

How to Use RTI for Regulatory Bodies

Glossary

i. Central Information Commission- Defined under Section 2(b) of the RTI Act. The Central Information Commission is the competent authority to deal with complaints and appeals regarding public authorities under the central government.

ii. Information- According to Section 2 (f) any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.

iii. Public authority- According to Section 2(h), any authority or body or institution of self-government established or constituted –

- (a) by or under the Constitution;
- (b) by any other law made by Parliament;
- (c) by any other law made by State Legislature;
- (d) by notification issued or order made by the appropriate Government, and includes any –
 - (i) body owned, controlled or substantially financed;
 - (ii) non-Government organisation substantially financed, directly or indirectly by funds provided by the appropriate Government;

iv. Right to Information- According to Section 2 (j) the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to –

- (a) inspection of work, documents, records;
- (b) taking notes, extracts or certified copies of documents or records;
- (c) taking certified samples of material;
- (d) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device

v. State Information Commission- Defined under Section 2(k) of the RTI Act. The State Information Commission is the competent authority to deal with complaints and appeals regarding public authorities under the state government.

1. What are regulatory bodies?

A regulatory agency or regulatory body is a government authority that is responsible for exercising autonomous dominion over some area of operations like banking, insurance, securities exchange, and telecom etc. Some of the common known regulatory bodies in these sectors are listed below-

- a) **Banking-** Reserve Bank of India
- b) **Insurance-** Insurance Regulatory and Development Authority
- c) **Securities-** Securities and Exchange Board of India
- d) **Telecom-** Telecom Regulatory Authority of India

2. Why are regulatory bodies falling under the ambit of RTI?

All regulatory bodies are under the control of central government and are answerable under the RTI Act since they are public authorities under Section 2(h)(b) since they are established under the acts of parliament. They are directly controlled by the government and thus must furnish relevant information under the RTI Act. Section 2(h)(b) is reproduced below-

*Section 2(h) "public authority" means any authority or body or institution of self-government established or constituted,-
(b) by any other law made by Parliament"*

3. How to use RTI in regulatory bodies?

Regulatory bodies are obliged to furnish information under the RTI Act. It may be sought in adherence to the following points-

3.1 Reserve Bank of India- The Reserve Bank of India regulates the banking operations in our country. RTI Act can be used to get information regarding the following-

- a) Banking Reports
- b) [Minutes of Central board meetings](#)
- c) Certain information has been readily made available on the RBI [website](#)
- d) An appeal may be filed online on the [website](#) of RBI. Such appeal if filed by post may be addressed to:

i. **Shri Radha Shyam Rathor**
Executive Director (First Appellate Authority)
Reserve Bank of India,
Central Office Building, Shahid Bhagat Singh Marg,
Mumbai – 400001

ii. **Shri Vivek Deep**
Executive Director (Alternate Appellate Authority)
Reserve Bank of India,
Central Office Building, Shahid Bhagat Singh Marg,
Mumbai – 400001

- e) The status of such appeal may be checked by the registration number that is given upon filing.

3.2 The Insurance Regulatory and Development Authority: It is the regulatory body for insurance sector in India.

- a) IRDAI has disclosed information under section 4(1)(b), section 4(1)(d) and section 4(1)(c) of the act.
- b) IRDAI recently has released a [list](#) in which it designated various PIO's in accordance with the RTI Act.
- c) An RTI application may also be filed [online](#) or by post at the following address:

*IRDAI
Sy No. 115/1,
Financial District, Nanakramguda,
Gachibowli, Hyderabad - 500032*

- d) In case an appeal has to be filed, it may be addressed to
*Shri Randip Singh Jagpal
Chief General Manager, IRDAI
Sy. No 115/1, Financial District, Nanakramguda,
Gachibowli, Hyderabad - 500032*

3.3 Securities and Exchange Board of India: SEBI is the regulatory body of securities exchange in India.

- a) In order to file an RTI application, there is a provision to either file it [online](#) or send it by post.
- b) SEBI has made *suo motu* disclosure of information to be [published](#) as provided under the RTI Act.
- c) In compliance of CIC orders, SEBI has published the following information on their website-
 - i. [Report](#) on repayment of DMC Teak Unit Scheme in compliance of the CIC order in case of *Mr. Kapil Vinayak v. CPIO, SEBI.*
 - ii. In the case of *Mr. Bhupender Chaudhary v. CPIO, SEBI*, the CIC ordered SEBI to provide information to the appellant with respect to Unikon Securities Pvt. Ltd.

3.4 Telecom Regulatory Authority of India: TRAI is the regulatory body for telecom operator in India. The following information is readily available on the [website](#).

- a) TRAI Manual
- b) Name and address of appellant authority
- c) Name and address of transparency officers

- d) Previous RTI applications and their replies
- e) Details of departmental or court cases against employees
- f) An RTI application to TRAI may be addressed at:

*Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan, Jawahar Lal Nehru Marg
(Old Minto Road), New Delhi-110 002*

In *Virajoo Kumar v. TRAI*, the CIC ruled that the applicant is legally entitled to seek the information from TRAI u/s 2 (f) of the RTI Act and TRAI is mandated to call for such information from the service provider and furnish the same.

The RTI act also enables the citizens to know the status of complaints to their telecom operators. Information Commissioner Basant Seth [said](#) that

"under The RTI act consumers can access information on the action taken by their service provider on their complaint"

4. How to file RTI in other Regulatory Bodies?

Since all regulatory bodies are under central government, an RTI application to these authorities must be filed either [online](#) or by post.

To send an application by post, the applicant must address the application to the PIO of the relevant public authority/regulatory bodies.

Sample RTI Application
November 27, 2021

To,
The Public Information Officer,
BSNL Office,
Karol Bagh, Delhi, India

Sir/Ma'am,

The following information is sought under section 6(1) of the RTI Act, 2005. Please furnish:

1. The present status of the complaint number 546/20 filed for the reason of slow data speed.

Yours Faithfully,
POS

PLEASE CONSIDER BEFORE DISPOSING OF THE APPLICATION:

1. If required then, please '*render reasonable assistance*' for the purpose of obtaining the information **u/s 5(3)** of the Right to Information Act, 2005.
2. If the information, wholly or partially is available with any other particular department then as per the provision u/s **6(3)**, please transfer the application, wholly or partially, to the concerned department.