

**GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:421
ANSWERED ON:14.03.2012
SECOND APPEAL UNDER RTI ACT
Swamygowda Shri N Cheluvarya Swamy

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) whether the Government has made a change in the provision of filing second appeal under the Right to Information Act;
- (b) if so, the details thereof;
- (c) whether some Information Commissioners have themselves devised the rule for submission of two sets of the copy of appeal in order to file second appeal and have made the sending of the copy of this appeal to the information officer mandatory before submission of the second appeal before the Information Commission at Delhi; and
- (d) if so, the steps taken to stop such practice?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF THE STATE IN THE PRIME MINISTER'S OFFICE. (SHRI V. NARAYANASAMY)

- (a) & (b): The procedure for filing and deciding of second appeals by Central Information Commission is prescribed in the Central Information Commission (Appeal procedure) Rules, 2005. No change has been made in these provisions.
- (c) & (d): As per the prescribed rules and practice adopted by Central Information Commission, it is not mandatory that a copy of the appeal is to be served on the Information Officer before the appeal is submitted to the Information Commission. However, the Central Information Commission, while issuing notice of hearing to the parties, directs the appellant to serve copies of his appeal on the Information Officer and the first Appellate Authority which is in accordance with rule 6 of the aforesaid Rules.