryana are to be recovered as per the Government instructions issued from time to time.
- ii. RTI applications be disposed strictly in compliance of object and spirit of the RTI Act, 2005, The concerned SPIO would handle the RTI request as per the provision of the Act/Rules.
- iii. The SPIO receiving RTI request should carefully see the subject matter in the RTI applications and transfer it, if need be, to the concerned public authority. SPIO should mention regarding receiving of the fee in their office, while transferring the application to other public authorities.
- iv. Details of First Appellate Authority should be mentioned while replying to the RTI application and First Appeals be decided as per the provisions of RTI application and First Appeals be decided as per the provisions of RTI Act/Rules and instructions issued by the Govt. from time to time.
- v. Additional fee for supply of instruction should be asked with stipulated time period as per the RTI Act/rules.
- vi. Wherever the applicant has requested for 'certified copies' of the documents or record, the SPIO should endorse on the document "True copy of the document/record supplied under RTI Act", sign the document with date, above a seal containing name of the officer, SPIO and name of public authority.
- vii. Training to SPIO's and First Appellate Authorities be provided to deal with RTI Act and Rules.

viii. Principles gleaned in para 15 of judgment dated 22.01.2021 of Hon'ble Delhi High Court in CWP (Civil) and CM appeal 2395-2021 may also taken into account while dealing with RTI matters.

3. You are, therefore, requested to bring to the notice of all concerned under your control that, they must adhere to and strictly comply with directions circulated under the provision of RTI Act, 2005 in letter and spirit.

Yours faithfully,

(Gajender Singh Yadav)

Under Secretary, Administrative Reforms,
for Chief Secretary to Government, Haryana.

Dated, Chandigarh the 09th February, 2023

Endst. No. 5/52/2016-IAR,

A copy is forwarded to the State Chief Information Commissioner, Haryana, SCO No.70-71, 1st Floor, Sector-8, Chandigarh for information & necessary action.

(Gajender Singh Yadav)

Under Secretary, Administrative Reforms,
for Chief Secretary to Government, Haryana.

