



BARRIERS TO TRANSPARENCY: ACCESS TO INFORMATION THROUGH DLSAs IN UTTAR PRADESH

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ABSTRACT

This paper analyzes the accessibility of information through District Legal Services Authorities (DLSAs) in Uttar Pradesh (UP). The study, based on 71 identical Right to Information (RTI) applications filed with DLSAs across UP, finds significant barriers to transparency, including procedural opacity and regulatory confusion. A primary issue is the lack of digital inclusion; DLSAs in UP are not part of the state's online RTI portal, forcing applicants to use a more costly and burdensome offline process. Furthermore, the study identifies a major conflict between two sets of rules: the Allahabad High Court Rules, 2006 and the Uttar Pradesh Right to Information Rules, 2015. This conflict results in regulatory misinformation, with at least 45% of DLSA Public Information Officers (PIOs) being unaware of the correct rules, leading to the rejection of applications based on incorrect fee requirements or the volume of information sought. A significant number of applications (23.9%) received no response at all. The findings point to a systemic failure to uphold transparency in an institution crucial for access to justice, particularly concerning the Victim Compensation Scheme. The paper concludes with suggestions for legislative and administrative changes, including the harmonization of conflicting rules, the creation of a dedicated online portal for DLSAs, and enhanced training for PIOs. These measures are necessary to dismantle procedural barriers and ensure the RTI Act functions as a formidable tool for accountability and public trust in DLSAs.

I. Introduction

Right to Information has been recognised as a fundamental right.¹ The Right to Information Act, 2005 (hereinafter RTI Act) fulfils the constitutional mandate of Article 19(a), freedom of speech and expression. In *CBSE v. Aditya Bandopadhyay*,² the Supreme Court, highlighting the importance of the right to information, observed:

“The right to information is a cherished right. Information and the right to information are intended to be formidable tools in the hands of responsible citizens to fight

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¹ State of Uttar Pradesh v. Raj Narain and Others (1975) 4 SCC 428; PUCL v. Union of India (2004) 2 SCC 476.

² (2011) 8 SCC 497.

corruption and to bring in transparency and accountability. The provisions of RTI Act should be enforced strictly and all efforts should be made to bring to light the necessary information under clause (b) of section 4(1) of the Act which relates to securing transparency and accountability in the working of public authorities and in discouraging corruption.”³

The RTI Act provides for a vast scope of accessible information and a comprehensive institutional setup for providing information to the citizens. A public authority is responsible for providing information to the applicants. According to section 2(h) of the RTI Act, “public authority means 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”.

A District Legal Services Authority (hereinafter ‘DLSA’) is a district-level institution created under the Legal Services Authorities Act, 1987. It is constituted by the State government in consultation with the Chief Justice of the concerned High Court and comprises the District Judge as chairperson and other members possessing the prescribed qualification.⁴ Since it is an authority created by an Act/statutory authority, it falls within the purview of the RTI Act. Among multiple functions, DLSAs provide compensation to the victims of crimes.⁵ They receive recommendations of trial courts or the application of victims for compensation and decide the quantum of compensation.⁶ As DLSAs play a crucial role in facilitating legal aid and victim compensation, transparency in their functioning is essential for ensuring effective access to justice.

This paper critically analyses the challenges faced by an applicant while filing an RTI application with the DLSAs in UP. It also studies the legal barriers to accessing such information. The paper first discusses the research methodology/design used, the RTI rules applicable to DLSAs in UP, the findings of the empirical study highlighting the issues and lastly suggests measures for improvement.

³ *Id.*, para 66.

⁴ The Legal Services Authorities Act, 1987 (Act 39 of 1987), s. 9.

⁵ The Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023) (hereinafter, BNSS), s. 396.

