

CENTRAL INFORMATION COMMISSION
Baba Gang Nath Marg, Munirka,
New Delhi – 110067

File No. CIC/Legal/RTI/2019/001

Date: 22.11.2019

To,

Shri Venkatesh Nayak,
55A, 3rd Floor, Siddharth Chambers-1,
Kalu Sarai, New Delhi,
Pin: 110016.

Sub: seeking information under the RTI Act, 2005.

Sir,


This is in reference to your RTI application dated 01.11.2019, electronically transferred by the DoP&T and Commission's Registration No. CICOM/R/2019/80074. The requisite information furnished is as under:-

Query	Reply/information
Point No. 1,2 and 5	No record for Information is available.
Point No. 3 & 4	Copy of DoP&T letter and reply of Commission & file noting are enclosed.

If you are not satisfied with the reply of the undersigned, you may prefer an appeal to our First Appellate Authority, within 30 days from the date of receipt of this reply.

Address of the First Appellate Authority is:

First Appellate Authority
CENTRAL INFORMATION COMMISSION
Baba Gang Nath Marg, Munirka
New Delhi – 110067
Ph. No. 011-26105021


(Kishore Kumar Pukhral)
CPIO Legal Cell

Copy to :-

1. CPIO RTI Cell, CIC, New Delhi

केंद्रीय सूचना आयोग

Central Information Commission

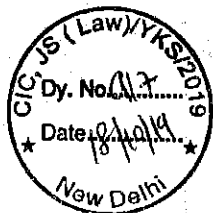
बाबा गंगनाथ मार्ग/Baba Gang Nath Marg

मुनिरका, नई दिल्ली/ Munirka, New Delhi - 110067

1. May kindly peruse the PUC received from Director (IR) on the subject cited above. Vide PUC, the Department of Personnel & Training has sought the comment of the Commission on action to be taken by the Government for implementation of provisions of RTI Act.
2. The Director, IR has made certain suggestion in the Annexure to PUC.
3. In view of above, the file is submitted for perusal and further necessary orders please.



(Umesh Chandra Joshi)
Deputy Secretary (law)
Dated: 18.10.2019



JS (Law)

JS (Law)
18.10.19

AS

seats - In Room
21.10.19

Secy - on leave

CIC

Under point for according due remedy
to 2nd appeals pending with T&K Commission
may be added.

22.10.2019

Secy (OL)

JS (Law)

DS (Law)

JS (Law)
22.10.19

P-70

R.O.L

As directed overleaf, draft letter to Director (IR), DOST is placed opposite for approval M.



J.S (Law)

King
22.10.19

W Jahn
22/10/19
DS (Law)

~~AS~~

act. D on
23.10.19

~~Secretary~~

Mudhans ka Prasad
23.10.19

Additional Secretary, CIG
Baba Gangnath Marg,
Munirka, New Delhi-67
Diary No. 1579
Date 23/10/19

~~etc~~

act
23.10.19

1379/2019/Sec
23/10/19

~~Secretary~~

~~act~~
23/10

act. D on
23.10.19

AS
JS (Law)

Singhal
23.10.19

DS (Law)

W Jahn
23/10/19

So/L

Pl. dispatch the fair letter urgently.
@ Jahn
23/10/19
The letter withheld for further consideration of Commission on the direction of JS(L)

may please see before issue

- IC (BT)
- IC (VN)
- IC (CA)
- IC (SC)

Issues pertaining to complaints could also be addressed appropriately as also matters relating to senior citizens. We could discuss at Commission meeting As proposed by IC (BT) these matters may be discussed in the meeting on 20/10/19.

24/10/19
24/10

~~IC (NG)~~

~~IC (SC)~~

May be discussed in the ensuing meeting.

~~r/c~~

Sevg (on leave)

~~JS (Law)~~

~~DS (Law)~~

~~Singhal~~
25.10.19

W Jpn
25/10/19

24/10/19

25.06.19

11- The comm. meeting was held on 5/10/19 at 10 AM. It was directed to issue the letter and the same is now issued.

W Jpn
25/10/19

As directed, letter has been issued and is placed opposite pt. for information only ft.

~~JS (Law)~~

~~DS (Law)~~

~~SoL)~~

~~SoL~~
25.10.19

W Jpn
25/10/19

W Jpn
25/10/19

11- Pl keep the file

W Jpn

F.No. 1/1/2017-IR (Pt III)
 Government of India
 Ministry of Personnel, Public Grievances & Pensions
 Department of Personnel and Training
 IR Division

North Block, New Delhi
 Date: 15/10/2019

OFFICE MEMORANDUM

Subject: The Jammu and Kashmir Reorganisation Act, 2019 –reg

The undersigned is directed to refer to the Jammu and Kashmir Reorganisation Act, 2019 (copy enclosed).

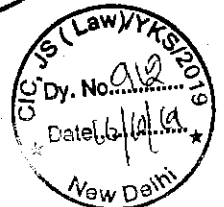
2. This would inter alia entail that from the appointed day, the Jammu and Kashmir Right to Information Act 2009, and the Rules thereunder are to be repealed. In its place, the Right to Information Act 2005 and Rules thereunder are to be enforced.
3. In this context, the steps needed for transition from the J&K Right to Information Act regime to RTI Act 2005 need to be identified and planned for. The Annexure herewith lists out some such steps for your ready reference inter-alia.
4. The Central Information Commission is requested to examine the J&K Reorganisation Act and offer its inputs/ comments, if any, to enable smooth transition from the existing J&K RTI Act, 2009 to RTI Act, 2005, covering the issues mentioned in the Annexure, as well as any other issues in addition that it may deem as important/ relevant.
5. This may please be attached priority.
6. This issues with the approval of Secretary(P).

