



सूचना का
अधिकार
RIGHT TO
INFORMATION

BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-28/2017/FAA/HQ/F&SI 380-83

Dated: 13/6/17

In the matter of : Application/appeal filed by Sh.Mahender Prasad Chaudhary, R/o House No.N-28/C-4, CSA Colony, Railway Line, Wazirpur Industrial Area, Ashok Vihar, Delhi-110052 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (North), Food Supplies & Consumer Affairs Department.

Date of hearing :13.06.2017

ORDER

The appellant Sh. Mahender Prasad Chaudhary has filed an application under RTI Act, 2005 before the PIO i.e. AC North), Food & Supplies Department on 20-3-17. An appeal was filed on 22-5-17.

Present Sh. Mahender Prasad Chaudhary, Applicant and Sh.R.K.Uppal, FSO-17 for AC(N). PIO/AC(N) is not present.

As per RTI Act Sec.2(f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders

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who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. Despite clear orders in the notice dated 23-5-17, still the PIO/AC(N) has not complied with the orders of file inspection to the applicant. Neither has the file movement been tracked for the last 6 months. The file as per FSO is with AC(Distribution).

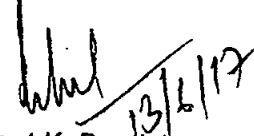
Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC(N) in the next 10 days and amended reply is given to the applicant by the PIO/AC(N) within the same 10 days personally. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

It is pertinent to mention herein that the Ld. CIC issued a Show Cause Notice as to why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to RTI application. The Ld. CIC observed that this is a serious lapse on the part of Food & Supply Department. The Ld. CIC also observed that "The authority is directed to give point wise revised reply to the RTI applicant on all the four questions within 15 days from the date of receipt of this order and the Commission directs the concerned PIO and the representative sent by him for the hearing to explain why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to an RTI application" as decided in the case of Suresh Kumar Vs Food & Supply Department, Govt. of N.C.T. of Delhi.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.


(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-28/2017/FAA/HQ/F&S/ 380-83

Dated: 13/6/17

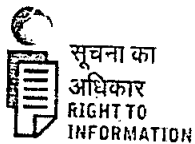
Copy to:

1. Sh.Mahender Prasad Chaudhary, R/o House No.N-28/C-4, CSA Colony, Railway Line, Wazirpur Industrial Area, Ashok Vihar, Delhi-110052.
2. PIO i.e. AC North).
3. SA(IT) with the request to upload the order in F&S website.

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Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
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GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-38/2017/FAA/HQ/F&SI 384-87

Dated: 13/6/17

In the matter of : Application/appeal filed by Sh. Abdul Latif Saifi, R/o House No.A-2/303, Madangir, New Delhi-110062 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South), Food Supplies & Consumer Affairs Department.

Date of hearing : 13.06.2017

ORDER

The appellant Sh. Abdul Latif Saifi has filed an application under RTI Act, 2005 before the PIO i.e. AC (South), Food & Supplies Department on 21-4-17. Reply has been given on 18-5-17. An appeal was filed on 01-06-17.

None present for the applicant. Smt. Sangeeta Vasisht, FSO-45&46 is present. PIO/AC(S) is not present.

As per RTI Act Sec.2(f) definition of INFORMATION is as under :

--"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

--As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

--NFS Act also promotes Transparency. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders

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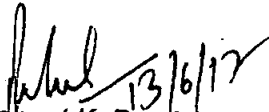
Ends of justice would be met if the file inspection and the records amended are shown to the applicant by the PIO/AC(S) personally within 10 days and another reply given thereafter to the applicant by the PIO within the same 10 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

It is pertinent to mention herein that the Ld. CIC issued a Show Cause Notice as to **why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to RTI application**. The Ld. CIC observed that this is a serious lapse on the part of Food & Supply Department. The Ld. CIC also observed that "The authority is directed to give point wise revised reply to the RTI applicant on all the four questions within 15 days from the date of receipt of this order and the Commission directs the concerned PIO and the representative sent by him for the hearing to explain why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to an RTI application" as decided in the case of **Suresh Kumar Vs Food & Supply Department, Govt. of N.C.T. of Delhi**.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.


(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-38/2017/FAA/HQ/F&SI 384-87


Dated: 13/6/17

Copy to:

1. Sh. Abdul Latif Saifi, R/o House No.A-2/303, Madangir, New Delhi-110062.
2. PIO i.e. AC (South).
- ✓ 3. SA(IT) with the request to upload the order in F&S website.

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'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-352/2017/FAA/HQ/F&S/ 127-32

Dated: 3/5/17

In the matter of : Application/appeal filed by Sh.Ratan Das, R/o B-1248, Gautam Puri Phase-II, New Delhi-110076 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIOs i.e. Assistant Commissioners (Policy, Enf, Vig), , Food Supplies & Consumer Affairs Department (ID NO. 5552)

Date of hearing :02.05.2017

ORDER

The appellant Sh.Ratan Das has filed an application under RTI Act, 2005 before the PIOs i.e. AC (Policy, Enf, Vig), Food & Supplies Department on 25-01-17. AC(Enf) had earlier replied on 17-2-17, AC(Policy) had earlier replied on 10-2-17 & AC(Vig) had earlier replied on 15-2-17. In response to the appeal on 21-3-17, notice was issued on 22-3-17 to all the PIOs for ensuring file inspection, keeping in view the appeal filed by the applicant. Still the PIOs have not bothered to ensure file inspection.

Present Sh. Ratan Das, Applicant. No PIO present for the department. None present for applicant given this background the attitude of the PIOs needs to change with regard to the notices issued.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
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As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

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NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs (Policy, Enforcement, Vigilance) are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant. The undersigned has gone through the information asked by the Appellant. Matter heard, considering all the facts i.e., RTI application, appeal application and documents on record. Ends of justice would be met if the file inspection and another amended reply thereafter is provided to the applicant by the PIOs i.e. AC(Policy, Enforcement, Vigilance) within 15 days.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

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 First Appellate Authority

No.RTI (Appeal)/I.D-352/2017/FAA/HQ/F&S/ 127 - 32

Dated: 3/5/17

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(Under the Right to Information Act, 2005)

DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS

'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002

GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-358/2017/FAA/HQ/F&SI/166-69

Dated: 5/5/17

In the matter of : Application/appeal filed by Sh.Rajesh Kumar Bharti, R/o 70/2, Gali No.15-14-B, Swatanter Nagar, Narela, Delhi-110040 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioners (North-West), Food Supplies & Consumer Affairs
Department (ID NO. 7379)

Date of hearing :05.05.2017

ORDER

The appellant Sh. Rajesh Kumar Bharti has filed an application under RTI Act, 2005 before the PIO i.e. AC (NW), Food & Supplies Department on 02-03-17. Reply was given on 21-3-17 by AC(NW).

Present Sh. Rajesh Kumar Bharti, Applicant. PIO/AC(NW) Sh. Desh Raj is not present nor is any of his representative.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

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Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC(NW) within 15 days and thereafter another reply is given to the applicant within the same 15 days. This needs to be ensured by the AC being the RO/TO declared by the CFS. PIO i.e. AC is the Record and Transparency Officer as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

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GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-02/2017/FAA/HQ/F&SI/70-74

Dated: 5/5/17

In the matter of : Application/appeal filed by Smt. Sunita Sharma, R/o 118-A, Gali No.5, Rajendra Park Extn., Nangloi, Delhi-110041 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIOs i.e. Assistant Commissioners (Vigilance, North), Food Supplies & Consumer Affairs Department (ID NO. 5553)

Date of hearing : 05.05.2017

ORDER

The appellant Smt. Sunita Sharma has filed an application under RTI Act, 2005 before the PIOs i.e. AC (Vigilance, North), Food & Supplies Department on 17-01-17. Reply was given on 2-3-17 by AC(N). No reply was given by AC(Vigilance).

Present Smt. Sunita Sharma, Applicant. Present Sh. Satyavir Singh, APIO/FSO(Vig.). Present Sh. J.K. Anand, FSI, C-2. AC(Vigilance) Sh. R.K. Saxena & AC(North) Sh. Desh Raj are absent.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

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- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted

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Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was filed on 06-04-17 despite clear orders in the notice on 07-04-17, AC(Vigilance) and AC(North) have failed miserably to ensure file inspection.

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC(N) & AC(Vig.) within 15 days and thereafter another reply is given to the applicant within the same 15 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.


(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-02/2017/FAA/HQ/F&S/ 170-74

Dated: 5/5/17

Copy to

1. Smt. Sunita Sharma, R/o 118-A, Gali No.5, Rajendra Park Extn., Nangloi, Delhi-110041.
2. PIOs i.e. AC (Vigilance, North).
3. SA(IT) with the request to upload the order in F&S website.

Copy for information to:

CFS


(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-12/2017/FAA/HQ/F&SI/217-17

Dated: 12/5/17

In the matter of : Application/appeal filed by Sh. Bisram, R/o H.No.S-85/43, Lal Gumbad
Kamp, Panchsheel Park, New Delhi-110017 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (New Delhi), Food Supplies & Consumer Affairs Department.

Date of hearing : 12.05.2017

ORDER

The appellant Sh. Bisram has filed an application under RTI Act, 2005 before the PIO i.e. AC (ND), Food & Supplies Department on 27-02-17. Reply was given by AC(ND) on 23-3-17.

Present Sh.R.K.Kanojia, FSO-50. AC(ND)/PIO not present. Present Sh. Bisram, Applicant.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure

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transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was filed on 25-04-17 despite clear orders in the notice on 26-04-17, file inspection has not been done by the PIO/AC(ND).

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC (ND) within 15 days and thereafter another reply is given to the applicant within the same 15 days. . This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-11/2017/FAA/HQ/F&S/ 214-17

Dated: 12/5/17

Copy to

4. Sh. Bisram, R/o H.No.S-85/43, Lal Gumbad Kamp, Panchsheel Park, New Delhi-110017.

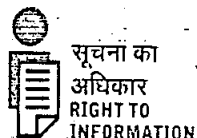
2. PIO i.e. AC (New Delhi)

3. SA(IT) with the request to upload the order in F&S website.

Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)

DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS

'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002

GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-355/2017/FAA/HQ/F&SI 244-47

Dated: 4/5/17

In the matter of : Application/appeal filed by Sh.Shyam Kishore, R/o H.No.702, Gali No.21, I.P.Colony, Burari, Delhi-110084 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (North), Food Supplies & Consumer Affairs Department.

Date of hearing :03.05.2017

ORDER

The appellant Sh.Shyam Kishore has filed an application under RTI Act, 2005 before the PIO i.e. AC (North), Food & Supplies Department on 17-02-17 to which no reply was given by the AC(N) as per the applicant. Thereafter, an appeal was filed on 27-3-17.

Present Sh.Shyam Kishore, Applicant. PIO/AC(N) is not present. Sh. J.K.Anand, FSI, Circle-2&3 has been sent which shows the attitude of the AC(N) to RTI applications.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

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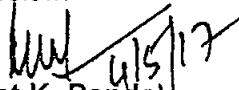
NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. In the Notice issued on 29-3-17, no file inspection was conducted by the AC(N), Sh. Desh Raj despite clear orders, the PIO has failed to carry out the same.

Ends of justice would be met if the file inspection is allowed to the applicant on **15-5-17 at 11.00 A.M.** by the PIO/AC(N) and thereafter another reply will be given to the applicant by 20-5-17. This needs to be ensured by the AC being the RO/TO declared by the CFS. PIO i.e. AC (North) is the Record and Transparency Officer as notified by the department (which is also displayed on the website of the department). vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

**CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.**


(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-355/2017/FAA/HQ/F&SI 144-47

Dated: 4/5/17

Copy to :

1. Sh. Shyam Kishore, R/o H.No.702, Gali No.21, I.P.Colony, Burari, Delhi-110084.
2. PIO i.e. AC(North).
3. SA(IT) with the request to upload the order in F&S website.

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CFS


(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-10/2017/FAA/HQ/F&SI 206-09

Dated: 12/5/17

In the matter of : Application/appeal filed by Sh. Abdul Latif Saifi, R/o H.No.A-II/303, Madangir, New Delhi-110062 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South), Food Supplies & Consumer Affairs Department.

Date of hearing :12.05.2017

ORDER

The appellant Sh. Abdul Latif Saifi has filed an application under RTI Act, 2005 before the PIO i.e. AC (S), Food & Supplies Department on 15-03-17. Reply was given by AC(S) on 16-4-17.

Present Sh. Abdul Latif Saifi, Applicant. None present for PIO/AC(S).

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING

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DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was filed on 24-04-17 despite clear orders in the notice on 26-04-17, file inspection has not been done by the PIO/AC(S).

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC (S) within 15 days and thereafter another reply is given to the applicant within the same 15 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-10/2017/FAA/HQ/F&S/ 206-09

Dated: 12/5/17

Copy to

2. Sh. Abdul Latif Saifi, R/o H.No.A-II/303, Madangir, New Delhi-110062.
 2. PIO i.e. AC (South).
 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to: →

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-11/2017/FAA/HQ/F&SI 210-13

Dated: 12/5/17

In the matter of : Application/appeal filed by Smt. Rachna Devi, R/o H.No.A-354, Kusumpur Pahari, Vasant Vihar, New Delhi-110057 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South), Food Supplies & Consumer Affairs Department.

Date of hearing : 12.05.2017

ORDER

The appellant Smt. Rachna Devi has filed an application under RTI Act, 2005 before the PIO i.e. AC (S), Food & Supplies Department on 10-02-17. The applicant states that no reply was received by her from AC(S) till date.

Applicant not present. PIO/AC(S) is not present.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

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- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

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APD Anish

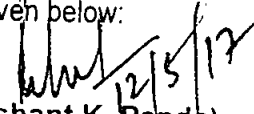
transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was filed on 24-04-17 despite clear orders in the notice on 26-04-17, file inspection has not been done by the PIO/AC(S).

