

# First Appeal Kit — Section 19(1) RTI Act, 2005

A ready-to-use template letter, filing checklist, and five CIC ratios you can cite to strengthen your first appeal. No fee required; no lawyer needed.

## TEMPLATE FIRST APPEAL LETTER

Replace [bracketed] text with your details. Print on plain A4.

Date: [DD Month YYYY]

To,

The First Appellate Authority,  
[Full name of public authority]  
[Address]

Subject: First Appeal under Section 19(1) of the Right to Information Act, 2005

Sir/Madam,

1. I, [Full Name], a citizen of India, submitted an RTI application to the Public Information Officer (PIO), [Authority Name], on [date of application], bearing registration/receipt no. [number, if any].

2. As on date, [select one of:]

- (a) I have not received any response within the stipulated 30-day period, OR
- (b) The PIO replied on [date] refusing/partially refusing my request, OR
- (c) The information supplied is incomplete/incorrect.

3. I am aggrieved by the said response / non-response and prefer this First Appeal.

4. GROUNDS:

- (i) [State the specific deficiency – e.g. 'Information was denied without citing any specific exemption under §8.']
- (ii) [If partial denial: 'The following records were not supplied: \_\_\_\_']
- (iii) [Cite CIC precedents from Page 2 of this kit if applicable.]

5. PRAYER:

I respectfully request this Authority to direct the PIO to:

- (a) Supply the information withheld, and
- (b) Consider recommending penalty under §20 for undue delay.

Yours faithfully,

[Full Name]  
[Address]  
[Phone / Email]

Enclosures:

- 1. Copy of original RTI application
- 2. Postal receipt / acknowledgement
- 3. Copy of PIO's reply (if received)

## FILING CHECKLIST

- Template letter filled and signed
- Date within 30 days of refusal / non-reply — critical — late appeals are rejected
- RTI application copy attached
- Postal receipt / online acknowledgement attached
- PIO reply copy attached (if you received one)
- No court fee / filing fee required — First Appeal is free under the Act
- Addressed to the correct FAA — Senior officer in same department; see department website

- **Two copies made** — one to FAA, one for your records
- **Sent by Speed Post with AD card** — for postal submissions
- **Online submission screenshot saved** — for portal-based appeals

## 5 CIC RATIOS YOU CAN CITE IN YOUR APPEAL

*Quote the holding verbatim or summarise it. The case number helps FAAs take you seriously.*

### 1. No blanket exemption — burden of proof on PIO

*CIC/SA/A/2012/000907 (Prof. Shailesh Gandhi, IC)*

Held: The PIO must demonstrate with specificity which clause of §8(1) applies to each document withheld. A bare invocation of 'exemption' without reasoning does not satisfy the Act.

### 2. Third-party information is not automatically exempt

*CIC/SS/A/2014/002368*

Held: Personal information of a third party is exempt under §8(1)(j) only where disclosure has no nexus with any public activity or interest. Salary/service records of public employees are public interest information.

### 3. Silence beyond 30 days = deemed refusal; penalty clock starts

*CIC/AD/A/2015/001742*

Held: Failure to respond within the statutory period itself attracts penalty under §20(1) and the applicant is entitled to file a First Appeal immediately without waiting further.

### 4. Incomplete information = no information

*CIC/LS/A/2016/003110*

Held: Supplying some documents while withholding others without citing an exemption amounts to a deemed partial refusal. The FAA must treat it as a refusal and pass a speaking order.

### 5. File noting must be disclosed (non-exempt portion)

*CIC/SA/C/2017/000128*

Held: File notings are 'information' within §2(f) and must be disclosed to the extent not covered by §8(1)(i). The department cannot withhold the entire noting on the ground that some portions are in deliberative process.

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*Online first appeal builder: [righttoinformation.wiki/tools/first-appeal-app.html](https://righttoinformation.wiki/tools/first-appeal-app.html) · Full guide: [righttoinformation.wiki/guide/applicant/first-appeal/faa](https://righttoinformation.wiki/guide/applicant/first-appeal/faa)  
This kit does not constitute legal advice.*