V Sinha
 (Varsha Sinha)
 Director (IR)
 Tel: 23092755

Encl: As Above

To

The Secretary,
 Central Information Commission,
 CIC Bhawan, Baba Gangnath Marg,
 Munirka, New Delhi - 110 067



Secy (Info)
PN - Received on 16/10/19
M.S.
16/10
18203
15/10/19
J.S. (Lower)
M. expedit
16.10.19
16.10.19
Dr (Law)

With the formation of the Union Territory of J&K and Union Territory of Ladakh, the following steps, inter-alia, appear necessary to be expedient w.e.f. the appointed date (i.e 31.10.2019), from which the RTI Act, 2005 shall come into force;

- a) All public authorities under J&K RTI Act, 2009 may need to be notified to be public authorities under RTI Act, 2005.
- b) All State PIOs and First appellate Authorities (FAA) under The J&K RTI Act, 2009 may be considered to be notified to be CPIOs and FAAs for the purposes of implementation of RTI Act, 2005.
- c) All the applications pending before State PIOs on the appointed date (i.e 31.10.2019) may be deemed to be pending before CPIOs appointed under RTI Act, 2005.
- d) All the 1st appeals pending before State First Appellate Authorities on the appointed date (i.e 31.10.2019) may be deemed to be pending before First Appellate Authorities appointed under RTI Act, 2005.
- e) All the 1st appeals duly arising after the appointed date, against the replies given by the State PIOs before the appointed date (i.e 31.10.2019) under the J&K RTI Act, 2009 may be deemed to lie before the First Appellate Authority notified under the RTI Act 2005.
- f) All the 2nd appeals pending before J&K State Information Commission on the appointed date (i.e 31.10.2019) may be deemed to be pending before Central Information Commission as per the provisions of the RTI Act, 2005.
- g) All the 2nd appeals, duly arising after the appointed date, against the orders passed by the First Appellate Authorities (FAA) may be deemed to lie before 2nd Appellate Authority i.e. the Central Information Commission.
- h) The existing J&K State Information Commission may be requested to transfer all pending 2nd appeals to the Central Information Commission w.e.f. the appointed date i.e. 31.10.2019.
- i) In follow up to coming into force of the RTI Act, 2005, w.e.f. the appointed date, the Right to Information Rules 2012 may also be adopted by the Union Territories of J & K and Ladakh.
- j) Any other matter for which no express provision has been made may be deemed to be dealt as per RTI Act, 2005.

केंद्रीय सुचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग/Baba Gang Nath Marg
मुनिरका, नई दिल्ली/ Munirka, New Delhi – 110067

File No.CIC/Legal/2019/157

Dated: 25.10.2019

To,

Ms. Varsha Sinha,
Director (IR),
M/o Personnel, Public Grievance & Pensions,
Department of Personnel & Training,
North Block, New Delhi .

Subject: The Jammu and Kashmir Reorganisation Act, 2019 – reg.

Madam,

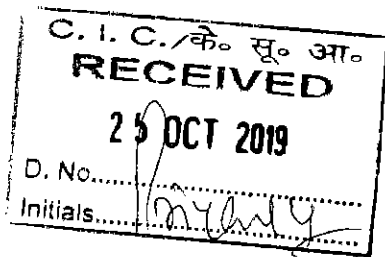
I am directed to refer to OM No. 1/1/2017-IR (Pt. III) dated 15-10-2019, on the subject and to say that due seniority be given to second appeals/ complaints pending with the Jammu & Kashmir State Information Commission. The Commission is in agreement with rest of the issues raised in the Annexure to the said OM.



ED865097226IN

Yours faithfully,

(Umesh Chandra Joshi)
Deputy Secretary (Law)
Ph. 011-26716023
Email dslaw-cic@gov.in



Minutes of the meeting held on 25th October, 2019 at 1500 hrs.

Present

Shri Sudhir Bhargava, Chief Information Commissioner
Shri Bimal Julka, Information Commissioner
Smt. Vanaja N Sarna, Information Commissioner
Shri Neeraj Kumar Gupta, Information Commissioner
Shri Suresh Chandra, Information Commissioner
Additional Secretary to the Commission, assisted by other officers

Agenda No.1: Jammu & Kashmir Reorganization Act, 2019

Discussed and approved.

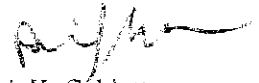
Action: JS(Law)

Agenda No.2: Any other item with the permission of the Chair

The Commission placed on record its appreciation of the work of Secretary and her team for successful organisation of Annual Convention, 2019.

*Pl. keep in file -
@ JS(L)
30/10/19*

JS(L)



(A.K. Gehlot)
Joint Secretary (Admn)
28.10.2019


To

1. PPS to Chief Information Commissioner
2. PPS to Information Commissioner (BJ)
3. PPS to Information Commissioner (DP)
4. PPS to Information Commissioner (YS)
5. PPS to Information Commissioner (VN)
6. PPS to Information Commissioner (NG)
7. PPS to Information Commissioner (SC)
8. PPS to Secretary/PS to Additional Secretary

Copy also to :

1. Registrar JS(P&B), JS(MR), JS(Law)
2. Shri Sushil Kumar, DS(Admn)

3. Shri S.K. Rabbani, DSI Gen. Admn.
4. Shri R.S. Murthy, DR
5. Shri K.A. Talwar, DR
6. Shri U.C. Joshi, DR
7. Shri Surender Rohilla, Consultant
8. Shri S C Sharma, Consultant
9. Shri R.P. Grover, Consultant
10. Shri H.P. Sen, Consultant
11. Shri K.L. Das, Consultant
12. Dr. Rajesh Mongia, Consultant
13. Shri A.K. Assija, Consultant


(A.K. Gehlot)
Joint Secretary (Admn)
28.10.2019