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC (S) within 15 days and thereafter another reply is given to the applicant within the same 15 days. . This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.


(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-11/2017/FAA/HQ/F&SI 210-13

Dated: 12/5/17

Copy to

3. Smt. Rachna Devi, R/o H.No.A-354, Kusumpur Pahari, Vasant Vihar, New Delhi-110057.
 2. PIO i.e. AC (South)
 - ✓ 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to: _____

CFS


(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority

BY SPEED POST



सूचना का
अधिकार
RIGHT TO
INFORMATION

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-04/2017/FAA/HQ/F&SI 190-93

Dated: 11/5/17

In the matter of : Application/appeal filed by Smt. Kumkum Devi, R/o H.No.65, Pocket-A, Sector-B-2, Narela, Delhi-110040 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (North-West), Food Supplies & Consumer Affairs Department
(ID NO. 7385)

Date of hearing : 09.05.2017

ORDER

The appellant Smt. Kumkum Devi has filed an application under RTI Act, 2005 before the PIOs i.e. AC (HQ,NW), Food & Supplies Department on 06-03-17. Reply was given by AC(NW) on 21-3-17.

Present Smt. Kumkum Devi, Applicant. AC(NW)/PIO is not present.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted

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Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was filed on 12-04-17 despite clear orders in the notice on 13-04-17, file inspection has not been done by the PIO/AC(NW).

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC (NW) within 15 days and thereafter another reply is given to the applicant within the same 15 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-04/2017/FAA/HQ/F&S/190-93

Dated: 11/5/17

Copy to

3. Smt. Kumkum Devi, R/o H.No.65, Pocket-A, Sector-B-2, Narela, Delhi-110040.
 2. PIO i.e. AC (NW).
 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



सूचना का
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RIGHT TO
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BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)

DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS

'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002

GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-03/2017/FAA/HQ/F&S/176-89

Dated: 11/5/17

In the matter of : Application/appeal filed by Sh.Purshottam Lal Sharma, R/o G-80, Kunwar Singh Nagar, Nangloi, Delhi-110041 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIOs i.e. Assistant Commissioners (HQ, All Zones,,Policy), Food Supplies & Consumer Affairs Department (ID NO. 5606)

Date of hearing :09.05.2017

O R D E R

The appellant Sh.Purshottam Lal Sharma has filed an application under RTI Act, 2005 before the PIOs i.e. AC (West,Policy), Food & Supplies Department on 20-02-17. Reply was given by AC(NW) on 20-3-17, AC(W) on 16-3-17 and AC(Policy) on 21-3-17.

Present Sh. Purshottam Lal Sharma, Applicant. Present Sh. S.K.Sethi, UDC, Circle-11. AC(Policy)/AC(West) are not present.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted

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Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was issued on 12-04-17 still file inspection was not done by the ACs/PIOs which shows the attitude of the PIOs.

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC (Policy) within 15 days and thereafter another reply is given to the applicant within the same 15 days. File Inspection be carried out on 15-5-17 at 11.00 A.M. by AC(West). This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-03/2017/FAA/HQ/F&SI 176-89

Dated: 11/5/17

Copy to

2. Sh.Purshottam Lal Sharma, R/o G-80, Kunwar Singh Nagar, Nangloi, Delhi-110041.
 2. PIOs i.e. AC (HQ, All Zones, Policy).
 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-09/2017/FAA/HQ/F&SI/198-2017

Dated: 12/5/17

In the matter of : Application/appeal filed by Smt.Shobha Goyal, R/o H.No.RZ/G-58/59A, G-Block, Gali No.2, Sangam Market, West Sagarpur, New Delhi-110046 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South-West), Food Supplies & Consumer Affairs Department.

Date of hearing :11.05.2017

ORDER

The appellant Smt. Shobha Goyal has filed an application under RTI Act, 2005 before the PIO i.e. AC (SW), Food & Supplies Department on 08-03-17. Reply was given by AC(SW) on 11-4-17.

Present Smt. Sheela Vohra, FSO-33. PIO/AC(SW) not present. Applicant not present.

As per RTI Act Sec.2 (f) definition of INFORMATION-is as under :-

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall,

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inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was filed on 24-04-17 despite clear orders in the notice on 26-04-17, file inspection has not been done by the PIO/AC(SW).

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC (SW) within 15 days and thereafter another reply is given to the applicant within the same 15 days. . This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order. No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-09/2017/FAA/HQ/F&S/ 198-201

Dated: 12/5/17

Copy to

1. Smt.Shobha Goyal, R/o H.No.RZ/G-58/59A, G-Block, Gali No.2, Sangam Market, West Sagarpur, New Delhi-110046.
 - 2 . PIO i.e. AC (South-West).
 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to:

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First Appellate Authority



सूचना का
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RIGHT TO
INFORMATION

BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)

DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS

'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002

GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-08/2017/FAA/HQ/F&S/ 194-97

Dated: 12/5/17

In the matter of : Application/appeal filed by Smt. Jayshree Satpute, R/o H.No.1/33, Double Storey Bldg., Top Floor, Jangpura, Delhi-110014 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South), Food Supplies & Consumer Affairs Department.

