

The Tamil Nadu State Information Commission has been receiving queries about format in which Second Appeal under Section 19(3) of Right to Information Act is to be submitted. In this connection, a format has been evolved and is appended below, along with Guidelines on filing of Appeal.

**Guidelines:**

- (i) There is no need to pay any fees for this appeal.
- (ii) The appeal should be on plain paper.
- (iii) The contents should be typed (including a computer print-out) or written legibly.
- (iv) Since this a statutory appeal, use of letter head for typing the appeal or inclusion of any material irrelevant to the appeal should be avoided.
- (v) The appeal should not be addressed to the names of the Chief Information Commissioner or any State Information Commissioner (vide Rule 3(2) of the Tamil Nadu Information Commission (Appeal Procedure) Rules.
- (vi) The appeal should bear the signature of the petitioner.
- (vii) Appeals are liable to be returned for the following reasons:
  - (1) Petition has been preferred to the Commission directly without approaching the Public Information Officer / Appellate Authority in the first place.
  - (2) The appellant has not moved the First Appellate Authority under Section 19(1) before filing his appeal to the Commission.
  - (3) The petitioner has requested the Commission to collect information from a public authority and furnish it to him. The Commission is not a repository of information on different departments.
  - (4) The Second Appeal has not been filed within the time limit of 90 days of receipt of order on first appeal or the date on which such order should have been received [vide Section 19(3) of RTI Act).
  - (5) Documents required have not been enclosed.

- (6) The Public Authority does not come within the purview of the State Information Commission.
  - (7) The appeal is not signed.
  - (8) The appeal is illegible or unintelligible.
  - (9) The matter does not relate to any public authority governed by RTI Act.
  - (10) The appeal is on the letter-head of an association / organization / party, etc.
  - (11) A single second appeal has been filed combining more than one RTI petition.
- (viii) A format for Second Appeal under Section 19(3) is appended. The appeal should be in accordance with the requirements of Rules 3 and 4 of the Tamil Nadu Information Commission (Appeal Procedure) Rules.
- (ix) This Form is only for Second Appeal to be filed before the State Information Commission and does not apply to first appeal under Section 19(1) before the appellate authority (officer senior to the Public Information Officer).

**Second Appeal Form**

**BEFORE THE TAMIL NADU INFORMATION COMMISSION**

**Second Appeal under Section 19(3) of the Right to Information Act, 2005**

[See Rule 3 of the Tamil Nadu Information Commission (Appeal Procedure) Rules 2012]

<b>Details of Appellant</b>	
Name	
Address	
Mobile Phone Number (if available)	
Email ID (if available)	

Sir,

Under Section 19(3) of the Right to Information Act, 2005, I am filing an appeal, the details of which are furnished below:

**I. Chronology**

		<b>Date</b>
1	Date of petition to PIO under 6(1) of the RTI Act	
2	Date of transfer, if any, of petition to another PIO on point of jurisdiction	
3	Date of acknowledgement or date of receipt by PIO (if known)	
4	Date of reply from PIO	
5	Date of appeal under Section 19(1) of the Act	
6	Date of acknowledgment or receipt by Appellate Authority (if known)	
7	Date of receipt of reply or order of Appellate Authority	

**II. Public Authority**

8. Name of department concerned:

	Official	Name (if known), Designation and Address
9	PIO to whom petition was sent	
10	PIO, if any, to whom petition was transferred	

11	Appellate Authority	
12	PIO who sent reply (if different from PIO in Sl.No.9)	
13	Appellate Authority who sent reply (if different from the one in Sl.No.11)	

### III. Reason for appeal

<b>14</b>	<b>Reason for appeal [Tick against appropriate column(s) below]</b>
i.	PIO did not send reply
ii.	Appellate Authority failed to pass order
iii.	Reply refused, without due justification
iv.	Reply is incorrect / misleading / false
v.	Reply is partial or incomplete

### IV. Grounds of appeal

[Details of requests / items for which the appellant has not received reply or is not satisfied with the reply]

Item No. in the RTI Petition	Grievance relating to the furnishing of the information on this item

(In the column for Grievance, the appellant may state 'Reply not received' if no reply was received for the item. If reply was received but the appellant is not satisfied, the reason must be clearly explained)

**V. Prayer:**

**Verification**

I, \_\_\_\_\_ S/O or D/O or W/O \_\_\_\_\_, the appellant herein, do hereby declare that the details and particulars furnished above are true and correct to the best of my knowledge and belief and I have not suppressed any material fact.

I have not preferred any appeal previously to the Commission on the same issues raised in this appeal.

Place :

Date :

**Signature of the Appellant**