

Table of Contents

Competent Authority under RTI Act 1

Interpretation of Competent Authority 1

Competent Authority under RTI Act

rti, act, competent, authority, interpretation



As per the [RTI Act](#), the competent authority is:

1. the Speaker in the case of the House of the People or the Legislative Assembly of a state or a Union territory having such Assembly and the chairman in the case of the Council of States or a Legislative council of a State”;
2. The Chief Justice of India in the case of the Supreme court;
3. The Chief Justice of the High court in the case of a High court;
4. The President or the Governor, as the case may be, in the case of other authorities established or constituted by or under the constitution;
5. the administrator appointed under article 239 of the constitution;

Interpretation of Competent Authority

This needs to be viewed through section 2(g) and section 28 which suggests that each competent authority is vested with rule making powers. Rules framed by a competent authority are applicable only to Public Authorities working under the control of the concerned competent authority. This rulemaking power of all competent authorities is not subjected to provisions of section 29. This

apparently, is to respect the autonomy enjoyed by competent authorities other than those mentioned at 2(e)(iv).

Rules can be made by the Speakers of the respective houses, the Chief Justices of the respective Courts, Governors of respective states and the President. The only specific task of the 'competent authority' discussed in Section 28 is the right to make rules mainly for fees and formats for appeals.

For Union territories, the administrator appointed by the President can make the rules. These rules cannot denote anything which is not in consonance with the law. In case of any inconsistency, the law will prevail.

- [Annual Confidential Report](#)
- [Citizenship under RTI Act 2005](#)
- [Competent Authority under RTI Act](#)
- [Composite Petition under RTI Act](#)
- [Deemed PIO](#)
- [Disproportionate Diversion of Resources](#)
- [What is Fiduciary Relationship](#)
- [File Notings under RTI Act](#)
- [Grounds for Rejection](#)
- [What is Information under RTI Act](#)
- [Investigation/Inquiry reports under RTI](#)
- [Justification for Denial of Information is mandatory](#)
- [Missing Files under RTI Act](#)
- [Pendency of Investigation](#)
- [Prescribed](#)
- [Privacy Rights of Public Servants](#)
- [What is Privacy under RTI](#)
- [Public Authority](#)
- [What is Public Interest](#)
- [Refund of Fees](#)
- [RTI Act or Statutory Rules for giving information under RTI Act 2005](#)
- [Severability](#)
- [Substantially Financed](#)
- [Suo Moto Disclosure under RTI](#)
- [Third Party under RTI](#)
- [Transfer of Application to other PIO](#)
- [Vicarious Liability](#)

- [Twitter](#)
- [Facebook](#)
- [Google+](#)
- [LinkedIn](#)
- [Tumblr](#)
- [Reddit](#)
- [StumbleUpon](#)
- [Telegram](#)
- [Email](#)

From:

<https://righttoinformation.wiki/> - **Right to Information Wiki**

Permanent link:

<https://righttoinformation.wiki/explanations/competent-authority>

Last update: **2023/04/15 10:51**

