छत्तीसगढ़ शासन
सामान्य प्रशासन विभाग
मंत्रालय
दाऊ कल्याण सिंह भवन, रायपुर

क्रमांक एफ 2–4/2008/1–सूअप्र
प्रति

रायपुर, दिनांक 06 जून, 2008

शासन के समस्त विभाग,
समस्त विभागाध्यक्ष,
समस्त संभागायुक्त,
छत्तीसगढ़ ।

विषयः– केन्द्रीय सूचना आयोग के निर्देश के पालन के संबंध में ।
संदर्भः– केन्द्रीय सूचना आयोग के निर्देश क्रमांक F.N. CIC/A-T/C/2006/00108, दिनांक 31 जनवरी 2007.

उपरोक्त विषयांकित केन्द्रीय सूचना आयोग के निर्णय के परिप्रेक्ष्य में सभी लोक प्राधिकारियों को निर्देशित किया जाता है कि सूचना का अधिकार के अंतर्गत आवेदक को भेजी जाने वाली जानकारी संबंधी ज्ञाप में जनसूचना अधिकारी द्वारा ही हस्ताक्षरित किये जाएं तथा उस पर उनका पदनाम, कार्यालय का पूरा पता, पिनकोड एवं दूरभाष क्रमांक भी अंकित किया जाए।

2– कृपया विभाग के अधीनस्थ निगम/मंडल/आयोग को भी उपरोक्तानुसार कार्यवाही करने हेतु निर्देशित करने का कष्ट करें।

संलग्न :– उपरोक्तानुसार।

(व्ही0के0राय)
उप सचिव
छत्तीसगढ़ शासन
सामान्य प्रशासन विभाग
05/06/08

पृ0 एफ 2–4/2008/1–सूअप्र
रायपुर, दिनांक जून, 2008

प्रतिलिपि :–

(1) उपसचिव (शि.), छत्तीसगढ़ सूचना आयोग, निर्मल छाया भवन, मीरा दातार रोड, शंकर नगर, रायपुर की ओर पत्र क्रमांक 4196/शिका प्र. 92/08/छगसूआ/08, दिनांक 01/05/2008 के संदर्भ में कृपया सूचनार्थ।
(2) श्री विनोद चावड़ा, अधिवक्ता, जियोःम् ब्रम्हशाला, एमआईजी–706, पद्मनाभपुर, दुर्ग (छ0ग0) की ओर सूचनार्थ।

उप सचिव
छत्तीसगढ़ शासन
सामान्य प्रशासन विभाग

D\Kushwaha\Kushwaha Letters\284

छत्तीसगढ़ सूचना आयोग

निर्मल छाया भवन, मीरा दातार रोड, शंकर नगर, रायपुर (छ.ग.)
दूरभाष कार्यालय (0771) 4024406 फैक्स-2442132

क/196/शिका प्र. 92/छगसूआ/08 रायपुर, दिनांक /04/2008

01/5/08

प्रति,

सचिव,
छत्तीसगढ़ शासन,
सामान्य प्रशासन विभाग,
डी.के.एस.भवन, मंत्रालय,
रायपुर (छ.ग.)

छत्तीसगढ़ शासन
सामान्य प्रशासन विभाग - 6
पंजी क्रमांक 744
दिनांक 3-5-08

विषयः श्री विनोद चावड़ा, अधिवक्ता का पत्र केन्द्रीय सूचना आयोग के निर्देश के पालन के संदर्भ में।

संदर्भः श्री विनोद चावड़ा, अधिवक्ता का पत्र दिनांक 20.03.2008।

—00—

श्री विनोद चावड़ा, अधिवक्ता द्वारा माननीय केन्द्रीय सूचना आयोग के निर्देश F.No. CIC/A-II/C/2006/00108 दिनांक 31.01.2007 की प्रतिलिपि संलग्न कर भेजी है एवं इसके पैरा 7 के संदर्भ में कार्यवाही हेतु लेख किया है। त्वरित संदर्भ हेतु माननीय केन्द्रीय सूचना आयोग के उपरोक्त निर्देश की फोटोप्रति संलग्न है।

माननीय मुख्य सूचना आयुक्त के निर्देशानुसार माननीय केन्द्रीय सूचना आयोग के निर्देश का पैरा 7 विचारार्थ प्रेषित है।

सहपत्रः उपरोक्त वर्णित मान. केन्द्रीय
सूचना आयोग के निर्देश की फोटोप्रति।

24/4/08

उपसचिव (शि.)
छ.ग.सूचना आयोग

पृ. क /शिका 92/छगसूआ/08 रायपुर, दिनांक /04/2008

प्रतिलिपिः

— श्री विनोद चावड़ा, अधिवक्ता, जियोःम् ब्रम्हशाला, एम. आई. जी. — 706, पद्मनाभपुर, दुर्ग (छ.ग.) को उनके पत्र दिनांक 20.03.2007 के संदर्भ में सूचनार्थ।

उपसचिव (शि.)
छ.ग.सूचना आयोग

टीप : 1. कृपया आयोग से पत्राचार के समय प्रकरण कं. एवं सुनवाई तिथि का उल्लेख अनिवार्य रूप से करें या
2. आयोग के पत्रों का सुस्पष्ट संदर्भ दिया जावे।

D:\Under Sec.(KKGupta)\letter2.doc

2) Signing by PIO, Address, Name clearly marked

3)

CENTRAL INFORMATION COMMISSION

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F.No.CIC/AT/C/2006/00108
Dated, the 31st January, 2007.

