

No.27.1/2009-DPE (RTI)
Government of India
Ministry of Finance
Department of Public Enterprises

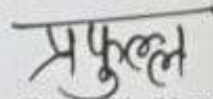
Block No.14, CGO Complex,
Lodi Road, New Delhi - 110003
Dated 12th May, 2026

OFFICE MEMORANDUM

Subject- Designating Central Public Information Authority (CPIO) under the provisions of RTI Act, 2005- request reg.

Reference is invited to the provisions of the Right to Information Act, 2005, especially as regards role of Central Public Information Authority (CPIO). It is stated that the RTI Act, 2005, places a very significant responsibility on CPIOs to appreciate the distinction between permissible disclosure and impermissible disclosure, because once a disclosure is made to the members of the public, it is seen as an information coming from the state. In addition to sharing vital information held by the state, CPIO also has a very important role vis-à-vis Central Information Commission (CIC), before whom he or she has to present the views of the Department/ Ministry as its sole representative, during hearing in second appeal. He/ she also has to carry out the directions given by CIC, being the sole link between the Department/ Ministry and CIC.

2. The RTI Act and the rules framed thereunder is silent on the level of officer who could be designated CPIO.
3. Of late RTI Desk has been receiving requests for appointment of Assistant Section Officer (ASO) or even Young Associate (a non-official) as CPIO. Such requests are not in conformity with office procedure, more so on account of such requests not being sent with the approval of their divisional heads.
4. It is stated that if an Act or rules are silent, reliance has to be placed on the provisions of Manual of Office Procedure (MoP) issued by the Department of Personnel & Training, and the practice and precedents followed in other Ministries/ Departments. Though MoP predates RTI, it deals with forms & procedures of communication in Chapter 6. All this envisages senior officers entering into correspondences of all sorts. The practice and precedents followed in other Ministries/ Departments clearly shows that an officer of the rank of Under Secretary and above is normally designated CPIO. Reference may be made here to the practice being followed in the Ministry of Home Affairs as regards appointment of CPIO in their website. The whole idea behind appointment of a responsible officer as CPIO is that he or she should at least be of a level who can allow access to information held by the Government Department/ Ministry, knowing full well that public interest in disclosure in such information outweighs the harm to the protected interests.
5. In view of above, it is stated that designating an Assistant Section Officer or non-officials as CPIO is not feasible.



(Dr. P.K. Sinha)

Dy. Secretary & Nodal Officer (RTI Cell)

To

Dir (MRM)/ Dir (KEK)/ Dir (MKS)/ DS (PK)/ DS (SR)/ JD (BS)/ JD (AG)/ JD(SM)/ JD (PD)/ JD (KB)

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