Date of hearing : 11.05.2017

ORDER

The appellant Smt. Jayshree Satpute has filed an application under RTI Act, 2005 before the PIO i.e. AC (S), Food & Supplies Department on 17-2-17. Reply was given by AC(S) on 15-3-17.

Present Ms. Shreya Sen representing Smt. Jayshree Satpute, Applicant with authorization letter. PIO/AC(S) is not present. Sh. Jagdish Singh, FSO, Circle-48 present.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

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- (iii) Taking certified samples of material;
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NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall,

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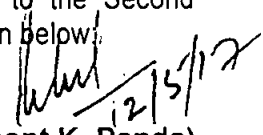
inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was filed on 18-04-17 and notice issued that very date for file inspection to the applicant by the PIO as the same has not been done.

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC (S) within 15 days and thereafter another reply is given to the applicant within the same 15 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.


(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority


No.RTI (Appeal)/I.D-08/2017/FAA/HQ/F&S/ 194 - 97

Dated: 12/5/17

Copy to

1. Smt.Jayshree Satpute, R/o H.No.1/33, Double Storey Bldg., Top Floor, Jangpura, Delhi-110014.
 2. PIO i.e. AC (South).
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BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-19/2017/FAA/HQ/F&SI 293-96

Dated: 29/5/17

In the matter of : Application/appeal filed by Sh.Ram Swaroop Jangir, R/o GE (AF), Subroto Park, Delhi Cantt, Delhi-110010 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South-West), Food Supplies & Consumer Affairs Department.

Date of hearing : 29.05.2017

ORDER

The appellant Sh.Ram Swaroop Jangir has filed an application under RTI Act, 2005 before the PIO i.e. AC (South-West), Food & Supplies Department on 5-4-17. Reply was given by AC(South-West) on 26-4-17.

None present for the department and for the applicant. PIO(SW) was to appear but is neither present nor is any representative of his present.

As per RTI Act Sec.2(f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

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- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 15(1) & (6) of the NFS Act reads as " (1) The State Government shall appoint or designate, for each district an officer to be the District Grievance Redressal Officer for expeditious and effective redressal of grievances of the aggrieved persons in matters relating to distribution of entitled foodgrains or meals under Chapter II, and to enforce the entitlements under this Act. (6) Any complainant or the officer or authority against whom any order has been passed by officer referred to in sub-section (1), who is not satisfied with the redressal of grievance may file an appeal against such order before the State Commission." ADM of the district concerned is the DGRO. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary

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Sh. Avinash

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SA

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reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. Appeal filed on 15-5-17 was not attended by AC(SW) and no proper inspection of records was accorded by the PIO.

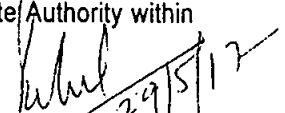
Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC (SW) within 15 days and thereafter another reply is given by the PIO to the applicant within same 15 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

It is pertinent to mention herein that the Ld. CIC issued a Show Cause Notice as to why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to RTI application. The Ld. CIC observed that this is a serious lapse on the part of Food & Supply Department. The Ld. CIC also observed that "The authority is directed to give point wise revised reply to the RTI applicant on all the four questions within 15 days from the date of receipt of this order and the Commission directs the concerned PIO and the representative sent by him for the hearing to explain why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to an RTI application" as decided in the case of **Suresh Kumar Vs Food & Supply Department, Govt. of N.C.T. of Delhi.**

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.


(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-19/2017/FAA/HQ/F&S/ 293 - 96

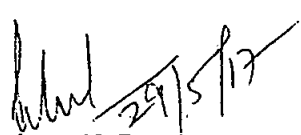
Dated: 29/5/17

Copy to:

2. Sh.Ram Swaroop Jangir, R/o GE (AF), Subroto Park, Delhi Cantt, Delhi-110010.
2. PIO/AC(South-West).
3. SA(IT) with the request to upload the order in F&S website.

Copy for information to:

CFS


(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-21/2017/FAA/HQ/F&SI 3/5-18

Dated: 2/6/17

In the matter of : Application/appeal filed by Sh.Abdul Latif Saifi, R/o A-II/303, Madangir, New Delhi-110062 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South), Food Supplies & Consumer Affairs Department.

