

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

CIC/AA/A/2016/217  
CICOM/A/2016/00216  
CICOM/R/2016/00404

Name of the appellant : Shri R.K. Jain,  
1512-B, Bhishm Pitamah Marg, Wazir Nagar,  
New Delhi -110 003.

1.	Date of RTI application	21.03.2016
2.	Date of reply of the RTI application	29.03.2016
3.	CPIO(s) who furnished reply	JS(Law) & JS(MR)
4.	1 <sup>st</sup> Appeal No. & Date	16266 dt. 13.05.2016 16358 dt. 13.06.2016
5.	Diary No. of 1 <sup>st</sup> Appeal of the Dak Section	135362 & 144792
6.	Diary date of the Dak Section	13.05.2016 & 14.06.2016
7.	Diary date of 1 <sup>st</sup> Appeal in the office of FAA	16.05.2016 & 15.06.2016
8.	Date of Hearing	13.07.2016

**Decision with reasons:-**

1. On Point (A) (i) to (ii) of the RTI application, the appellant has sought the record and material on the basis of which Shri Y.K. Singhal, JS(Law) during the hearing of the first appeal in case File No.CIC/AA/2016/101 on 18.03.2016 stated that the DoPT OM No.1/6/2011 dated 15.04.2013 is not binding on CIC being merely an executive circular. The reply furnished by JS(Law) is as under:-

*"JS(Law) has clarified during hearing that DoPT Memo is an Executive Circular having statutory binding and is applicable on all Public Authorities including CIC during hearing of First Appeal dated 18.03.2016".*

2. Shri Y.K. Singhal, JS(Law) has not provided any record or material on the basis of which the statement was made during the hearing of the first appeal and instead he has informed regarding the statement made by him during the hearing. **Direction is accordingly given to Shri Y.K. Singhal, JS(Law) to provide the records, material and the copies on the basis of which statement was made during the hearing and if there is no such record that may also be intimated to the appellant within 1 week from the date of receipt of the order.**

3. On Point (B) of the RTI application, the appellant has sought information about para-wise compliance of the DoPT OM No.1/6/2011 dated 15.04.2013 by the CIC and file number in which the compliance to the said OM is dealt with along with copies of all the notesheets of the said file. Shri A.K. Gehlot, JS(MR) in his reply stated that the requested information is not maintained in JS(M&R) section. **Shri S.P. Beck, JS(Adm) & Nodal Officer is directed to find out the officer/section responsible for implementation of the said OM and by taking assistance from the concerned officer/section, provide the information to the appellant within 2 weeks from the date of receipt of the order.**

4. On Points (C) & (D) of the RTI application, appellant has sought the number of cases of each Information Commissioner in which the orders have not been passed and issued by the ICs/CIC within 30 days of final hearing and sought the list of cases giving details of the date of final hearing, appeal/complaint number. Shri A.K. Gehlot, JS(MR) cum CPIO has responded that the requested information is not maintained in JS(M&R) section. The reply of the CPIO is not appropriate. The information must be available in the electronic data bank of the Commission. **Direction is accordingly given to Shri A.K. Gehlot, JS(MR) cum CPIO to provide the available information to the appellant within 1 week from the date of receipt of the order.**

5. On Point (E) of the RTI application, the appellant has sought digital data for the RTI applications forwarded to JS(Law)/Legal Cell from 01.01.14 and the digital data of the reply received from JS(Law)/Legal Cell. Shri A.K. Gehlot, JS(MR) cum CPIO has responded that the requested information is available on the website of Central Information Commission ([www.cic.gov.in](http://www.cic.gov.in)). The appellant in his appeal stated that such information is not available in the CIC's website. **Direction is accordingly given to Shri A.K. Gehlot, JS(MR) cum CPIO to provide the link of the CIC's website where the said information is available to the appellant within 5 working days from the date of receipt of the order so that appellant may get the information.**

6. The appeal is disposed off accordingly.

7. 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, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 against this order within 90 days.

Dated the 20<sup>th</sup> August, 2016.

*Achla Sinha*

( Achla Sinha )  
Additional Secretary & First Appellate Authority  
Tel: 26162290

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.
2. Shri S.P. Beck, JS(Admn), CIC, New Delhi.
3. Shri A.K. Gehlot, JS(MR), CIC, New Delhi.