⁶ BNSS, s. 396(2)

II. Research Methodology

For the purposes of assessment, the researcher has used an empirical study with the DLSAs in UP. The state of UP is the largest in India in terms of population. There are seventy-one DLSAs in UP.⁷ Therefore, seventy-one RTI applications were filed with all the DLSAs addressed to the PIO of DLSAs in each district. Since the DLSAs are not part of the online portal of the UP government, the RTI applications were filed through offline mode. The applications sought identical information relating to the implementation of Victim Compensation Scheme from all the DLSAs, comprising of following questions:

- i. What are the sources from which fund is received for the Victim Compensation Scheme by the DLSA?
- ii. What is the amount of funds received from the UPSLSA by the DLSA for the Victim Compensation Scheme from 2014 to 2024, year-wise?
- iii. What is the amount of funds disbursed to the victims by the DLSA from 2014 to 2024, year-wise?
- iv. What are the heads and categories of the crimes to which the Victim Compensation Scheme applies?
- v. What is the number of applications received by the DLSA for victim compensation under section 357A(2) of the Code of Criminal Procedure (CrPC), 1973/ section 396(2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 from trial courts from 2014 to 2024, year-wise?
- vi. What is the number of applications received by the DLSA for victim compensation under section 357A(4) CrPC/ Section 396(4) of the BNSS, 2023 from victims or dependents year-wise?
- vii. What is the number of applications accepted for victim compensation from 2014 to 2024 year-wise?
- viii. What is the number of applications/orders marked/directed for victim compensation from 2014 to 2024 year-wise?

⁷ About Us, available at: https://upslsa.up.nic.in/about_us.htm (last visited on September 1, 2025).

- ix. What is the number of applications forwarded to UPSLSA for giving compensation from 2014 to 2024 year-wise?
- x. What is the number of applications pending under various categories of crime for the victim compensation till ^t December 31,2024?

The uniformity of RTI questions helped control for PIO discretion and reduce external variables. Each RTI application contained ten questions. The total word count of each application was 209 words. RTI applications were filed in the first and second week of May 2025. The applications were accompanied by a photocopy of the Aadhar Card of the applicant and a postal order of Rs. 10. Out of the total 71 applications, a total of 54 responses were received, including 11 answered, 41 rejected, 2 returned as not received, and the remaining 17 were neither returned nor rejected.

III. Identifying Indicators for Assessment of RTI Act

A study by a non-governmental organization (NGO) called Participatory Research in Asia (PRIA) in August 2006 assessed the success of the RTI Act in 12 states on indicators namely the constitution of State Information Commission and its role, role of Nodal agencies, appointment of PIOs, experience of seeking information from PIOs, mandatory disclosure under section IV of RTI Act and role of government in educating people under section 26 of the Act.⁸ Another study in December 2007 was conducted by Pragati Abhiyan, a civil society organization, working on the implementation of development schemes in Maharashtra in eighty-four government offices in Nashik. It made an assessment of the compliance of section 4 of the Act, including the parameters such as publication of information by public authorities, and availability of this information to the public, locating the PIO and the time required to locate.⁹ Other studies highlight issues such as multiple visits to PIOs for filing RTI Application, cost of filing, apathetic attitude of PIOs, and lack of awareness among PIOs regarding disclosures by their department.¹⁰ A 2023 study based

⁸ Participatory Research in Asia (PRIA), '*Tracking progress of RTI - PRIA*' (August 2006) available at: https://cic.gov.in/sites/default/files/rti_study_reports/Tracking%20progress%20of%20RTI%20-%20PRIA.pdf (last visited on September 1, 2025).

⁹ Ashwini Kulkarni, "Governance and the Right to Information in Maharashtra", 43 *Economic & Political Weekly*, 15 (2008).

¹⁰ Sudhir Naib, *Right to Information Act 2005: A Handbook*, 45 (OUP, New Delhi, 1st edn., 2011)

on responses from 200 citizens who sought information in the past three years finds that there is a lack of training and awareness, administrative burden, poor record management and fear of repercussions among the PIOs.¹¹

For the purpose of this study, the researcher has identified the indicators including the (a) mode of filing RTI application; (b) clarity of application RTI rules among the DLSA PIOs; (c) issue relating to application fees; (d) grounds of application rejection; (e) mode of replying to applications; (f) time taken to reply; (g) non-reply to applications; (h) other miscellaneous issues including reply by wrong office, refusal to accept applications and enquiry about the applicant.

