

Immediate  
Date of hearing: 13.11.2006

**CENTRAL INFORMATION COMMISSION**  
Block IV, 5<sup>th</sup> Floor, Old JNU Campus  
New Delhi 110067

No.CIC/OK/A/2006/00154

dated 26/10/2006

Shri L.K. Joshi  
Secretary to the Government of India  
Ministry of Personnel, Public Grievances & Pension  
North Block  
New Delhi-110 001.

**Sub: Pyare Lal Verma Vs. Ministry of Railways (Appeal  
No.CIC/OK/A/2006/00154) – Full Bench hearing**  
**Ref: D.O. No.4/12/2006/IR dated 21.8.2006**

Sir,

The Commission in IC(PB)/A-1/CIC/2006 vide its decision dated 31.1.2006 decided that a combined reading of Section 2(f), (i) and (j) would indicate that a citizen has the right of access to a file of which the file notings are an integral part. It was brought to the notice of the Commission that DOPT OM No.10/8/06-IR dated 2.2.2006 is contrary to the decision of the Commission. Accordingly, the DOPT vide this Commission's letter No.7/1/2000-CIC dated 26.2.2006 was requested to issue necessary clarification to all Departments and to amend its website in so far as the definition of "information" is concerned. This was followed by reminders dated March 27, 2006 and 8<sup>th</sup> May, 2006.

2. The decision of the Commission in respect of the file notings was further reiterated in Satyapal Vs. CPIO, TCIL and in CIC/WB/A/2006/00133 (Ms. Suchi Pandey Vs. Ministry of Urban Development, Govt of India). Accordingly, the Commission again wrote to the DOPT vide its letter No.7/1/2006-CIC dated 26.5.2006 to remove all such instructions from the website of the Ministry that are contrary to the provisions of RTI Act, 2005 and also to issue suitable Office Memorandum to all Ministries/Departments so that the direction of the Commission in regard to the file notings are complied with.

3. In Mahendra Gaur Vs. Department of Consumer Affairs, decided on 23.6.2006, the DOPT was directed to immediately remove its clarification on file notings from its website. Under the directions of the Commission, a copy of the decision was forwarded to the Secretary, DOPT vide letter No.7/1/2006-CIC dated 28.6.2006.

4. The Commission vide its decision dated 13.7.2006 in Pyare Lal Verma Vs. Ministry of Railways (Appeal No.CIC/OK/A/2006/00154) had again directed the DOPT to remove the instructions relating to non-disclosure of file notings from website within five days from the date of the order. The Commission again vide its order dated 8<sup>th</sup> August, 2006 directed the DOPT to comply with the orders passed in this case. **However, in view of your request vide D.O. No. 4/12/2006/IR dated 21.8.2006, the Commission has decided that this matter shall be heard by the Full Bench on 13.11.2006 at 3.30 PM in the Court room of the Commission.**

5. You are, therefore, requested to present your case, either personally or through your authorized representative, on the date and time first hereinbefore mentioned. You may also like to request the Additional Solicitor General, Shri Gopal Subramaniam to attend the hearing and to assist this Commission in arriving at a decision in regard to the points raised by him in his note annexed with your letter under reference.

Yours faithfully,

Sd/-  
(P.K. Gera)  
Registrar

Copy forwarded to:

1. Pyare Lal Verma, 52, Avas Vikas Colony, Jail Road, Aligarh, U.P.
2. Shri Mahendra Gaur, B-90, Saraswati Marg, Bajaj Nagar, Jaipur-302015.
3. Shri P.K. Aditya (sent by E-Mail: [premaditya@gmail.com](mailto:premaditya@gmail.com))
4. Shri Prashant Bhushan, Advocate, 301, New Lawyers' Chamber, Supreme Court of India, New Delhi – with a request to kindly assist the Commission in the above matter.
5. Shri K.C. Mittal, Advocate, 172, Lawyers' Chambers, Block-II, Delhi High Court, New Delhi-110003 – with a request to kindly assist the Commission in the above matter.
6. Shri Jagdish Narain Pandey, Advocate, 265/275, Govind Nagar (East), Amber Road, Jaipur-302002.  
— This refers to his petition dated 4<sup>th</sup> July, 2006.
7. Mr. Paul Arokianathan S., Scientist-C, NIC — with a request to place it on web site for general information so as to enable other interested persons to present their views, if any.

(L.C. Singhi)  
Addl. Registrar