

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

CIC/AA/A/2016/231  
CICOM/A/2016/00230  
CICOM/R/2016/00508

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

1.	Date of RTI application	16.04.2016
2.	Date of reply of the RTI application	25.04.16, 25.04.16, 03.05.16, 12.05.16 & 25.05.16
3.	CPIO(s) who furnished reply	JS(Law), DO to IC(MP), JS(Admn), DR in CR & Registrar
4.	1 <sup>st</sup> Appeal No. & Date	16260 dt. 23.05.2016 16333 dt. 03.06.2016
5.	Diary No. of 1 <sup>st</sup> Appeal of the Dak Section	137690 & 141715
6.	Diary date of the Dak Section	23.05.2016 & 06.06.2016
7.	Diary date of 1 <sup>st</sup> Appeal in the office of FAA	24.05.2016 & 09.06.2016
8.	<b>Date of Hearing</b>	<b>23.08.2016</b>

The appellant has intimated over phone that he is not well, therefore, his first appeal may be decided on merits on the basis of available record and material. Later on, he also intimate the same in writing vide letter dated RTI/P-737/9869/16/R/19791 dated 24.08.2016. Shri T.K. Mohapatra, DO to IC(MP) Shri Ashok Kr Sharma, CPIO, RTI Cell, Shri Umesh Chandra Joshi, DR in Central Registry, Shri V.K. Sharma, DO to IC(SB) and Shri Kishore Kr Pukhral, CPIO, Legal Cell were present. As per the appeal, the appellant is aggrieved with the response of the CPIO(s) of the Commission on Points (A) (i) to (iv) and (C) of the RTI application only.

**Decision with reasons:-**

2. On Point-A of the RTI application, the appellant has sought following information:-

*"(A) As per Agenda Point 1 of the Minutes of the CIC Meeting dated 01.04.2014, the non compliance cases are to be examined by individual registry and registered by the Central Registry and be allotted a file No. The MOM also provides that individual registries are to send monthly statement regarding disposal of non-compliance cases separately to the Secretary. In this regard, please provide the following information:-*

- (i) Please provide number of non-compliance cases examined by each individual Registry from 01.10.2015 till the date of providing the information, in compliance to the decision taken in MOM dated 01.04.2014.*
- (ii) Please provide list of the non-compliance cases, which have been registered by the Central Registry after 01.10.2015 till the date of providing the information, in compliance to the decision taken in MOM dated 01.04.2014.*

- (iii) *Please provide the copies of the Monthly Statements regarding disposal of non-compliance cases sent by individual Registries to the Secretary through the Registrar from 01.10.2015 till the date of providing the information, in compliance to the decision taken in MOM dated 01.04.2014."*

3. On Point A(i), the appellant has stated in the appeal that CPIO, RTI Cell and all the DRs/DOs have not provided the complete and correct information. **Direction is accordingly given to the CPIO, RTI Cell to check the CPIO(s) of the registries who has not provided the information to the appellant and forward this order to them for providing the information to the appellant within 5 working days from the date of receipt of the order.**

4. On Point A(ii), Shri U.C. Joshi, DR in Central Registry has informed during the hearing that the minutes of the Commission's meeting dated 01.04.2014 on the agenda item "**Decision on Non-compliance of Commission's orders**" as referred in the RTI application was reviewed by the Commission in the Commission's Meeting dated 03.06.2014. According to the MOM of the said meeting, it was decided that such cases of Non-Compliance need not be registered centrally. However, this should be diarised centrally as is being done at present and then sent to the concerned registry to be submitted in the concerned file to the Information Commissioner for further decision on the matter.

5. On Points A(iii) & (iv) of the RTI application, the Registrar, Shri M.K. Sharma has stated in his reply dated 25.05.2016 that "*The relevant file is not readily available. The information sought by you will be provided shortly.*" **Direction is accordingly given to Shri M.K. Sharma, Registrar to provide the information to the appellant within 1 week from the date of receipt of the order, as the relevant file might have been searched out in between.**

6. On Point (C) of the RTI application, the appellant has alleged in the appeal that CPIO, RTI Cell has not provide complete and correct information nor he had provided the copies of the notesheets and correspondence pages of the file from which the Committee has been constituted on the issue of non-compliance. This point was forwarded by CPIO, RTI Cell to Shri S.P. Beck, JS(Admn) cum CPIO who has already furnished the information vide his letter dated 03.05.2016.

7. The appeal is disposed off accordingly.

8. 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 22<sup>nd</sup> August, 2016.



( Achla Sinha )

Additional Secretary & First Appellate Authority  
Tel: 26162290

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.
2. Shri M.K. Sharma, Registrar, CIC, New Delhi.