IV. Findings

Mode of filing: Online and Offline

In UP, an RTI application can be filed both online and offline. The online mode provides the list of PIOs where an online application can be filed. The DLSAs and UPSLSA are not included in the online portal. Due to this reason, the applicant had to file offline RTI applications. In some of the other larger states, including Bihar, Gujarat, Rajasthan and Madhya Pradesh, the situation is similar; they have not included SLSA or DLSAs in their online RTI portals.¹² On the other hand, in Delhi, the Delhi Legal Services Authority is part of the online portal, though the DLSA are not included there also.

For offline RTI in UP, the application has to be submitted before the concerned PIO. The UPSLSA has notified that for the purpose of the RTI Act, the Civil Judge (Senior Division)/Secretary of the concerned DLSA shall be the PIO, and his jurisdiction extends to the concerned Legal Services of the District and the Tehsil. Additionally, the District Judge of the concerned district shall be the appellate authority.¹³ The researcher personally visited the UP SLSA Office located in Lucknow and consulted the concerned officer regarding the filing of an RTI

¹¹ Harshit Singh & Praveen Kumar Chauhan, "Evaluating the Implementation of the Right to Information Act: An Analytical Perspective on its Administrative Impact", 29(1) *Educational Administration: Theory and Practice*, 863 (2023)

¹² Refer to RTI portal of respective states.

¹³ Notice no. 460/SLSA-122/05 dated March 9, 2011. Available at: <https://upslsa.up.nic.in/list%20appellate%20&%20public%20info%20officers.jpg> (last visited on ^t September 1, 2025).

application with the UPSLSA and the DLSAs. The researcher was informed that an application on plain paper, along with a postal order of Rs. 10, can be filed for obtaining information from the UPSLSA or DLSAs. The application should be addressed to the PIO/Secretary DLSA of the concerned district.

Nature and quality of responses to RTI

Out of the total 71 applications, 15.5% (11/71) of DLSAs answered the RTI applications. 11.2% (8/71) DLSAs including DLSAs at Maharanjganj,¹⁴ Gautambudh Nagar,¹⁵ Bulandshahr,¹⁶ Rampur,¹⁷ Siddharthnagar,¹⁸ Barabanki,¹⁹ Balrampur,²⁰ and Chitrakoot²¹ answered the questions completely. DLSA Gonda answered all the questions, but did not provide year-wise data for 5 questions (Q5 to Q9),²² DLSA Mainpuri did not provide year-wise data for one question (Q5),²³ DLSA Moradabad²⁴ did not answer two questions (Q4 and Q8), stating that the information sought is not clear, and did not provide year-wise data for two questions (Q2 and Q5).

Conflict over Applicable RTI Rules

Conflict arose between two sets of rules, namely, the Allahabad High Court RTI Rules 2006 (2006 Rules) and Uttar Pradesh Right to Information Rules 2015 (2015 Rules).

The 2006 Rules were notified on September 20, 2006. Rule 2(e) defines ‘applicant’ as a person making a request for any information or inspection under the Act. Rule 3 provides that every application shall be made for one particular item of information only. Rule 4 provides that each application shall be accompanied by cash, draft, or pay order of Rs. 500 drawn in favour of the Registrar General, High Court, Allahabad, or the District Judge of the concerned District Court,

¹⁴ Letter no. 316/DLSA/M./Date- June 12, 2025.

¹⁵ Letter no. 316/DLSA/Gautambudh Nagar dated June 16, 2025.

¹⁶ Letter no. 1049/DLSA-33 RTI (03/46) L dated May 26, 2025.

¹⁷ Letter no. 378/25-DLSA-1/25 dated May 29, 2025.

¹⁸ Letter no. 131/DLSA/2011 dated May 20, 2025.

¹⁹ Letter no. 349/DLSA, Barabanki- dated June 05, 2025.

²⁰ Letter no. 338 dated June 30, 2025.

²¹ Letter no. 310/four/DLSA/Chitrakoot dated July 2, 2025.

