

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/SB/A/2015/000109

Dated 04.11.2016

Appellant : Shri Deokrishna,
O/o Principal CCA,
DOT Building,
Near Prasad Nagar Fire Service Station
Building, Prasad Nagar,
New Delhi-110005.

Respondent : Central Public Information Officer,
Department of Personnel & Training,
North Block,
New Delhi-110001.

Date of Hearing : 04 .11.2016

Relevant dates emerging from the appeal:

RTI application filed on : 07.01.2015

CPIO's reply : 30.01.2015/13.03.2015/07.05.2015

First appeal filed on : 17.02.2015/18.03.2015

FAA's order : 27.03.2015/16.04.2015

Second appeal filed on : 30.06.2015

ORDER

1. Shri Deokrishna filed two applications dated 07.01.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), O/o President of India and Prime Minister's Office respectively seeking copy of the order delegating the powers of the Appointing Authority, i.e., the President of India to the respective Union Ministers/Ministries – administrative

powers delegated to the Ministers of the Central Government as Appointing Authority/Disciplinary Authority of Group 'A' officers recruited by UPSC through Civil Services Examination.

2. The appellant filed a second appeal dated 30.06.2015 before the Commission on the grounds that the information has not been provided on the plea that no such information is available and that the FAA rejected his appeal. The appellant states that if DOPT does not have the basic delegation how the business of the ministry is being run and if the DOPT or other ministries are being run without this authority/delegation then the whole working/orders etc. of the ministries are void and unconstitutional, raising a constitutional crisis or if the ministries are being run on assumed and hearsay without the basic delegation, then it gives a very bad picture of our system and the credibility becomes doubtful.

Hearing:

3. The appellant Shri Deokrishna was not present despite notice. The respondent Shri K.Prakasham, Under Secretary, DoPT was present in person.

4. The respondent submitted that the appellant is seeking the rules under which the power of the President has been delegated to the Ministers In Charge. The respondent submitted that as per the Government of India (Transaction of Business) Rules, 1961 all business allotted to a Department under Government of India shall be disposed of by or under the general or specific directions of the Minister-in-Charge. The respondent further submitted that the Government of India (Transaction of Business) Rules is handled by the Cabinet Secretariat. Hence, the RTI application was transferred to the Cabinet Secretariat.

Decision:

5. The Commission, after hearing of the respondent and perusing the records, directs the respondent to provide information to the appellant after obtaining the same from the CPIO, Cabinet Secretariat, within two weeks from the date of receipt of information from the CPIO, Cabinet Secretariat.
6. With the above observations, the appeal is disposed of.
7. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer