

**केन्द्रीय सूचना आयोग**  
**Central Information Commission**

2 तल, विंग 'ब' / 2<sup>nd</sup> Floor, 'B' Wing  
अगस्त क्रान्ति भवन / August Kranti Bhavan  
भीकाजी कामा प्लेस/ Bhikaji Cama Place  
नई दिल्ली - 110066 / New Delhi - 110066  
**website: [www.cic.gov.in](http://www.cic.gov.in)**

**Case No. CIC/AT/A/2007/00274**

**Dated: 25.6.2008**

**Sub: Notice for Full Bench hearing on 1.8.2008 at 4:00 P.M.**

WHEREAS Sh. Manohar Parrikar, Goa had filed 2<sup>nd</sup> appeal dated 13.2.2007 before the Commission under Section 19 (3) of the Right to Information Act, 2005, relating to his RTI request dated 6.9.2006, against the decision dated 13.11.2006 of Appellate Authority, Office of the Accountant General, Goa.

AND WHEREAS the case was earlier heard by the Single Bench on 17.5.2007 & 28.6.2007 and the respondents pleaded that all evidence produced before the Committees of Parliament/State Legislatures is confidential and should be prohibited from disclosure under Section 8(1)(c) of the RTI Act and if disclosed it would be contempt of Parliament being violative of its privilege.

AND WHEREAS the matter requires deliberation on the following points:

- i) Whether or not disclosure of information viz. draft report, the half margins, draft audit notes etc., which have not been submitted and not even made public, would be violative of the privilege of the Parliament/ State Legislature;
- ii) To establish as to whether all evidence before the Committees of Parliament / State Legislature is, by its very nature, confidential and whether the draft audit reports, audit notes, half margins, etc. qualify to be such evidence;
- iii) To determine whether what comprises privilege of Parliament / State Legislature, can be decided by an agency other than the Parliament / State Legislature itself and, whether the Parliament / State Legislature alone has the final say regarding what comprises its privilege; and
- iv) Interpretation of Section 8(1) (c) of the Right to Information Act.

AND WHEREAS the Commission decided that appeal be heard by a Larger Bench of the Commission since the issue is important from the legal point of view.

AND WHEREAS the Commission also decided that the Secretary General of Lok Sabha be requested and notified accordingly to depute a senior officer to attend the hearing in the Commission and to file written submission on the issue. The written submission addressed to the Commission should reach the Commission **on or before 21.7.2008.**

Under the direction of the Commission copy of this notice is also placed on the website of the Commission viz. [www.cic.gov.in](http://www.cic.gov.in) with a request that the interested parties including legal experts on Parliamentary privileges may make their submissions to help and assist the Commission to arrive at a just decision.

The matter will be heard by Full Bench on **August 1, 2008** at **4:00 P.M.** and all concerned are requested to appear before the Commission in the Court Rom No. 306 of the Commission at the above address with relevant documents on **1.8.2008** at **4:00 P.M.** for hearing.

**(D.C. Singh)**  
**Asstt. Registrar**  
**Telefax : 26186535**  
**e-mail: dc.singh@nic.in**

1. The Secretary General, Lok Sabha, Lok Sabha Secretariat, Parliament House, New Delhi.
2. The Comptroller & Auditor General of India, 10, Bahadurshah Zafar Marg, New Delhi – 110002.
3. Shri P.D. Mahale, Sr. Deputy Accountant General & CPIO, Indian Audit and Accounts Department, O/o the Accountant General, Goa, “Audit Bhawan”, Green Valley, Alto Porvorim, Goa – 403 521.
4. Sh. Y.N. Thakare, Accountant General & Appellate Authority, Indian Audit and Accounts Department, O/o the Accountant General, Goa, “Audit Bhawan”, Green Valley, Alto Porvorim, Goa – 403 521.
5. Sh. Manohar Parrikar, Leader of Opposition, Assembly Complex, Porvorim, Goa - 403501. **(Appellant)**

**Copy to:**

- i) SO to CIC
- ii) PPS to IC(PB)
- iii) PPS to IC(T)

**CC to:** Shri Paul, Senior Scientist, NIC with a request that the above notice be appropriately uploaded in the Commission’s website inviting the comments of interested parties, including legal experts on Parliamentary privileges.