²² Letter no. 213/DLSA/GD-25 dated June 2, 2025.

²³ Letter no. 609/DLSA-RTI/2025 dated May 31, 2025.

²⁴ Letter dated June 13, 2025

as the case may be. The rule was amended in 2012, and the fees were reduced to Rs. 250.²⁵ Rule 4 was again amended in 2013 and the fees was classified into two categories (i) Rs. 250 if the requested information relates to tenders/documents/bids/quotations/business contract or requested information is in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in any electronic form. (ii) Rs. 50/- if information is obtained from sources other than above.²⁶

The 2015 Rules were notified on December 3, 2015, in exercise of the powers conferred by section 27 of the RTI Act, 2005. Rule 4(1) of the rules provides that a person can file RTI application before the State PIO of the public authority concerned. The information can be sought in writing or through electronic means.²⁷ The request should be made in the format provided with the rules. However, if the application is made on plain paper, providing all the details required in Form 2, then the requirement of format can be waived off. Rule 4(2)(c) provides that the request for obtaining information shall not exceed five hundred words. Rule 5(1) provides that the application shall be accompanied by an application fee of Rs. 10 by way of cash against proper receipt, or by demand draft, or by bankers' cheque, or by Indian Postal Order payable to the concerned public authority.

Thus, the 2006 Rules and 2015 Rules differ, *inter alia*, on issues of application fees and the content of the application. This conflict of rules led to two major grounds of rejection of applications: (a) fee-related rejections and (b) rejection on the volume of information sought.

Fee-related rejection

The RTI Act, 2005 does not prescribe any fees; rather, the determination with the “competent authority”.²⁸ In the case of the 2015 Rules, the state government and, in the case of the 2006 Rules, the Allahabad High Court, respectively, are the competent authorities. Both of the authorities have prescribed different fees which creates the confusion.

²⁵ The Allahabad High Court (Right to Information) (Amendment) Rules, 2012.

²⁶ The Allahabad High Court (Right to Information) Rules, 2013.

²⁷ Form 2 of the UP RTI Rules 2015.

²⁸ The RTI Act, 2005 (Act 22 of 2005), s. 28.

Out of the total 71 RTI applications, 15.4% (11) of the applications were answered, and 45.1% (32/71) of the applications were rejected on the ground that the applicant paid less fees than prescribed. 63% (20/71) of those rejecting cited the 2006 Rules, while 25% (8/71) of the DLSAs cited the RTI Act 2005.

5.6% (4/71) of the DLSAs, including DLSA Bulandshahr, Balrampur, Barabanki and Ghazipur, considered the application and replied after clarification regarding the applicable rules. The applicant received a telephone call from Bulandshahr²⁹ and Barabanki³⁰ regarding clarification of rules. The researcher clarified the applicable rules, and the RTI applications were replied to. The DLSA Balrampur, at first, rejected the application, saying that the requisite fees had not been paid and the RTI application had not been signed, and this order was mailed.³¹ The applicant replied to the email clarifying the rules. The RTI application was answered subsequently.³²

An email received from the District Court of Ghazipur³³ stated that the RTI application was rejected on the grounds that a postal order of Rs. 10 only was required, and then they cited the 2006 rules. The application was not rejected outright, but rather the DLSA gave the applicant three days' time to pay the requisite fees and file separate RTIs for each question. Since the order was emailed, the applicant replied clarifying the applicability of rules, the court considered the argument and transferred the application to the Secretary of DLSA.³⁴ An email received from the DLSA Balrampur rejected the application for lack of fees.³⁵ The applicant clarified the issue, and the application was accepted, and information was received.³⁶

Rejection on volume of information and confidentiality of information

2.8% (2/71) DLSAs, including the DLSAs of Meerut and Bareilly, rejected RTI applications because multiple items of information were asked. The DLSA, Meerut rejected stating

²⁹ The telephonic conversation was made with the PIO Bulandshahr on May 21, 2025.

³⁰ The telephonic conversation was made with the PIO Barabanki on May 28, 2025.

³¹ Letter dated May 28, 2025.

³² Letter dated June 30, 2025.

³³ Letter dated May 28, 2025.

³⁴ Order dated May 30, 2025.

³⁵ Letter dated May 28, 2025.

³⁶ Letter no. 338 dated June 30, 2025.

that the information asked is too vast. It also said that the applicant must pay the requisite fees and state the reasons for seeking such information.³⁷ The DLSA, Bareilly rejected the RTI application on the ground that the information sought is too vast and contravenes rule 4(2)(b)(v) of the 2015 Rules. The said rule says that the information sought should not be so vast that its collection involves disproportionate diversion of resources affecting the efficient operation of the public authority concerned. It is important to mention that the researcher received the relevant information from ten DLSAs on the identical RTI applications. It is submitted that every DLSA maintains a record of victim compensation, and providing such information does not lead to “disproportionate diversion of resources”.

1.4% (1/71) DLSA, Kanpur Dehat rejected the RTI application on two grounds; firstly, that the Victim Compensation Scheme is regulated by the home department (police division), and secondly, the applicant has sought personal information about the victims and keeping in mind their secrecy, it is not permissible to provide such information.³⁸ The RTI Act under section 8(1)(g) exempts disclosure of information affecting the life and safety of any person. However, the research did not seek any information relating to the victims; rather, the information sought purely related to the figures of cases related to the Victim Compensation Scheme.

Resolving the conflict of rules

After receiving the rejections on 2006 Rules and to resolve the issues relating to the conflict of rules, the researcher filed an RTI application³⁹ with the Hon’ble Allahabad High Court to seek clarification on the following two issues:

- i. Do the Hon’ble Allahabad High Court (RTI) Rules, 2006 apply to the UP SLSA and DLSAs?
- ii. If not, then which rules apply to the UPSLSA and DLSAs for filing RTI applications?

The above RTI application was transferred by the Hon’ble Allahabad High Court to the PIO of the Hon’ble Chief Secretary of UP.⁴⁰ The application was returned by the latter, saying that

³⁷ Letter dated May 20, 2025.

³⁸ Letter no.147/DLSA/K.D.-2025 dated May 31, 2025.

³⁹ Application no. HCALD/R/2025/60542 dated May 28, 2025.

⁴⁰ Letter no. 943/RTI/1012/2025/AHC dated May 30, 2025.

the jurisdiction belongs to the Hon'ble Allahabad High Court itself.⁴¹ The RTI was finally replied to by the UPSLSA, saying that the 2006 Rules do not apply to the UPSLSA and DLSAs. Secondly, the 2015 Rules would apply to the UPSLSA and DLSAs.⁴²

Different modes of replying to the RTI

Out of 71 DLSAs, 11.3% (8/71) replied through email, while 64.7% (46/71) replied through registered post. Out of the 11 answered applications, 5 replied over email and 6 replied through registered post. Since 41 out of 71 DLSAs rejected the application, they informed the same in different ways. 3 informed the same through email, and 38 informed through writing an order and sending the same by post. Among the rejection orders received through the post, there were three categories: 8 sent only the order rejecting the application, 5 sent the order of rejection as well as the postal order, whereas 18 sent the rejection order as well as the RTI application, including the postal order.

Time taken to reply

A total of 54 responses were received; out of these responses, 94.4% (52/54) were received within 30 days, while 3.7% (2/54) replies were received within 40 days from the date the respective DLSA received the application.

Silence over RTI applications

23.9% (17/71) RTI applications were neither rejected nor returned to date. Rule 7 of the 2015 Rules provides for the right to appeal if a person does not receive a decision from a State PIO or is aggrieved by a decision of a State PIO. A similar right to appeal is also provided under section 19 of the RTI Act, 2005. In *State of Uttar Pradesh v. Raj Narain*,⁴³ the Supreme Court observed as under:

“In a government of responsibility like ours, where all the agents of the public must be responsible for their conduct, there can be but few secrets. The people of this country have a right to know every public act, everything that is done in a public way, by their

⁴¹ Letter no. 1135/CS/RTIA/2025 dated June 3, 2025.

