

Central Information Commission
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066.

CIC/AA/A/2015/10
CICOM/A/2015/00010
CICOM/R/2014/00923

Name of the appellant : Shri R.K. Jain,
1512-B, Bhishm Pitamah Marg, Wazir Nagar,
New Delhi-110003.

Date of hearing : 18th January, 2016.

Brief facts of the case :-

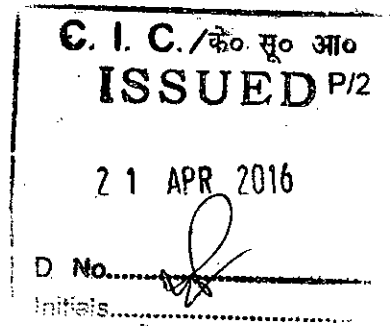
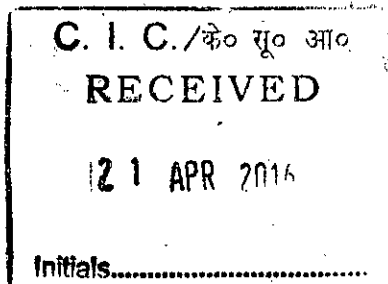
Shri R .K. Jain has filed first appeal No.16020 dated 28.12.2015, diarised in the Commission on 28.12.2015 and received in the office of FAA on 29.12.2015 against the reply of the CPIO, RTI Cell letter dated 29.09.2015 in response to his RTI application dated 18.09.2015. This appeal is against the non-receipt of the reply in respect of DO to IC(YA). Appellant was present. Shri Y.K. Singhal, JS(Law) cum CPIO, RTI Cell, Shri Prakash, DO to CIC, Shri K.A. Talwar, DR to IC(KY) and Shri T.K. Mohapatra, DR to IC(MP) were present. The appellant has further submitted a first appeal No.16199 dated 25.03.2016 on the same RTI application.

Decision with reasons:-

2. During the hearing, the appellant has stated that he has sought the number of non-compliance cases examined by each individual registry from 01.01.2015 to till date in compliance with the directions given in the Minutes of the Meeting dated 01.04.2014 and some other related issues in his RTI application. He has received the information from some of the registries who are maintaining the record relating to non-compliance cases and some of the registries informed that they are not maintaining it separately. Hence, the appellant has requested during the hearing that those registries who are not maintaining it may be directed to maintain it and provide the information.

On point 1 of the agenda of the Minutes of the Meeting dated 01.04.2014, it has been mentioned that:

".....It was decided that the directions in the case of Ms. Radhika Arora Vs CIC should be complied with and for that purpose, the Non-Compliance cases must be examined in the concerned registries. In this regard, proposal for adequate resources and suitable staff may be taken up with the DoPT. Such cases of Non-Compliance will be registered by the Central Registry and will be allotted a file number as suggested in the agenda note circulated in the meeting.



The individual registries will send a monthly statement regarding disposal of Non-Compliance cases separately to the Secretary through the Registrar for the purpose of monitoring of such cases."

Shri T.K. Mohapatra, CPIO cum DR to IC(MP) has intimated during the hearing that the non-compliance cases will be registered by the CR Section and adequate resources and suitable staff will be provided to the registries for examination of these non-compliance cases and as far as the registry of IC(MP) is concerned, no such non-compliance petition has been received registered from the Central Registry Section and also no adequate staff and resources have been provided by the Administration as decided in the Commission's meeting. However, the non-compliance petitions that are being received in the registry at present are dealt in the concerned case files and no separate register etc is maintained for monitoring.

Hence, it is given to understand that till the adequate staff is provided to all the registries, the non-compliance cases cannot be examined separately. But presently there is acute shortage of staff in the Commission, therefore, at present it cannot be feasible to provide more staff in all the registries. The CPIO cum DO to IC(YA), Shri B.D. Harit has not provided the information, therefore, direction is given to Shri V.D. Naniwadekar who is now DO to IC(YA) to provide the information on points (A) & (B) of the RTI application to the appellant within 05 days from the date of receipt of this order, in case the same is maintained by him.

3. The appeal is, therefore, disposed of accordingly.

4. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the CIC in Room No. 185, Ground Floor, 'B' Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 against this order within 90 days.

Dated, the 30th March, 2016.

Achla Sinha

(Achla Sinha)

Additional Secretary & First Appellate Authority
Tele No : 011-26162290

Copy to :-

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The CPIO, RTI Cell, CIC, New Delhi.

Shri V.D. Naniwadekar, CPIO cum DO to IC(YA), CIC, New Delhi.

21/4/16