

172

तार : 'फूडकॉर्प' Gram : 'FOODCORP' फ़ैक्स नं. : एचएफसीआई इन्डिया ०६६९९९२३४९३२४९ ००६९९९२३४९३९०३ Fax No. : HFCI ND 00911123413241 00911123413103	<b>भारतीय खाद्य निगम</b>  <b>FOOD CORPORATION OF INDIA</b>	मुख्यालय नई दिल्ली Head Quarters New Delhi
	आओएसओ 9001 2000 प्रमाणित ISO 9001: 2000 CERTIFIED	
	१६-२०, बाराखम्बा लाने, नई दिल्ली-११०००१, दूरभाष-२३४९३०७१-२३४९४०७२-२३४९४०८० 16-20, BARAKHAMBA LANE, NEW DELHI-110001, PHONE : 23413871-23414872-23414880	

**No.EP-49(1)/2003.**

**Dated:05.9.2005.**

**(CIRCULAR NO. EP-25-2005-26)**

**Subject:-Enactment of Right to Information Act, 2005.**

Attention is invited to Circular No.EP-25-2005-23 dated 18.8.2005 ( issued from file No.EP-49-(1)(2003) designating Central Assistant Public Information Officers, Central Public Information Officers and Appellate Authorities under Right to Information Act, 2005 and enclosing therewith a copy of the Right to Information Act, 2005.

2. In order to effectively deal with matters arising under Right to Information Act, 2005, the instructions mentioned below have been laid down with the approval of Competent Authority to be strictly observed by Central Assistant Public Information Officers, (CAPIOs), Central Public Information Officers (CPIOs) and Appellate Authorities:-

(a) The CPIOs may seek the assistance of any other Officer as he/she considers, if necessary for the proper discharge of his or her duties {Section-5(4)}.

(b) Any Officer whose assistance has been sought under sub section (4) of above Act shall render all assistance to the Central Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of said Act, such other Officer shall be treated as a Central Public Information Officer {Section 5 (5)}.

(c) The CPIOs should adhere to provisions of furnishing of information as per Section 7, relating to limitation period, Section 10 relating to severability and Section 11 regarding information relating to 3<sup>rd</sup> party involved in such matters of the Right to Information Act, strictly adhering to time stipulations therein.



21

(d) The Order passed by CPIOs and Appellate Authorities should be fair, equitable, just and a speaking order. Such speaking order should be prefaced by a preamble giving details and particulars of Appellate Authority and the period within such appeal has been made.

(e) The CAPIOs and CPIOs shall render reasonable assistance to the person seeking information under the Act who may request for any information in writing or through an electronic means in English or Hindi or the Official language of the area in which the application has been made and where such request can not be made in writing, the concerned Officers shall render all reasonable assistance to the persons making the request orally to reduce the same in writing, accompanying such fee as may be prescribed.

(f) No CAPIO and CPIO shall insist or desire information from an applicant for information under this Act any reasons for requesting information or any other personal details except those that may be necessary for contacting him.

(g) In case the application received which relates to another Public Authority, or such matter which is more closely connected with the functions of another Public Authority, CAPIOs/CPIOs to which the application is made, shall transfer the application or such part of it as may be appropriate, to the other Public Authority and inform the applicant about its transfer, as soon as practicable and in no case later than 5 days from the date of receipt of the application.

(i) To avoid any delays that may arise on account of mixing up of files, coloured file covers with a printed chit thereon, as prescribed below shall be used for dealing Right to Information matters.

- |   |                              |
|---|------------------------------|
| (i) General RTI matters                     | - Yellow colour file covers. |
| (ii) Life and Liberty RTI matters           | - Maroon colour file covers  |
| (iii) Appeal RTI matters                    | - Green colour file covers.  |
| (iv) Central Information Commission matters | - Orange colour file covers. |
| (v) Transfer RTI matters.                   | - Blue colour file covers.   |
| (vi) 3 <sup>rd</sup> Party RTI matters      | - Yellow colour file covers. |

3. Once the request under Right to Information Act, is received then CAPIOs and CPIOs would ensure following action on immediate basis on the same day:-

- (a) Where it is clear that the said matter of the request does not concern Food Corporation of India, CAPIOs concern should ring up to his counterpart of the Department (Public Authority) to which the request belongs and request him to accept the transfer of the request after approval of the Public Authority as per Section 6(3) of the Act, *ibid*.
- (b) A formal acceptance should be immediately procured by CAPIO, and the fact of transfer would then be communicated to the requestor over phone, (if possible/e-mail) followed by written communication immediately.
- (c) If the concerned Officer in the other Department does not agree to accept the request, the CAPIO concerned should bring the matter to the notice of the CPIO or such Officer at appropriate level so as to resolve the issue without any delay.
- (d) When the Public Authority/Department concerned declines to accept the request, the request may be answered on compulsion but thereafter the matter should be pursued with the concerned Department/Public Authority requesting them to accept future requests on the subject.
- (e) If the subject request pertains to some other Section/Division in the Corporation, the CAPIO will co-ordinate personally with the concerned Section/Division for getting the requisite information and will render all such assistance to CPIO till the reply is furnished by him.
- (f) When two or more Sections/Divisions/Offices in the Corporation are concerned with the request received under Right to Information Act, the CAPIO shall deal with the request and co-ordinate personally with all concerned Sections and will render all such assistance to CPIO in this regard.
- (g) The CPIOs will ensure that the requests received; under RTI, Act are disposed of within the limitation period (i.e.30 days) (Section 7(1) positively, as any delay would attract sever penalties on the concerned CPIO under the Act.

4. The following documents/information/records may be kept available with the CAPIOs/CPIOs designated under the said Act:-

- (a) Rules, Regulations, instructions, manuals and Reports etc.
- (b) Particulars of recipients of concessions, permits/contracts or authorizations granted by the FCI.
- (c) Details of arrangements that exist for consultation with, or representation by, the members of the public in relation to the formulation of policy and/or implementation thereof.

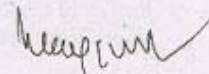


125

-4-

(d) Particulars of the Boards, Councils, Committees and other bodies consisting of two or more persons constituted by FCI.

5. The above guidelines are only illustrative of the salient/important features of the Act. The CAPIOs/CPIOs/Appellate Authorities are, therefore, requested to acquaint themselves fully about the duties cast on them under the said Act and to comply therewith both in letter and spirit. No efforts should be spared to give the provisions of the Act wide publicity to all concerned; particularly to CAPIOs/CPIOs/Appellate Authorities.



(M. L. NAGPAL)

GENERAL MANAGER (P & IR)

Distribution:  
As per mailing list.



Contd...