⁴² Letter no. 2156/SLSA-40/2015 (PS/RTI) dated 9th July 2025

⁴³ (1975) 4 SCC 428

public functionaries. They are entitled to know the particulars of every public transaction in all its bearing.”⁴⁴

Rule 4 (6) of the 2015 Rules provides the procedure for the disposal of the RTI applications. It deals with three scenarios: firstly, when the PIO accepts the application, secondly, when the application requires payment of additional fees and thirdly, when the application is to be rejected. In the first case, the PIO is required to convey the information to the applicant. In the second case, the PIO is required to inform the applicant about the payment of additional fees and in the third case, he is required to convey rejection. Thus, in any case, the informant is to be informed. In the researcher’s case, one issue is that since the RTI has been filed in the offline mode, there is not much proof for filing an appeal. For the purpose of appeal, a copy of the application is required. It is only the postal receipt which can prove the fact that a post was sent to the PIO.

Miscellaneous Issues

RTI replied by the Central PIO(‘CPIO’) of the District Court instead of the PIO of DLSA

18.3% (13/71) applications were replied by the CPIO of the concerned district court. The CPIOs are designated by the High Court for the district courts. The DLSAs function within the premises of the district court. The PIOs of the DLSA are designated by the UPSLSA. According to rule 4(5) of the 2015 Rules, if the PIO finds that the request made for disclosure of information related to another PIO, then such PIO shall, within five days from the date of receipt of the request, transfer the request to the other PIO. In the case of the researcher, the RTI applications should have been transferred to the PIO/Secretary of the DLSA, but that didn’t happen. Only one DLSA, of Ghazipur, transferred the RTI application from the CPIO to the SPIO or PIO.⁴⁵

Refusal to accept RTI application

2.8% (2/71) of the RTI applications were not accepted, and they were returned sealed closed to the researcher by post. The reason stated on the envelope was that the officer refused to accept. In *CPIO, Supreme Court of India v. Subhash Chandra Agarwal*,⁴⁶ it was held that even the

⁴⁴ *Ibid.*

⁴⁵ Order dated May 30, 2025.

⁴⁶ (2020) 5 SCC 481.

office of the Chief Justice of India comes within the purview of the RTI Act. DLSA, being a statutory body, is no exception and is bound to provide information.

Enquiry about the applicant

5.6% (4/71) of the DLSAs including the DLSAs of Barabanki, Gonda, Kasganj and Shravasti called the researcher, asking questions such as: What is the professional capacity of the researcher? And why is the researcher seeking such information? The researcher responded, stating that he is a research scholar and the information is sought for academic purposes. In *Surupsingh Hrya Naik v. State of Maharashtra*,⁴⁷ the Bombay High Court observed that a person seeking information is not required to give reasons. The court observed that “the test always in such matter is between private rights of a citizen and the right of third party to be informed. The third party need not give any reason for his information. considering that it can be said that the object of the Act, leans in favour of making available the records in the custody or control of the public authorities.”⁴⁸

Added the cost of filing an offline application

In the online application, Rs. 10 is to be paid as an application fee. In the online portal, an appeal can be filed easily, and no charge is required. But since the DLSAs are not part of the online portal, one has to incur postal and stationery charges to file an application. The researcher incurred a cost of around Rs. 45 on each application, including the postage and stationery charges, apart from the application fees of Rs. 10. So the total cost of each offline application was around Rs. 55-60, which is 5-6 times that of an online application.

V. Conclusions and Suggestions

Enforcement of the RTI Act has had hurdles since its inception.⁴⁹ Even after two decades, there is still scope for improvement. An applicant faces multiple problems while filing RTI applications to DLSAs. A survey in Nashik district in Maharashtra finds that most of the

⁴⁷ AIR 2007 Bom 121.