Date of hearing :01.06.2017

ORDER

The appellant Sh.Abdul Latif Saifi has filed an application under RTI Act, 2005 before the PIO i.e. AC (South), Food & Supplies Department on 8-4-17. Reply was given by AC(South) on 8-5-17.

None present for the applicant. Sh. Meher Singh, FSI-48 is present. PIO/AC(S) is not present.

As per RTI Act Sec.2(f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link:

628/SSA/IT
2/6/17

SA
2.6.17

AS/8

AC/8

<http://nfs.delhi.gov.in/Citizen/UpdateMobile Number.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was filed on 12-5-17 despite clear orders in the notice on 17-5-17, file inspection has not been done by the PIO/AC(South). FSI is not aware of any facts of the case.

Ends of justice would be met if the file inspection is allowed to the applicant by the PIOs/AC (South) within 15 days and thereafter another amended reply is provided to the applicant within the same 15 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

It is pertinent to mention herein that the Ld. CIC issued a Show Cause Notice as to why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to RTI application. The Ld. CIC observed that this is a serious lapse on the part of Food & Supply Department. The Ld. CIC also observed that "The authority is directed to give point wise revised reply to the RTI applicant on all the four questions within 15 days from the date of receipt of this order and the Commission directs the concerned PIO and the representative sent by him for the hearing to explain why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to an RTI application" as decided in the case of Suresh Kumar Vs Food & Supply Department, Govt. of N.C.T. of Delhi.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-21/2017/FAA/HQ/F&SI 315-18

Dated: 2/6/17

Copy to:

2. Sh.Abdul Latif Saifi, R/o A-II/303, Madangir, New Delhi-110062.
 2. PIO i.e. AC (South)
 1. SA(IT) with the request to upload the order in F&S website.
- Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



सूचना का
अधिकार
RIGHT TO
INFORMATION

BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-22/2017/FAA/HQ/F&SI/319-22

Dated: 2/6/17

In the matter of : Application/appeal filed by Sh.Abdul Latif Saifi, R/o A-II/303, Madangir, New Delhi-110062 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South), Food Supplies & Consumer Affairs Department.

Date of hearing :02.06.2017

ORDER

The appellant Sh.Abdul Latif Saifi has filed an application under RTI Act, 2005 before the PIO i.e. AC (South), Food & Supplies Department on 21-4-17. Reply was given by AC(South) on 6-5-17.

None present for the applicant. Smt. Sangita Vashist, FSO-46 present for the department. PIO/AC(S) is not present.

As per RTI Act Sec.2(f) definition of **INFORMATION** is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can

receive SMS pertaining to any FPS, by registering their mobile number on the following link:
<http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was filed on 12-5-17 despite clear orders in the notice on 17-5-17, file inspection has not been done by the PIO/AC(South). FSI is not aware of any facts of the case.

Ends of justice would be met if the file inspection is allowed to the applicant by the PIOs/AC (South) within 15 days as the PIO has wilfully defaulted and thereafter another reply be provided to the applicant within the same 15 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

It is pertinent to mention herein that the Ld. CIC issued a Show Cause Notice as to why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to RTI application. The Ld. CIC observed that this is a serious lapse on the part of Food & Supply Department. The Ld. CIC also observed that "The authority is directed to give point wise revised reply to the RTI applicant on all the four questions within 15 days from the date of receipt of this order and the Commission directs the concerned PIO and the representative sent by him for the hearing to explain why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to an RTI application" as decided in the case of Suresh Kumar Vs Food & Supply Department, Govt. of N.C.T. of Delhi.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-22/2017/FAA/HQ/F&SI 319-22

Dated: 2/6/17

Copy to:

1. Sh.Abdul Latif Saifi, R/o A-II/303, Madangir, New Delhi-110062.
2. PIO i.e. AC (South)
3. SA(IT) with the request to upload the order in F&S website.

Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority

05/08/2017
Sh. Arinash.

BY SPEED POST



OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-16/2017/FAA/HQ/F&SI 242-46

Dated: 18/5/17

In the matter of : Application/appeal filed by Sh.Abdul Latif Saifi, R/o A-II/303, Madangir, New Delhi-110062 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South,Policy), Food Supplies & Consumer Affairs Department.

Date of hearing :17.05.2017

ORDER

The appellant Sh.Abdul Latif Saifi has filed an application under RTI Act, 2005 before the PIO i.e. AC (South,Policy), Food & Supplies Department on 27-03-17. Reply was given by AC(South) on 25-4-17.

None present for the applicant. Sh. V.K.Tripathi, FSO(Policy) is present. Sh. S.N.Gaur, FSO-48 for AC(S) is present.

As per RTI Act Sec.2(f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to

616/SSA/IT
17.05.2017.

