

Who Can File RTI in India: Citizen, NRI, OCI, Company, NGO Explained

**RTI Wiki**

Right to Information, India

Who can ask for information under Right to Information?

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Direct answer. Only **citizens of India** are entitled to file an RTI application under **Section 3** of the Right to Information Act, 2005. **NRIs are still Indian citizens** and can file from anywhere in the world (often through the local Indian Embassy / Consulate / High Commission). **OCI cardholders, PIO cardholders, foreign nationals, and stateless persons cannot file independently** - they have to route the request through any Indian-citizen friend, relative, advocate, or authorised representative. **Companies, partnership firms, NGOs, HUFs, societies, and trusts cannot file in their own corporate name** - the application must be signed by an **Indian-citizen authorised representative** (a director, partner, trustee, member, or empowered employee), with a one-line declaration of citizenship. There is **no minimum age** in the Act; minors apply through a natural guardian. Government employees retain the right to file in their personal capacity. Always include this line on the first page: *"I am a citizen of India. I am filing this application under Section 6(1) of the Right to Information Act, 2005."*

The statutory rule: Section 3

Section 3 of the RTI Act says, in full:

"Subject to the provisions of this Act, all citizens shall have the right to information."

That is the gate. Section 6(1) (the application provision) refers to *"a person, who desires to obtain any information"* - wider language. The Supreme Court resolved the apparent conflict in *Central Information Commission v. State of Manipur*, (2011) 15 SCC 1: **the substantive right under Section 3 is restricted to citizens. Section 6(1) is only the procedural provision**

for exercising that substantive right. A non-citizen has no enforceable right under the Act. So the eligibility test is simple: *is the applicant an Indian citizen?* If yes, file. If no, route through an Indian citizen.

Citizens of India - full eligibility

- Any Indian citizen, regardless of state of residence, religion, caste, gender, age, or income.
- Citizens living abroad (“non-resident Indians” / NRIs) - see below.
- Citizens with dual nationality with one of the countries that India does not recognise dual nationality with: under Indian law you are a citizen until you renounce. Hold an Indian passport? You are a citizen for RTI purposes.
- Inmates of jails, persons in protective custody, persons under disability - all retain RTI rights.

NRIs: Yes, you can file

A non-resident Indian (NRI) is an **Indian citizen** living outside India. The RTI Act does not require physical presence inside India. There are three filing routes:

1. **Through the local Indian Embassy / Consulate / High Commission.** Section 6(1) read with the Ministry of External Affairs' standing instructions allows an NRI to file at the consular post; the post forwards the application to the relevant CPIO in India. Pay the application fee in local currency at the rate the post specifies (most posts accept the equivalent of Rs 10).
2. **Through an authorised representative in India.** Send a notarised authorisation letter to a friend / relative / advocate in India; they file in their own name, with a covering letter that the request is on your behalf.
3. **Online via rtionline.gov.in.** For Central Government bodies, NRIs with an Indian payment instrument (NRO debit card, UPI through an Indian bank) can file directly. Carry your **Indian passport** scan; it is the cleanest proof of citizenship.

OCI and PIO cardholders: No, not directly

The **Overseas Citizen of India (OCI)** card and the (now-merged) **Person of Indian Origin (PIO)** card are immigration / lifestyle benefits - they are **not citizenship**. Section 7B of the Citizenship Act, 1955 specifically lists the rights an OCI cardholder enjoys, and the right to information **is not on that list**.

The CIC has confirmed this position repeatedly. In *Sh. Sandeep S. Garud v. PIO, MEA* (CIC, 2017) the Commission held that an OCI cardholder is not entitled to file an RTI in his own name.

Workaround:

- **Route through any Indian-citizen friend, relative, or advocate.** The friend signs and files; you reimburse fees and copy charges.
- **Apply for restoration of Indian citizenship** under Section 5 of the Citizenship Act if you genuinely need direct RTI rights and otherwise qualify - that is a multi-year process, not an RTI workaround.

Companies, NGOs, partnership firms, HUFs, societies, trusts

Indian law treats a company / firm / society as a **separate legal person**. But the right under Section 3 of the RTI Act vests in **citizens** (i.e. natural persons). So:

- A **company / LLP / partnership firm / NGO / society / trust / HUF cannot file an RTI in its own name**.
- Instead, an **Indian-citizen authorised representative** files in his / her own name, mentioning the entity in the body of the application: *"I am an Indian citizen and a director / partner / trustee / member / authorised employee of [Entity name]. The information sought is for the entity's records."*
- Attach a **board resolution / partnership-firm letter / society resolution / power of attorney** authorising the named individual.
- The fee is paid by the entity through any Indian payment instrument (cheque, IPO, online challan).

The CIC in *M/s Nestle India Ltd. v. CPIO, FSSAI* (CIC, 2014) upheld this approach: corporate RTIs are allowed when filed through a named Indian-citizen representative.

The copy-paste citizenship declaration

Place this at the **end of every RTI application** before your signature. It is the single most important line that prevents a PIO from rejecting an application on a citizenship-doubt ground.

I am a citizen of India. I am filing this application under Section 6(1) of the Right to Information Act, 2005. The information is sought in my personal capacity / on behalf of [Entity name, with proof of authority attached].

