

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

CIC/AA/A/2017/268
CICOM/A/2017/00260
CICOM/R/2017/01006

Name of the appellant : Shri Phool Chand,
B-48, Sector-15,
Noida (UP) – 201 301.

1.	Date of RTI application	09.08.2017
2.	Date of reply of the RTI application	14.08.2017
3.	CPIO(s) who furnished reply	CPIO, RTI Cell
4.	1 st Appeal Date	26.08.2017
5.	Diary No. of 1 st Appeal of the Dak Section	160189
6.	Diary date of the Dak Section	30.08.2017
7.	Date of receipt of 1 st Appeal in the office of FAA	01.09.2017
8.	Date of Decision	06.09.2017

Brief facts of the case:-

In the RTI application, appellant has sought following information:-

1. Steps is required to be taken by the applicant to get information/details when concerned Department/Ministry does not take any action on Hon'ble Information Commissioner's orders/decisions.
 2. Can applicant inquired about action taken on orders/OM as "give the circumstances under that DOPT Orders/OMs are not being implemented".
 3. Similarly can an applicant demand that "give circumstances under that no action is being taken to implement the Hon'ble Information Commissioner Orders".
 4. Can an applicant inquire the reasons for non-compliance of Hon'ble CIC orders/decisions even after passing prescribed time.
 5. Steps to be taken by applicant when Hon'ble CIC give order against concerned Ministry/Department to provide information/details within 30 days but no action is even after passing time and after receiving reminders.
 6. To which Authority an applicant should approach when no information/details are not provided on the order/decision of Hon'ble C.I.C.
 7. Want to know how to get details of implementation of Hon'ble CIC decision and DOPT's Order/OM when no action is being taken even after sending reminder to concerned Authority."
2. Shri Ashok Kumar Sharma, CPIO, RTI Cell vide letter dated 14.08.2017 has responded as under:-

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"Point no.1 to 7: In this regard, it is stated that the information sought on point 1 to 7 of the RTI application is in the nature of query. Hence, no information on the same can be provided to the appellant. However, it seems that you want to know the action taken by the applicant when no information/details provided to him on the order/decision of the Hon'ble CIC. In this regard, you are informed that you can file non-compliance with the Commission."

3. In the appeal, appellant has mentioned 8 case file numbers on which Commission has given orders in which public authority were NDMC and all MCDs. As per appellant, none of the Corporation has complied with the orders of the Commission except SDMC. He further stated that the information was demanded when none of the orders are implemented by the public authorities and requested to guide and advice for taking further step so that Hon'ble CIC orders are implemented in NDMC and all MCDs.

Decision with reasons:-

4. As far as information sought in the RTI application is concerned, it is observed that the reply furnished by the CPIO is appropriate. The CPIO rightly informed that appellant can file non-compliance of the order with the Commission. The appellant is accordingly advised to file non-compliance of the orders with the Commission against the public authority as per proforma and instructions contained in the order dated 29th November, 2016 of the Registrar, CIC (**copy as downloaded from the CIC's website is enclosed**). The appellant may also file online non-compliance case for which he may visit CIC's website link <http://dsscic.nic.in/cicapp/online-link-paper-compliance/add>.

5. The appeal is disposed off.

6. 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 6th September, 2017.

Encl. Two leaves

(Rakesh Kumar Singh)
Additional Secretary & First Appellate Authority
Tel: 26162290

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.

Sudhakar
07/09/17