Subscribed
18/5/17

Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobile Number.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. An appeal was filed on 1-5-17 despite clear orders in the notice on 2-5-17, file inspection has not been done by the PIOs/AC(South,Policy).

Ends of justice would be met if the file inspection is allowed to the applicant by the PIOs/AC (South,Policy) within 15 days and thereafter another amended reply is given to the applicant within the same 15 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-16/2017/FAA/HQ/F&S/242-46

Dated: 18/5/17

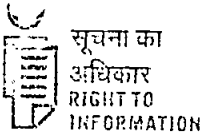
Copy to:

1. Sh.Abdul Latif Saifi, R/o A-II/303, Madangir, New Delhi-110062.
- 2 . PIOs i.e. AC (South, Policy)
3. SA(IT) with the request to upload the order in F&S website.

Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-14/2017/FAA/HQ/F&S/222-25

Dated: 16/5/17

In the matter of : Application/appeal filed by Sh. Naresh Kumar, R/o H.No.225, Punjab Khore, Delhi-110081 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (North-West), Food Supplies & Consumer Affairs Department

Date of hearing : 16.05.2017

ORDER

Present Sh. Satbir, FSO-7 for AC(NW). Sh. Naresh Kumar, applicant not present.

As the appeal has been decided on 21-11-2016, there is nothing to hear in the appeal. The applicants' absence shows his non-sincere attitude in filing appeals.

It is clearly mentioned in the appeal order that :

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

Still, he did not paid heed to the same and again approached the First Appellate Authority showing his non-sincere attitude which is further compounded by the fact that he did not appear for the notice as well whereas the FSO, Sh. Satbir is present.

(Prashant K. Panda)

Controller(W&M)Special Commissioner(F&S)(Addl.Charge)

First Appellate Authority

No.RTI (Appeal)/I.D-14/2017/FAA/HQ/F&S/222-25

Dated: 16/5/17

Copy to

1. Sh. Naresh Kumar, R/o H.No.225, Punjab Khore, Delhi-110081
 2. PIO i.e. AC(NW).
 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to:

CFS

25/5/17
SA

SA

Controller(W&M)Special Commissioner(F&S)(Addl.Charge)

First Appellate Authority

(Prashant K. Panda)

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.116, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-15/2017/FAA/HQ/F&S/ 226-29

Dated: 16/5/17

In the matter of : Application/appeal filed by Sh. Naresh Kumar R/o H.No.225, Punjab Khore, Delhi-110081 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (North-West), Food Supplies & Consumer Affairs Department

Date of hearing : 16.05.2017

ORDER

Present Sh. Satbir, FSO-7 for AC(NW). Sh. Naresh Kumar, applicant not present.

As the appeal has been decided on 21-11-2016, there is nothing to hear in the appeal. The applicant's absence shows his non-sincere attitude in filing appeals.

It is clearly mentioned in the appeal order that .

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

Still, he did not paid heed to the same and again approached the First Appellate Authority showing his non-sincere attitude which is further compounded by the fact that he did not appear for the notice as well whereas the FSO, Sh. Satbir is present.

(Prashant K. Panda)

Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-15/2017/FAA/HQ/F&S/ 226-29

Dated: 16/5/17

Copy to

1. Sh. Naresh Kumar, R/o H.No.225, Punjab Khore, Delhi-110081

2. PIO i.e. AC(NW).

✓ 3. SA(IT) with the request to upload the order in F&S website.

Copy for information to: _____

CFS

(Prashant K. Panda)

Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-17/2017/FAA/HQ/F&SI/247-50

Dated: 18/5/17

In the matter of : Application/appeal filed by Sh. Ratan Das, R/o B-1248, Gautam Puri Ph-II, Badarpur, New Delhi-110076 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South), Food Supplies & Consumer Affairs Department.(ID NO.5598)

Date of hearing :17.05.2017

ORDER

The appellant Sh.Ratan Das has filed an application under RTI Act, 2005 before the PIO i.e. AC (South), Food & Supplies Department on 17-2-17. Reply was given by AC(South) on 20-3-17.

Present Sh,S.N.Gaur, FSO-48 for AC(S). Applicant not present.

As per RTI Act Sec.2(f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 12 of the NFS Act states.(1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders

617/SSA/IT
18/5/17

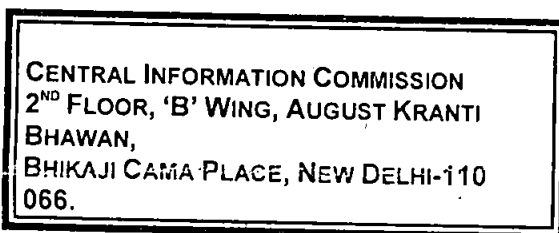
Sh. Avinash
18/5/17

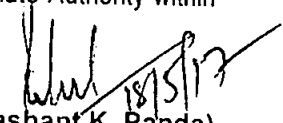
who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. No file inspection was done by the applicant despite notice dated 11-5-17 issued by PIO/AC(S).

