

**CENTRAL INFORMATION COMMISSION**

1. Central Information Commission has been constituted under Chapter III of the Right to Information (RTI) Act, 2005 (vide Gazette Notification dated 21<sup>st</sup> June, 2005). The Commission's mandate is to exercise the powers conferred on it, and to perform the functions assigned to it under the Act.

**2. The particulars of its organization, functions and duties:-**

The office of the Central Information Commission is located in two premises namely:

<b>Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi -110067</b>	<b>Central Information Commission Club Building, Old JNU Campus, New Delhi-110067</b>
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	<b>Room No.</b>	<b>Phone No.</b>
<b>Facilitation Desk</b>	<b>112</b>	<b>011-26183053</b> Email : fdesk-cic@gov.in
<b>Dak Section</b>	<b>109</b>	<b>011-26161137</b>

3. The Secretariat of the Commission, Dak Counter, Central Registry, RTI Cell, Record Room are located in **Central Information Commission, Baba Gang Nath Marg, Munirka New Delhi -110067**

4. The office of the Chief Information Commissioner/Information Commissioners and other officers/sections and their room numbers are as under:

<b>S.N</b>	<b>Name</b>	<b>Designation</b>	<b>Room No</b>	<b>Premises</b>
(i)	Sh. Radha Krishna Mathur	Chief Information Commissioner	401	<b>Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi - 110067</b>
(ii)	Sh. Yashovardhan Azad	Information Commissioner	414	-do-
(iii)	Dr. Madabhushanam Sridhar Acharyulu	Information Commissioner	311	-do-
(iv)	Sh. Sudhir Bhargava	Information Commissioner	301	-do-
(v)	Sh. Bimal Julka	Information Commissioner	304	-do-
(vi)	Sh. Divya Prakash Sinha	Information Commissioner	201	-do-
(vii)	Sh.Amitava Bhattacharya	Information Commissioner	204	-do-

viii.	Shri R.K.Singh	Addl. Secretary & FAA	502	-do-
ix.	Shri Piyush Agarwal	Registrar,(Consultant)	519	-do-
x.	Shri A.C. Patel	Joint Secretary & Additional Registrar	505	-do-
xi.	Shri S.P. Beck	Joint Secretary & Additional Registrar	506	-do-
xii.	Shri A.K. Gehlot	Joint Secretary & Additional Registrar	511	-do-
xiii.	Shri Yogesh Kumar Singhal	Joint Secretary & Additional Registrar	512	-do-
xiv.	Shri Sushil Kumar	Deputy Secretary	508	-do-
xv.	Shri S.K. Rabbani	Deputy Secretary	507	-do-
xvi.	Sh. K. A. Talwar	Deputy Secretary/ Deputy Registrar	107	-do-
xvii.	Sh. U.C Joshi	Deputy Secretary/ Deputy Registrar	514	-do-
xviii.	Sh. Ram Prakash Grover	Designated Officer/ Deputy Registrar	416	-do-
xix.	Shri T.K. Mohapatra	Designated Officer /Deputy Registrar	313	-do-
xx.	Shri S.S.Rohilla	Designated Officer /Deputy Registrar	303	-do-
xxi.	Shri S.C. Sharma	Designated Officer /Deputy Registrar	404	-do-
xxii.	Shri K.L.Das	Designated Officer /Deputy Registrar	306	-do-
xxiii.	Shri Haro Prasad Sen	Designated Officer /Deputy Registrar	203	-do-
xxiv.	Shri A.K.Talpatra	Designated Officer /Deputy Registrar	206	-do-
xxv.	Smt. Savita Taluja	SO(Admn )	503	-do-
xxvi.	Shri A K Sharma	SO (RTI)	504	-do-
xxvii.	Shri Vinod Kumar, Assistant & Incharge(Record Section & Library)	Assistant(Library & Record Room)	105	-do-
xxviii.	Smt. Sonia Assistant & Incharge (Dak Section)	Assistant (Dak Section)	109	-do-
xxix.	Shri AK Arora	Protocol Officer	523	-do-

**5. Office Timings:-**

The office timings of the Commission are 9.30 AM to 6.00 PM on all working days. Holidays notified by Central Government are observed.

**6. Powers and Functions of the Information Commissions, Appeal and Penalties under Right To Information Act 2005 :-**

**Complaints**

**S-18.** (1) Subject to the provisions of this Act, it shall be the duty of the Central Information Commission or State Information Commission, as the case may be, to receive and inquire into a complaint from any person,—

- (a) Who has been unable to submit a request to a Central Public Information Officer or State Public Information Officer, as the case may be, either by reason that no such officer has been appointed under this Act, or because the Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case may be, has refused to accept his or her application for information or appeal under this Act for forwarding the same to the Central Public Information Officer or State Public Information Officer or senior officer specified in sub-section (1) of section 19 or the Central Information Commission or the State Information Commission, as the case may be;
- (b) Who has been refused access to any information requested under this Act;
- (c) Who has not been given a response to a request for information or access to information within the time limit specified under this Act;
- (d) Who has been required to pay an amount of fee which he or she considers unreasonable;
- (e) Who believes that he or she has been given incomplete, misleading or false information under this Act; and
- (f) In respect of any other matter relating to requesting or obtaining access to records under this Act.

(2) Where the Central Information Commission or State Information Commission, as the case may be, is satisfied that there are reasonable grounds to inquire into the matter, it may initiate an inquiry in respect thereof.