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⁴⁹ Rajvir S. Dhaka, “Revisiting 11 years of RTI”, 51 *Economic & Political Weekly* 52 (2016)

government offices have not notified the PIOs, which is a statutory requirement of the RTI Act.⁵⁰ More RTI activism has also proved to be dangerous; evidence of murder is also seen in past.⁵¹ The poor implementation is also attributed to a lack of PIOs to demand information from and a delay in replying to the applications.⁵²

To address these challenges, solutions are required at the legislative and administrative levels. The end result of seeking information should not be defeated by mere technicalities. The opacity observed in DLSA responses not only undermines citizens' right to know but also erodes trust in institutions designed to serve the most vulnerable. If unaddressed, these procedural blocks risk rendering the RTI Act ineffective in one of the country's most critical access to justice institutions. This procedural rejection is not merely a technical lapse; it is a direct barrier preventing victims from accessing information about their entitled compensation, thereby undermining the core mission of the DLSA. The following measures are suggested for bringing about a robust change in the access to information from the DLSAs.

- i. Inclusion on the Online portal: It is important to bring the UPSLSA and DLSAs on the online RTI portal of the UP government so that RTI applications can be filed conveniently and economically. The fact that the Delhi Legal Services Authority is included on the online portal, even if its district counterparts are not, demonstrates that integrating such bodies into the digital RTI framework is technologically feasible. Uttar Pradesh's failure to do so for either UPSLSA or its DLSAs points to a greater lag in digital governance.
- ii. Harmonization of rules: The RTI rules of the State government and the Allahabad High Court must reflect uniformity in terms of the application fees. It is suggested that ordinarily the same fees should be charged, and for other cases, proportionate extra fees may be levied. The Allahabad High Court Rules 2006, rule 3 states that one RTI application can ask for one particular item of information only. Each application shall be accompanied by a fee of Rs. 500. These two rules appear to be excessive. In contrast, the

⁵⁰ Ashwini Kulkarni, "Governance and the Right to Information in Maharashtra", 43 *Economic & Political Weekly* 15 (2008).

⁵¹ Christophe Jaffrelot et. al, 'The Struggle of RTI Activists in Gujarat', 53 *Economic & Political Weekly* 62 (2018)

⁵² "Rooting out graft", *The Indian Express*, December 13, 2016. ---add author's name

2015 Rules require only an application fee of Rs. 10 and allow an application of up to 500 words. Thus, the former must align with the format and fee structure of the 2015 Rules.

- iii. Objection redressal window before rejection: A mechanism should be introduced where, instead of straight away rejecting the applications, an objection should be raised by the PIO, and a certain time frame should be provided to address the objection. This will also reduce the number of appeals.
- iv. Encouraging digital replies: An RTI application should be replied to by electronic means wherever possible. Recently, the *Delhi High Court in Aditya Chauhan v. Union of India*,⁵³ observed that the information sought under the RTI Act has to be provided in all possible electronic means. The public interest litigation here raised the issue that the PIOs are not providing information in modern electronic forms such as emails and pen drives, though the same has been provided in the RTI Act, 2005. Section 2(j) of the 2005 Act defines “right to information” as including “information in the form of diskettes, floppies, tapes, video cassettes or in any other *electronic mode*”. The petitioner highlighted that it is because of the lack of legislative framework in the Right to Information Rules, 2012, that the PIOs are reluctant to provide the information in electronic modes. The court directed putting in place an adequate framework for the purpose.
- v. Separating the office of PIO and Secretary of DLSAs: Currently, the Secretaries of the DLSAs undertake the charge of PIOs of DLSAs. The Secretaries of DLSAs are Senior Division Judicial Officers. They have a profile of a judge and may confuse the function of DLSA with the court. It is possibly the reason why they cited the 2006 rules, assuming that the applications were made to the court. Thus, to bring clarity in the function, a separate office of PIO should be created in all DLSAs, comprising persons who are not judicial officers, so that there is clarity in the application of the rules.

⁵³ 2025 DHC 5193 DB

- vi. Staff training: The secretaries and staff of the DLSAs must be apprised of the relevant rules applicable to the UPSLSA and DLSAs. They should be trained to provide information in the same manner as asked in the applications. In case of any confusion, clarification must be sought from the applicant instead of being rejected straight away.