(CIRCULAR NO. EP. 25-2006-05)

SUB:- Implementation of Right to Information Act, 2005.


2. In this regard, the Central Information Commission (CIC), the Apex body set up under the Act, has issued further instructions for strict compliance of the provisions of the said Act. A copy of Central Information Commission letter No.14/3/2005-CIC dated 10.02.2006 is enclosed for information and compliance.

3. It has also been decided with the approval of competent authority to designate GM (Hqrs) as “Nodal Officer”. The particulars of designated Nodal Officer are given as under:-

Shri N.C. Gautam,
General Manager (Hqrs)
Food Corporation of India
16-20 Barakhamba Lane, New Delhi
Telephone No.011-23411106.

4. The CPIOs etc have already been designated in the Corporation and the particulars of these officers have also been published. The CIC has now advised that contact addresses of all the designated CPIOs, CPIOs and Appellate Authorities should also be made available to the CIC immediately. Therefore, the ZOs, ROs and DOs are requested to furnish the addresses, telephone numbers, E-mail addresses and fax numbers of each of CPIOs, CPIOs and Appellate Authorities to CIC/Ministry under intimation to “Nodal Officer”. As far as Hqrs. is concerned, the “RTI Cell” will furnish the details of contact numbers of CPIOs etc for Hqrs to CIC/Ministry.

Distribution:
As per mailing list.

Copy to:
Shri A.S. Negi,
Under Secretary to the Govt. of India
Ministry of Consumer Affairs, Food & Public Distribution
Department of Food & Public Distribution
Krishi Bhavan

(M.L. NAGPAL)
GENL. MANAGER (P&IR)
February 10, 2006

No.14/3/2005-CIC
CENTRAL INFORMATION COMMISSION
BLOCK IV, 5TH FLOOR, OLD JNU CAMPUS
NEW DELHI -110067.

To:

Shri R.N. Das
Secretary, Department of
Food & Public Distribution
Krishi Bhawan, New Delhi.

Sir,

As you may be aware that the Right to Information Act, 2005 has now come into force and the Central Information Commission has been set up to implement its various provisions. On the basis of suggestions and complaints that the Commission has been receiving from members of public, the Chief Information Commissioner (CIC) has directed me to request you to see if the following steps are taken in your Ministry/Department:

(1) Please ensure that the PIOs and APIOs and the appellate authorities are in place in your Ministry/Department and in all public authorities set up from your Ministry/Department's budget or under administrative control of your Ministry/Department if they are not already there. As you may be aware, that this is a prime requirement of the Right to Information Act, 2005.

(2) Please send to the Commission the details of Nodal Officer appointed for implementation of the Act and a complete list of the PIOs/APIOs and the appellate authorities along with their contact details, namely addresses, phone numbers, e-mail addresses and fax numbers. Please ensure that these details reach the Commission within two weeks of the receipt of this letter.

(3) Please take steps to enable people to file their applications by post. To make this easy, awareness should be generated through print and electronic media regarding the name of the bank account into which the demand draft or bankers' cheque could be accepted. The particulars of these bank accounts should also be forwarded to the Commission.

(4) It has been brought to the notice of the Commission that some of the Ministries/Departments have appointed several PIOs having different jurisdictions. As a result, a person seeking some information has to run around, sometimes for hours, to locate the right PIO to submit his application. In this connection, a clarification may be issued that where there are several PIOs in one office, the application can be received by any PIO, whose duty it would be to direct it to the PIO concerned under intimation to the applicant.
(5) In case a person writes directly to the Head of Department/Office enclosing the required fee, it should be ensured that the application reaches the proper PIO under intimation to the applicant.

(6) It has been brought to the notice of this Commission that some Government Departments have prepared and issued their own application forms. Possibilities cannot be ruled out that a person has to run around first to physically collect this form. Sometimes they are hard to get. Please note that the Act does not provide for any formal application form for acquiring access to information. It also states that requests for information can be sought 'in writing or through electronic means...'. Therefore, please ensure that applications for information are received even on plain paper and replied within the prescribed time limit.

(7) Section 6(2) of the Right to Information Act, 2005 clearly states that no person seeking information shall be required to give any reason for his request. It seems that in spite of this a number of officials are harassing an information seeker by asking detailed questions. Please issue necessary orders to all officials in the Ministry/Department/Public Authorities to comply with the directives of the Act and not to ask unnecessary questions from the complainants/applicants.

The CIC has directed me to request you that action on these suggestions may be taken at the earliest and a compliance report sent to the Commission within two weeks of receipt of this communication.

Yours faithfully,

(P.K. GERA)
Jt. Secretary & Registrar