(3) The Central Information Commission or State Information Commission, as the case may be, shall, while inquiring into any matter under this section, have the same powers as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:—

- (a) Summoning and enforcing the attendance of persons and compel them to give oral or written evidence on oath and to produce the documents or things;
- (b) Requiring the discovery and inspection of documents;
- (c) Receiving evidence on affidavit;
- (d) Requisitioning any public record or copies thereof from any court or office;
- (e) Issuing summons for examination of witnesses or documents; and
- (f) Any other matter, which may be prescribed.

(4) Notwithstanding anything inconsistent contained in any other Act of Parliament or State Legislature, as the case may be, the Central Information Commission or the State Information Commission, as the case may be, may, during the inquiry of any complaint under this Act, examine any record to which this Act applies which is under the control of the public authority, and no such record may be withheld from it on any ground.

## **Appeals**

**S-19.**(1) Any person who, does not receive a decision within the time specified in sub-section (1) or clause (a) of sub-section (3) of section 7, or is aggrieved by a decision of the Central Public Information Officer or State Public Information Officer, as the case may be, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who is senior in rank to the Central Public Information Officer or State Public Information Officer as the case may be, in each public authority:

Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) Where an appeal is preferred against an order made by a Central Public Information Officer or a State Public Information Officer, as the case may be, under section 11 to disclose third party information, the appeal by the concerned third party shall be made within thirty days from the date of the order.

(3) A second appeal against the decision under sub-section (1) shall lie within ninety days from the date on which the decision should have been made or was actually received, with the Central Information Commission or the State Information Commission:

Provided that the Central Information Commission or the State Information Commission, as the case may be, may admit the appeal after the expiry of the period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) If the decision of the Central Public Information Officer or State Public Information Officer, as the case may be, against which an appeal is preferred relates to information of a third party, the Central Information Commission or State Information Commission, as the case may be, shall give a reasonable opportunity of being heard to that third party.

(5) In any appeal proceeding, the onus to prove that a denial of a request was justified shall be on the Central Public Information Officer or State Public Information Officer, as the case may be, who denied the request.

(6) An appeal under sub-section (1) or sub-section (2) shall be disposed of within thirty days of the receipt of the appeal or within such extended period not exceeding a total of forty-five days from the date of filing thereof, as the case may be, for reasons to be recorded in writing.

(7) The decision of the Central Information Commission or State Information Commission, as the case may be, shall be binding.

(8) In its decision, the Central Information Commission or State Information Commission, as the case may be, has the power to—

(a) Require the public authority to take any such steps as may be necessary to secure compliance with the provisions of this Act, including—

(i) By providing access to information, if so requested, in a particular form;

- (ii) By appointing a Central Public Information Officer or State Public Information Officer, as the case may be;
  - (iii) By publishing certain information or categories of information;
  - (iv) By making necessary changes to its practices in relation to the maintenance, management and destruction of records;
  - (v) By enhancing the provision of training on the right to information for its officials;
  - (vi) By providing it with an annual report in compliance with clause (b) of sub-section (1) of section 4;
- (b) Require the public authority to compensate the complainant for any loss or other detriment suffered;
  - (c) Impose any of the penalties provided under this Act;
  - (d) Reject the application.
- (9) The Central Information Commission or State Information Commission, as the case may be, shall give notice of its decision, including any right of appeal, to the complainant and the public authority.
- (10) The Central Information Commission or State Information Commission, as the case may be, shall decide the appeal in accordance with such procedure as may be prescribed.

### **Penalties**

**S-20.** (1) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees:

Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him

Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer or the State Public Information Officer.

(2) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause and persistently, failed to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request

or obstructed in any manner in furnishing the information, it shall recommend for disciplinary action against the Central Public Information Officer or the State Public Information Officer, as the case may be, under the service rules applicable to him.

### **Monitoring & Reporting**

**S-25.**(1) The Central Information Commission or State Information Commission, as the case may be, shall, as soon as practicable after the end of each year, prepare a report on the implementation of the provisions of this Act during that year forward a copy thereof to the appropriate Government.

(2) Each Ministry or Department shall, in relation to the public authorities within their jurisdiction, collect and provide such information to the Central Information Commission or State Information Commission, as the case may be, as is required to prepare the report under this section and comply with the requirement concerning the furnishing of that information and keeping of records for the purposes of this section.

(3) Each report shall state in respect of the year to which the report relates,—

- (a) the number of requests made to each public authority;
- (b) the number of decisions where applicants were not entitled to access to the documents pursuant to the requests, the provisions of this Act under which these decisions were made and the number of times such provisions were invoked;
- (c) the number of appeals referred to the Central Information Commission or State Information Commission, as the case may be, for review, the nature of the appeals and the outcome of the appeals;
- (d) particulars of any disciplinary action taken against any officer in respect of the administration of this Act;
- (e) the amount of charges collected by each public authority under this Act;
- (f) any facts which indicate an effort by the public authorities to administer and implement the spirit and intention of this Act;
- (g) recommendations for reform, including recommendations in respect of the particular public authorities, for the development improvement, modernization, reform or amendment to this Act or other legislation or common law or any other matter relevant for operationalising the right to access information.

(4) The Central Government or the State Government, as the case may be may, as soon as practicable after the end of each year, cause a copy of the report of the Central Information Commission or the State Information Commission, as the case may be, referred to in subsection (1) to be laid before each House of Parliament or, as the case may be, before each House of the State Legislature, where there are two Houses, and where there, is one House of the State Legislature before that House.

(5) If it appears to the Central Information Commission or State Information Commission, as the case may be that the practice of a public authority in relation to the exercise of its functions under this Act does not conform with the provisions or spirit of this Act, it may give to the authority a recommendation specifying the steps which ought in its opinion to be taken for promoting such conformity.

7.

**ORGANISATION CHART:-**

