



Central Information Commission
Room No. 105, Ground Floor, Baba Gangnath Marg,
Munirka, New Delhi-110 067

F.No. CIC/4/2016- Rgr.

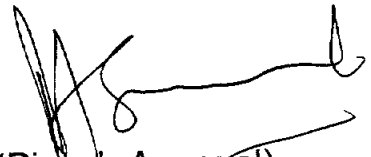
Dated: 11.10.2018

MEMORANDUM

It has been frequently observed that the First Appeals received by the designated First Appellate Authorities (FAAs) against the order (or no order) of the Central Public Information Officer, are not disposed of properly. The Commission, in its meeting held on 09.10.2018 has decided to issue the following instructions to the Public Authorities/FAAs to deal with the First Appeals u/s 19 of the RTI Act, 2005 with a view to secure strict compliance of its provisions:

1. Regular training may be organized for the Appellate Authorities by the Public Authorities.
2. The FAAs must maintain the record of receipt and disposal of the First Appeals with them. This may be reviewed by this Commission, as required.
3. FAAs are required to dispose the Appeals within the time prescribed under Section 19 (6) of the RTI Act, 2005 by passing a properly reasoned order. It is also necessary that they monitor the compliance of the orders given by them.
4. However, in the event that the First Appeal is not disposed within the time prescribed under the RTI Act, 2005 and a Second Appeal is filed, the FAA may still dispose the same and record the justification of delay, till such time that the Second Appeal is not heard by the Commission.
5. Invariably, the CPIO (Central Public Information Officer) shall inform FAA about the receipt of a copy of the Second Appeal. In addition, the Notice of Hearing of Second Appeal and the Order passed by the Commission disposing the Second Appeal shall be communicated by this Commission to the First Appellate Authority also, in addition, to make them aware of the status of disposal of the Second Appeal. FAAs must also go through the Second Appeal cases on the website

of the Commission to know the status of their disposal, as an added precaution to avoid hearing an Appeal after orders on Second Appeal by the Commission.



(Piyush Agarwal)
Registrar

To: All concerned

Copy To:

1. DR to Chief IC/ DR to IC (YA)/ DR to IC (SA)/ DR to IC (SB)/ DR to IC (BJ)/ DR to IC (AB)/ DR to IC (DP)
2. PPS to Chief IC, PPS to IC (SA), PPS to IC (YA), PPS to IC (SB), PPS to IC (BJ), PPS to IC (AB), PPS to IC (DP), for kind information
3. PS Addl. Secretary
4. JS (Admn)/JS (Law)/JS /JS (P&B)
5. JS (M&R) – to endorse copies to the concerned Public Authorities and to upload on the website of the Commission
6. RTI Cell/Central Registry I & II/Dak Section/Library/Record Room