

छत्तीसगढ़ शासन  
सामान्य प्रशासन विभाग  
(सूचना का अधिकार प्रकोष्ठ)  
मंत्रालय

दाऊ कल्याण सिंह भवन, रायपुर-492001.

क्रमांक : 818/जी-720/2009/1-सूअप्र,  
प्रति,

रायपुर, दिनांक 10 जून, 2009.

✓ सचिव,  
छत्तीसगढ़ सूचना आयोग,  
निर्मल छाया भवन, मीरा दातार रोड,  
शंकर नगर, रायपुर ।

विषय :- सूचना का अधिकार अधिनियम, 2005 के तहत शिकायत एवं अपीलों के निराकरण के संबंध में दिशा-निर्देश।

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विषयांतर्गत संचालक, भारत सरकार, कार्मिक, जनशिकायत एवं पेंशन तथा प्रशिक्षण मंत्रालय, नई दिल्ली से प्राप्त पत्र क्रमांक 1/1/2009-आई.आर. दिनांक 22/5/2009 की छायाप्रति संलग्न प्रेषित है।

2- आदेशानुसार अनुरोध है कि संलग्न पत्र में दिये गये निर्देशों के अनुसार आवश्यक कार्यवाही करने का कष्ट करें।

संलग्न :- उपरोक्तानुसार ।

10-6-09  
( एम0एम0 मिज )

अवर सचिव  
छत्तीसगढ़ शासन  
सामान्य प्रशासन विभाग

16/6

क्रमांक  
818/जी-720/2009/1-सूअप्र

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No.1/1/2009-IR  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Personnel & Training

North Block, New Delhi  
Dated: the 22<sup>nd</sup> May, 2009

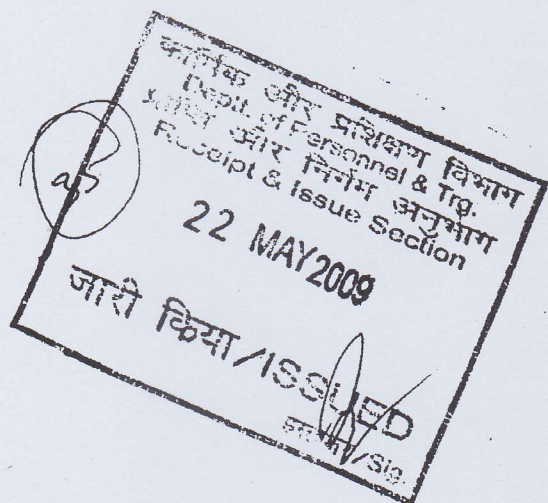
To ✓  
The Chief Secretaries of all the States

Sir,

I am directed to say that the Right to Information Act, 2005 provides that a person can make a complaint or an appeal to the Central Information Commission or the State Information Commission, as the case may be, in the circumstances as provided in the Act and that the concerned Commission may take action on the complaint or appeal in accordance with the provisions of the Act.

2. It is observed that the Central Information Commission and some State Information Commissions are taking decisions on the complaints and the appeals by constituting Benches. The matter has been examined in consultation with the Department of Legal Affairs who have pointed out that the Central Information Commission or the State Information Commissions could function through Benches only if there was a specific provision in the Act regarding constitution of Benches. That Department has further opined that provision of Section 12(4) or Section 15(4) of the RTI Act does not empower the Chief Information Commissioner to constitute the Benches.

3. In view of this legal position, you are requested to advise the State Information Commission that decisions on the complaints and appeals should be taken by the State Information Commission as defined in Section 2(k) of the RTI Act, 2005 and not by the Benches of the Commission.



Yours faithfully,

(K.G. Verma)  
Director  
Tel: 23092158

o/c