Complainant : **Shri Rishi Chawla, Advocate, 63, B.D. Estate, Mall Road, Delhi-110054.**

Respondents : **Shri Sunil Garg, Deputy Commissioner of Police (North District), Delhi Police, Civil Lines, New Delhi.**

Shri S.K. Jain, Joint Commissioner of Police & Appellate Authority, Headquarters, Delhi Police, I.P. Estate, New Delhi.

This is an appeal-cum-complaint filed by the appellant against the communication dated 2.8.2006 received by him against his RTI-request dated 6.7.2006.

2. The appellant's complaint is that the CPIO's communication did not provide the name of the Appellate Authority (AA), which prevented him from filing his first appeal. He has also complained of harassment in the matter of payment of fee, which has to accompany his RTI-request. It is also his grievance that the CPIO rather than send the information by mail or by courier to him, wanted him to come to the Police Station to receive the information in person. He has urged that the system in place about receipt of fee and applications and transmission of information managed by the Delhi Police is far from citizen-friendly. Calling parties to the office of a Police Officer is wholly uncalled for. It intimidates and harasses the applicant.

3. Parties were called for a hearing on 24.1.2007. The appellant was present in person while the respondents were represented by Shri R.S. Ghumman, DCP (Law) and Shri Mahesh Sharma, APIO of Delhi Police.

4. During the hearing, the respondents admitted that there was a miscommunication regarding payment of fee by the appellant. This happened largely because the notification regarding fee payment through postal orders came after the applicant had filed his request for information. At that time, the provision for payment of fee either through cash or Bank draft was in place. Regarding their asking the appellant / complainant to receive information in person, the respondents submitted that this was done because, in the past, some communications sent through mail to other applicants were lost in transit or reached wrong addresses. They denied that it was their intention to harass or intimidate the applicant by summoning him to the Police office. On the contrary, the approach was to help make things easier for the appellant.

5. The appellant / complainant has brought up concerns which appeared to be common to all information-seeker vis-à-vis the Delhi Police. It is important that the public authority sets its house in complete order so that no information-seeker suffers any harassment in filing his request for information, paying the fee, receiving the information and so on. The information should also be transmitted to the requester through reliable means, through courier or by mail, for which the public authority may retain the necessary proof of despatch. It is possible that sometimes the addresses of the applicants

are not complete or are unclear. The public authority should ascertain from such applicants whether they would be comfortable with receiving information through courier or mail. In the alternative, they may be asked if they would like to exercise the option of receiving the information in person from the public authority. In no case should the information-request be turned down merely because it is not accompanied by the requisite fee. The proper thing to do in such a situation could be to accept the application, set in motion the process of information collection and then intimate the appellant to present the proof of remitting the fee by a given date and give the information to him only after the payment details are received by the public authority.

6. The appellant has also pointed out that the information transmitted to the applicant must be signed by the CPIO and not by any other, such as the APIO. This point is, no doubt, correct. The public authority, Delhi Police, will issue general instructions to all CPIOs that the information which they transmit to the applicants should be signed personally by them. Any violation of this instruction must be viewed seriously and invite disciplinary action.

7. The appellant / complainant is also right in saying that quite frequently the CPIOs do not write their full address, telephone numbers in the communications they send. This prevents the applicant from bringing to their notice any infirmity or irregularity he may find in the information provided to him. The public authority is directed to ensure that the CPIOs write their names, designations, full address and pincode numbers as well as their telephone numbers on the face of the communications they send to an applicant. At the bottom of such letter-heads, a warning may be included which would specify that CPIO should answer specifically each part of the query of the appellant, should sign the communication himself / herself, without leaving it to the APIO or any other, and should give his full name, address and telephone number in the communication he sends to an applicant.

8. The complaint is disposed of with these directions.

9. As regards the appeal of the appellant, the matter is remitted back to the AA, Shri S.K. Jain, Joint Commissioner of Police (Headquarters) to give a hearing to the appellant and give him a point-wise reply to the queries he had raised in his RTI-request. This may be completed within 4 weeks from the date of the receipt of this order.

10. The appeal is disposed of accordingly.

Sd/-
(A.N. TIWARI)
INFORMATION COMMISSIONER

Authenticated by –

Sd/-

(NISHA SINGH)
Joint Secretary & Additional Registrar

Address of parties:

1. Shri Rishi Chawla, Advocate, 63, B.D. Estate, Mall Road, Delhi-110054.

2. Shri Sunil Garg, Deputy Commissioner of Police (North District), Delhi Police, Civil Lines, New Delhi.

3. Shri S.K. Jain, Joint Commissioner of Police & Appellate Authority, Headquarters, Delhi Police, I.P. Estate, New Delhi.