



**Central Information Commission**

Room No. 107, Ground Floor, Baba Gangnath Marg,  
Munirka, Near Old JNU Campus, New Delhi - 110 067

**File No CICOM/R/2017/50653/CR-1**

**Date: 06.09.2018**

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**Sub: Providing information under RTI Act. 2005.**


**Sir,**

I am to refer to your online RTI application dated 29.08.2018. It has been registered vide no. CICOM/R/2018/50653. The CPIO (RTI Cell) has requested to provide information in respect of **Point No. 5 B** which reads as:-


*"Process for complaint filed against Central Information Commission"*

In above regard, kindly find enclosed herewith a copy of the Guide lines for filing Second Appeal and Compliant against any public authority including Central Information Commission.

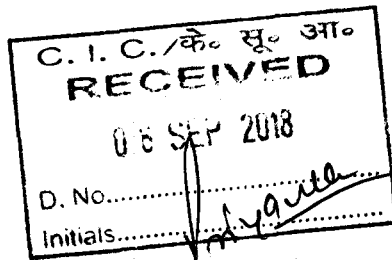
Enclosed: as above

  
(Krishan Avtar Talwar)  
Deputy Secretary & CPIO  
Central Registry – 1  
Email Id: [drqr1@cic.nic.in](mailto:drqr1@cic.nic.in)

Copy to: - Shri Ashok Kumar Sharma, CPIO (RTI Cell), CIC, New Delhi.

  
08/09/18

  
(Krishan Avtar Talwar)  
Deputy Secretary & CPIO



## Guidelines for filing Second Appeal

The Commission has decided to issue the following guidelines for registration of Second Appeal based on Rule 8 and 9 of the RTI Rules, 2012:

1. Mandatory documents required for registration of Second Appeal :
  - The second Appeal duly signed and addressed to the Commission
  - Copy of the RTI application submitted to the Central Public Information Officer
  - Copy of the first appeal made to the First Appellate Authority
  - RTI, First Appeal and Second Appeal shall be related to each other
  - Above three documents must be legible
  - Above three documents must be in Hindi /English or a translated version in Hindi/English should be provided
2. Other Mandatory documents required for proper presentation of Second Appeal, if available.
  - Copy of reply received from the CPIO
  - Copy of the order received from the First Appellate Authority
  - Copies of other documents relied upon by the appellant and referred to in his appeal
  - An index of the documents
  - All the documents shall be duly authenticated and verified by the Appellant
3. The mandatory time period for filing the Second Appeal:
  - The Second Appeal can be filed after forty -five days after filing of First appeal or immediately after First Appellate Authority decision
  - The Second Appeal must be filed within 90 days from the date on which the First Appellate Authority decision was actually received by the Appellant or within ninety days after expiry of 45 days of filing of First Appeal in cases where no reply has been received
  - Condonation of Delay: If Second Appeal is filed after 90 days from the date on which first Appellate Authority's decision was received by the appellant, the Commission may admit the Second Appeal if it is satisfied that the appellant was prevented by sufficient cause from filing the Second Appeal in time.

4. Additional guidelines for speedier disposal of the case

- Provide background statement of the matter.
- Provide details of information sought, information not provided and reasons of dissatisfaction along with specific grounds for second appeal followed by specific prayer
- If compensation is sought, the second appeal shall contain specific grounds for seeking compensation and details of detriment suffered because of not getting the information.
- Provide a copy of order of CIC, if any, against the same public authority on the similar issue raised in the second appeal.
- Provide a copy of proof of furnishing copy of second appeal to the public authority

5. Help In Filing Second Appeal:

- For additional help kindly see FAQ at URL <http://cic.gov.in/faq> Supreme Court / High Courts orders at URL: <http://cic.gov.in/faq> and contact Help desk at 011-26767500  
Email: [fdesk-cic@gov.in](mailto:fdesk-cic@gov.in)
- Provide Contact Number (Mobile), Email ID, Address for communication (as in complaint.com)

## Guidelines for filing Complaint

The Commission has decided to issue the following guidelines for registration of Complaint based on Rule 8 and 9 of the RTI Rules, 2012:

1. Documents required for registration of Complaint:

- Complaint duly signed and addressed to the Commission
- Copy of the RTI application submitted to the CPIO or the RTI application which could not be submitted
- RTI and Complaint shall be related to each other
- Above two documents must be legible
- Above two documents must be in Hindi/English or provide a translated version in Hindi /English

2. Other documents required for proper presentation of complaint, if available:

- Copy of the reply received from the CPIO
- Copy of the order received from the First Appellate Authority
- Copies of other documents relied upon by the Complainant and referred to in his Complaint
- An index of the documents.
- All the documents shall be duly authenticated and verified by the Complainant

3. The Mandatory time period for filing Complaint :

- Complaint can be filed immediately if CPIO of Public Authority refuses to accept RTI Application as per RTI Act 2005.
- After receipt of reply to RTI application or thirty days after filing of RTI application and if no reply received
- After receipt of reply from First Appellate Authority or forty-five days after filing of First appeal, if the Complainant had chosen to file first appeal and no reply had been received.

4. Registration of Complaint as second appeal

During scrutiny of Complaint, If it is found that Complainant has requested for the information along with the imposition of penalty, the complaint would be registered as Second Appeal, provided first appeal had been filed by the Complainant.

5. Complaint will not be registered if any of the following condition exists

- If the Complaint has already been registered by the Commission with same RTI(Duplicate Case)

- Body mentioned as a Public Authority in the Complaint is not registered with the Commission as Public Authority and justification for declaring the body as a Public Authority has not been given by the Complainant

- Complaint relates to State Information Commission. In such a case, the Complaint shall be sent to the concerned State Information Commission.

- Complaint relates to multiple RTI application /CPIO's replies /First Appeals. In such cases the Complaint shall be returned along with all the documents.

6. In case of offline Appeal/Complaint filed by the applicant, he/she will be informed by the dealing official whether the same prima facie fulfils the requirements for its registration.

7. Additional guidelines for facilitating disposal of the case:

- If the complaint is being filed without submission of RTI application to the Public Authority, the reasons of non-submission of RTI application should be mentioned
- The complainant should mention the specific sub-section of section 18 of RTI Act under which the complaint is being filed.

- Provide a copy of proof of submission of copy of complaint to the Public authority, if available.

- If the complaint is made on the ground that information concerning life or liberty was not given within 48 hours as per proviso to Section 7 (1), it should contain reasons for considering the information requested as concerning the life or liberty

- To give reasons for considering a body as Public authority, if the ground of complaint is that the concerned body was not considering itself to be Public authority

8. Help in filing Complaint:

- (i) For additional help kindly see FAQ at <http://cic.gov.in/faq>, Supreme Court / High Courts orders at URL <http://cic.gov.in/faq>
- (ii) Contact Help desk at 011-26767500 Email: [fdesk-cic@gov.in](mailto:fdesk-cic@gov.in) for assistance in filing complaint.
- (iii) To enable Commission to help you, please provide your mobile no. and e-mail address in all communications.