

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनार्थ मार्ग / Baba Gang Nath Marg
मुनिरका / Munirka
नई दिल्ली - 110067 / New Delhi - 110067

No.CICOM/R/2018/50524

Dated: 27.07.2018

To

Shri Amresh Chandra Mathur

Sir/Madam,


Please refer to your online RTI application dated 22.07.2018 addressed to Central Information Commission.

Point no. 1 to 8: In this regard, assistance was sought under section 5(4) from Registrar, CIC on 23.07.2018 and response received from Shri Piyush Agarwal, Registrar, dated 26.07.2018 is enclosed herewith at Annex - 1.

The First Appeal, if any, against the reply of the CPIO may be made to the First Appellate Authority, CIC within 30 days of receipt of reply to:

First Appellate Authority, CIC
Central Information Commission
Baba Gang Nath Marg, Munirka
New Delhi - 110 067
011-26162290

Encl: As above


(Ashok Kumar Sharma)
CPIO (RTI Cell)

**CENTRAL INFORMATION COMMISSION
OFFICE OF THE REGISTRAR**

Reference Letter No. CICOM/R/2018/50524 dated 23-07-2018 seeking assistance under Section 5(4) of the RTI Act, 2005 on RTI application dated 22-07-2018 of Shri Amresh Chandra Mathur. Following is the desired information:

A. Reply to para 1 of the RTI Application

CIC Circular File no.CIC 30/2016 dated 23rd September,2016 has not been superseded .Enclosed is the copy of the said Circular as **Annexure A1** and further the said circular is uploaded on the website of the Central Information Commission .

B. Reply to para 2 of the RTI Application

Information sought vide para 2 of the RTI Application can be replied by the concerned registry whether it has complied para 2(i) of the CIC Circular File no.CIC 30/2016 dated 23rd September,2016.

C. Reply to para 3 to 8 of the RTI Application

Information sought vide para 3 to 8 of the RTI Application does not come within the definition of information as per Section2(f) of the Right To Information Act,2005 .



(Piyush Agarwal)

Registrar

26-07-2018

Sh. Ashok Kumar Sharma
CPIO (RTI Cell)

Asm
26/07/18

File No.CIC/30/2016-Rgr.
Central Information Commission

New Delhi, dated the 23rd September, 2016

ORDER

Sub: Conduct of hearings before the Commission.

It has been noticed that many a time during the hearings of appeals and complaints under the Right to Information Act, 2005 in this Commission, the parties to a case carry with them mobile phones, cameras and electronic devices including recording devices. This results in disruption of smooth conduct of hearings. Further, sometimes the appellant/complainant or the respondent is accompanied by a number of persons or officers to assist them. Many times, the appellant/respondent seeks permission to allow the accompanying person(s) to speak on his behalf. Ordinarily, the hearings of the cases before the Commission are open to general public. However, there may be cases when a party to a case requests for hearing the matter in the presence of the parties only. In other words, the request made is that the proceedings should be conducted "in camera" to the exclusion of others.

2. The matter has been considered and for smooth and better conduct of hearings in the cases in the Commission, it has been decided that -

- (i) A notice shall be displayed at the entrance of the chamber of the Chief IC/ICs reading that "Mobile phones, cameras and other electronic devices including recording devices not allowed. Deposit the same with the personal staff against a token."

Suitable arrangements for receipt and delivery of these items will be made by the Sr. PPS/PPS concerned. For video conference hearings, NIC shall impose similar restrictions.

- (ii) Whenever a party to a case makes a request for hearing the matter in the presence of the parties only, i.e. to conduct the hearing "in camera" to the exclusion of others, the Commission would consider such a request in the light of the submissions made in this regard. If the request is acceded to, the reasons for holding the proceedings "in camera" would form part of the decision in the case.
- (iii) It is necessary that some restriction on the number of persons to assist a party to a case should be imposed for smooth conduct of hearings. Keeping in view the nature of RTI requests and the grounds generally taken in the appeals and complaints, it would be reasonable that only one person may be allowed to assist the appellant/complainant or the respondent or any other party to a

case. However, if any specific request is made by a party to a case for seeking assistance of more than one person, the Commission would take a decision in this regard.

For the purpose, the following para may be incorporated in the notices of hearing issued by the Commission:

"The parties may note that only one person shall be allowed to assist them during the hearing of the case."

[Signature]

(Dr. M.K. Sharma)
Registrar

To

1. Sr.PPS/PPS to Chief IC and ICs.
2. Shri Subhash Sharma, DR to Chief IC.
3. Shri R.L. Gupta, DR to IC (BS).
4. Shri Ram Parkash Grover, DR to IC (YA).
5. Shri Vijay Bhalla, DR to IC (SH).
6. Shri T.K. Mohapatra, DR to IC (MP).
7. Shri K.A. Talwar, DR to IC (KY).
8. Shri Dinesh Kumar, DR to IC (SA).
9. Shri V.K. Sharma, DR to IC (SB).
10. Shri K.L. Das, DR to IC (BJ).
11. Shri Raghubir Singh, DR to IC (DP).
12. Shri A.K. Talapatra, DR to IC (AB).
13. DR (C.R.)

Copy to:

1. PSs to Secretary/ Addl. Secretary.
2. JS (A)/JS (MR)/JS (P&B).
3. NIC with the request to instruct all concerned and also to upload it on the website of the Commission.

[Signature]

(Dr. M.K. Sharma)
Registrar