

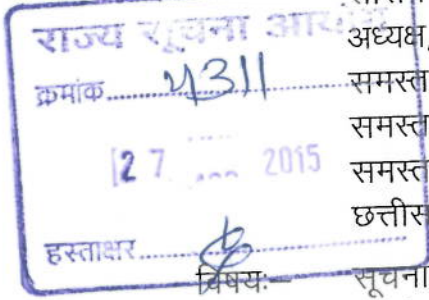


सूचना का
अधिकार

छत्तीसगढ़ शासन
सामान्य प्रशासन विभाग
(सूचना का अधिकार प्रकोष्ठ)
मंत्रालय
महानदी भवन, नया रायपुर

क्रमांक एफ 1-1/2011/ 1-सूअप्र
प्रति,

नया रायपुर, दिनांक 17 अप्रैल 2015



शासन के समस्त विभाग,
अध्यक्ष, राजस्व मंडल, छ.ग.बिलासपुर,
समस्त विभागाध्यक्ष,
समस्त संभागीय आयुक्त,
समस्त कलेक्टर,
छत्तीसगढ़।

विषय:- सूचना का अधिकार अधिनियम 2005 से संबंधित भारत सरकार से प्राप्त पत्र कार्यवाही बाबत- जनसूचना अधिकारियों/प्रथम अपीलीय प्राधिकारियों द्वारा सूचना की आपूर्ति एवं प्रथम अपीलीय प्रकरण का निराकरण संबंधी दिशा-निर्देश।

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भारत सरकार, कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय, (कार्मिक और प्रशिक्षण विभाग), नॉर्थ ब्लॉक, नई दिल्ली से प्राप्त ज्ञापन- F. No. 1/32/2013-IR दिनांक 17 फरवरी 2015 की छायाप्रति आवश्यक कार्यवाही हेतु संलग्न प्रेषित है।
संलग्न- उपरोक्तानुसार(03)

(कमर अली)
अवर सचिव

छत्तीसगढ़ शासन

सामान्य प्रशासन विभाग

नया रायपुर, दिनांक अप्रैल 2015

क्रमांक एफ 1-1/2011/ 1-13

प्रतिलिपि- कृपया सूचनार्थ एवं आवश्यक कार्यवाही हेतु सम्प्रेषित।

1. श्री संदीप जैन, निदेशक, भारत सरकार, कार्मिक और प्रशिक्षण विभाग, कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय, नॉर्थ ब्लॉक, नई दिल्ली की ओर उनके ज्ञापन F. No. 1/32/2013-IR दिनांक 17 फरवरी 2015 के तारतम्य में.
2. राज्यपाल के प्रमुख सचिव, राजभवन, रायपुर छत्तीसगढ़.
3. प्रमुख सचिव, छत्तीसगढ़ विधानसभा सचिवालय, रायपुर.
4. रजिस्ट्रार, माननीय उच्च न्यायालय, बिलासपुर, छत्तीसगढ़.
5. संचालक, प्रशासन अकादमी, निमोरा, रायपुर
6. संचालक, जनसम्पर्क संचालनालय, रायपुर
7. सचिव, छत्तीसगढ़ राज्य सूचना आयोग, पुराना मंत्रालय (डीकेएस भवन) के पास, इन्द्रावती खण्ड, प्रथम तल, शास्त्री चौक, रायपुर, छ0ग0.
8. राज्य सूचना अधिकारी, राष्ट्रीय सूचना केन्द्र, मंत्रालय, महानदी भवन, नया रायपुर की ओर सामान्य प्रशासन विभाग की वेबसाइट में अपलोड करने बाबत।

संलग्न:- उपरोक्तानुसार

अवर सचिव
छत्तीसगढ़ शासन
सामान्य प्रशासन विभाग

27 APR 2015

Prof. Sir

Handwritten signature and initials.

No. 1073 /CS/2015/GOI
Date 78 MAR 2015

F.No. 1/32/2013-IR
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi
Dated: the 17th February, 2015

OFFICE MEMORANDUM

राष्ट्रीय मानव अधिकार आयोग	
सामान्य प्रशासन विभाग	
(सूचना अधिकार, प्रकाश)	
पंजी. क्रमांक	6-36
दिनांक	24 MAR 2015

Subject: Guidelines for Public Information Officers/First Appellate Authorities for supply of information and disposal of first appeal respectively – reiteration of

Section 26 of the RTI Act requires the Government to compile a guide containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right specified in the Act. Further, it requires the Government to update the guide at regular intervals. Accordingly a Guide on the Act was published online on 28.11.2013 to help all the stake-holders viz. information seekers in getting information, public information officers in dealing with the RTI applications, first appellate authorities in taking cogent decisions on appeals and the public authorities in implementing various provisions of the Act in right earnest.

2. The Public Information Officers/First Appellate Authorities should keep in mind the salient features of the guidelines in supply of information to the information seeker and disposal of first appeal respectively, so that information seekers may not resort to filing of second appeals before the Information Commissions. The relevant salient features of the guidelines are reiterated below for consideration of the Public Information Officers and First Appellate Authorities:

Supply of Information by the Public Information Officer

- 1) The answering Public Information Officer should check whether the information sought or a part thereof is exempt from disclosure under Section 8 or Section 9 of the Act. Request in respect of the part of

the application which is so exempt may be rejected and rest of the information should be provided immediately or after receipt of additional fees, as the case may be.

- 2) Where a request for information is rejected, the Public Information Officer should communicate to the person making the request—

- (i) the reasons for such rejection;
- (ii) the period within which an appeal against such rejection may be preferred; and
- (iii) the particulars of the authority to whom an appeal can be made.

- 3) If additional fee is required to be paid by the applicant as provided in the Fee and Cost Rules, the Public Information Officer should inform the applicant:

- (i) the details of further fees required to be paid;
- (ii) the calculations made to arrive at the amount of fees asked for;
- (iii) the fact that the applicant has a right to make appeal about the amount of fees so demanded;
- (iv) the particulars of the authority to whom such an appeal can be made; and
- (v) the time limit within which the appeal can be made.

- 4) Though there is no hard and fast rule as to when exactly intimation about additional fees is to be given to the applicant, such intimation should be given soon after receipt of RTI application.

Disposal of Appeal by the First Appellate Authority

- 1) While disposing off first appeals, the first Appellate Authorities should act in a fair and judicious manner. It is very important that the order passed by the first appellate authority should be a detailed and speaking order, giving justification for the decision arrived at.
- 2) If an appellate authority while deciding an appeal comes to a conclusion that the appellant should be supplied information in

addition to what has been supplied by the Public Information Officer, he may either (i) pass an order directing the Public Information Officer to give such information to the appellant; or (ii) he himself may give information to the appellant. In the first case the appellate authority should ensure that the information ordered by him to be supplied is supplied to the appellant immediately. It would, however, be better if the appellate authority chooses the second course of action and he himself furnishes the information alongwith the order passed by him in the matter.

Sandeep Jain

(Sandeep Jain)

Director

Tel: 23092755

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1. ~~All the Ministries / Departments of the Government of India.~~
 2. Union Public Service Commission / Lok Sabha Sect/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Vice President's Secretariat/ Prime Minister's Office/ Planning Commission/Election Commission.
 3. Central Information Commission/ State Information Commissions.
 4. Staff Selection Commission, CGO Complex, New Delhi.
 5. O/o the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.

Copy to: Chief Secretaries of all the States/UTs