Yours faithfully,
 [Full name]
 [Father's / spouse's name, optional]
 [Permanent Indian residential address]
 [Email and phone]
 Date: Place:

If you are an NRI, replace the address line with: *"Permanent Indian residential address: [village / town in India], correspondence address abroad: [overseas address]."*

If you are an authorised representative of an entity, attach the **board resolution** as Annexure A; reference it in the body: *"Annexure A - board resolution dated [date] authorising the undersigned."*

Common eligibility traps

- **PIO insists on a citizenship-proof copy upfront.** Section 6(2) bars the PIO from asking for any reason or particulars beyond those needed to contact the applicant. You may attach a voluntary copy of your **Aadhaar / passport / voter ID** to pre-empt the objection, but you cannot be *compelled* to.
- **PIO rejects the application because it is signed by a company.** Refile in the name of a named Indian-citizen director / partner / employee with the standard declaration line.

- **PIO refuses to forward an OCI applicant's request.** That is correct. Refile through an Indian-citizen co-applicant.
- **An advocate files for a foreign client.** Acceptable - the advocate is a citizen filing in his / her own capacity. Mention the client only if relevant to the request.
- **Multiple applicants on one form.** Avoid. File separate applications, one per applicant; otherwise the PIO can return the application for "irregularity".

When citizenship can be questioned

The RTI Act does not let the PIO conduct a citizenship enquiry. But Section 8(1)(a) (sovereignty and integrity of India) and Section 9 (copyright held by other than the State) can be invoked at the disclosure stage - those exemptions are independent of who applied. If a PIO wrongly demands a citizenship affidavit, the remedy is a **First Appeal under Section 19(1)** citing Section 6(2), and (if persisting) a **Section 18 complaint** for obstruction.

Frequently asked questions

Can an OCI cardholder file an RTI in her own name?

No. OCI cardholders are not Indian citizens for the purpose of Section 3 of the RTI Act. Route the request through any Indian-citizen friend, relative, advocate, or authorised representative. The CIC has consistently held this since *Sandeep S. Garud v. PIO, MEA* (CIC, 2017).

Can an NRI file an RTI from abroad?

Yes. NRIs are still Indian citizens. File through the local **Indian Embassy / Consulate / High Commission**, through an authorised representative in India, or directly via rtionline.gov.in if you have an Indian payment instrument. Keep an Indian passport scan handy.

Can a private limited company file an RTI?

Not in the company's name. A **director, company secretary, or authorised employee** who is an **Indian citizen** files in his / her own name and notes that the information is for the company's purposes. Attach a board resolution as Annexure A.

Can an NGO or society file RTI?

Yes, through an authorised office-bearer who is an Indian citizen. The signatory uses his / her own name, mentions the NGO / society in the body, and attaches the executive committee's resolution authorising the filing.

Can a serving government employee file RTI?

Yes. **Section 3 applies to all citizens**, including government servants. The employer cannot bar an employee from filing RTIs in personal capacity. Service-conduct rules occasionally restrict information about the employee's *own* department only when filed in official capacity; in personal capacity the employee's right is the same as any other citizen's.

Can a minor file RTI through a guardian?

Yes. There is **no minimum age** in the RTI Act. A natural guardian (parent / lawful guardian)

signs the application, names the minor, and provides the guardian's contact for correspondence. The CIC has accepted student-led RTI applications (e.g. *Aishwarya Parashar v. PMO*, CIC, 2010, where the applicant was a minor school student).

Can a PIO cardholder ask for Aadhaar information?

No, not directly. A PIO (Person of Indian Origin) cardholder is not an Indian citizen. The remedy is to route the request through an Indian-citizen relative or advocate. Note also that Aadhaar information is **separately protected** under the Aadhaar Act, 2016 and the **DPDP Act, 2023** - even an Indian-citizen applicant gets only the holder's own data on Section 4(3) of the Aadhaar Act, not third-party Aadhaar data.

Sources verified

1. Right to Information Act, 2005 - Sections 3, 6, 7, 19. Department of Personnel and Training portal.
2. Supreme Court of India - *Central Information Commission v. State of Manipur*, (2011) 15 SCC 1.
3. Central Information Commission - *Sh. Sandeep S. Garud v. PIO, MEA* (CIC, 2017); *M/s Nestle India Ltd. v. CPIO, FSSAI* (CIC, 2014); *Aishwarya Parashar v. PMO* (CIC, 2010).
4. India Code - Citizenship Act, 1955, Section 7B (rights of OCI cardholders).
5. rtionline.gov.in - Online RTI portal for Central Government.
6. DoPT, *Guide on the RTI Act, 2005* (August 2013, updated).

Use the AI RTI Drafter

Not sure how to phrase your application? The [AI RTI Drafter](#) generates a fully formatted application with the citizenship declaration auto-included for citizens, NRIs, and authorised entity representatives. Free, no signup, takes under two minutes.

Related

- [Guide hub - Right to Information for citizens](#)
- [How to fill an RTI application form](#)
- [Inspection of records under RTI](#)
- [Section 24: where RTI does not apply](#)
- [Fundamental facts every RTI applicant should know](#)
- [First Appeal under Section 19\(1\)](#)
- [Second Appeal under Section 19\(3\)](#)

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Right to Information Wiki

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



Read online

<https://righttoinformation.wiki/guide/applicant/application/who-can-ask-information-rti>

Main website

<https://righttoinformation.wiki/>

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