Ends of justice would be met if another notice for file inspection is given to the applicant by the PIO/AC (S) within 15 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:




(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-17/2017/FAA/HQ/F&SI 247-50

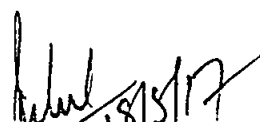
Dated: 18/5/17

Copy to:

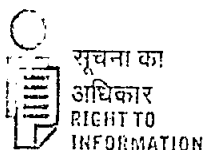
1. Sh. Ratan Das, R/o B-1248, Gautam Puri Ph-II, Badarpur, New Delhi-110076.
2. PIOs i.e. AC (South Policy)
3. SA(IT) with the request to upload the order in F&S website.

Copy for information to:

CFS


(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority

**Most Urgent / Time Bound
BY SPEED POST**



OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-13/2017/FAA/HQ/F&S/ 218-21

Dated: 16/05/17

In the matter of : Application/appeal filed by Sh. Naresh Kumar, R/o H.No.225, Punjab Khore, Delhi-110081 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (North-West), Food Supplies & Consumer Affairs Department

Date of hearing : 16.05.2017

ORDER

Present Sh. Satbir, FSO-7 for AC(NW). Sh. Naresh Kumar, applicant not present.

As the appeal has been decided on 21-11-2016, there is nothing to hear in the appeal. The applicants' absence shows his non-sincere attitude in filing appeals.

It is clearly mentioned in the appeal order that :

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

Still, he did not paid heed to the same and again approached the First Appellate Authority showing his non-sincere attitude which is further compounded by the fact that he did not appear for the notice, as well whereas the FSO, Sh. Satbir is present.

(Prashant K. Panda)

Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-13/2017/FAA/HQ/F&S/ 218-21

Dated: 16/5/17

Copy to

1. Sh. Naresh Kumar, R/o H.No.225, Punjab Khore, Delhi-110081
2. PIO i.e. AC(NW).

3. SA(IT) with the request to upload the order in F&S website
Copy for information to:

CFS

(Prashant K. Panda)

Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority

BY SPEED POST



OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-357/2017/FAA/HQ/F&SI 160-65

Dated: 5/5/17

In the matter of : Application/appeal filed by Sh.Nasir Khan, R/o K-315, Sunder Nagri, Delhi-110093 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIOs i.e. Assistant Commissioners (North, Policy, Distribution), S.A.(I.T.), Food Supplies & Consumer Affairs Department (ID NO. 5599)

Date of hearing :04.05.2017

ORDER

The appellant Sh.Nasir Khan has filed an application under RTI Act, 2005 before the PIOs i.e. AC (North, Policy, Distribution), S.A.(I.T.), Food & Supplies Department on 17-02-17. Reply was given on 1-3-17 by S.A.(I.T.) and 28-4-17 by AC(Policy). Thereafter, an appeal was filed, on 27-3-17.

Present Sh. Nasir Khan, Applicant. Sh. V.K.Tripathi, APIO (Policy & Distribution) is present. None present from I.T. and North.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force"

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A. "any document, manuscript and file;
- B. any microfilm, microfiche and facsimile copy of a document;
- C. any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D. any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

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5/5/17

NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil-Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. File inspection of Policy and Distribution Branch has been done. Despite appeal notice on 29-3-17, the PIO/ AC(N) has not got the file inspected till date.

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC(N) within 15 days and thereafter another reply is given to the applicant by the PIO i.e. AC(North) within the same 15 days. PIO/AC(Policy) to reply to Question No.4 within 15 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-357/2017/FAA/HQ/F&S/ 160-65

Dated: 5/5/17

Copy to

1. Sh.Nasir Khan, R/o K-315, Sunder Nagri, Delhi-110093.
 2. PIOs i.e. ACs (North, Policy, Distribution), S.A.(I.T.).
 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority

Pl. upload on the site
Sh. Anwar

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BY SPEED POST



OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-356/2017/FAA/HQ/F&S/148-59

Dated: 5/5/17

In the matter of : Application/appeal filed by Sh.Mahender Prasad Chaudhary, R/o N-28/C-4, CSA Colony, Railway Line, Wazirpur Industrial Area, Ashok Vihar, Delhi-110052 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIOs i.e. Assistant Commissioners (All Zones), Food Supplies & Consumer Affairs Department (ID NO. 5526)

Date of hearing : 04.05.2017

ORDER

The appellant Sh.Mahender Prasad Chaudhary has filed an application under RTI Act, 2005 before the PIOs i.e. AC (All Zones), Food & Supplies Department on 06-01-17 which was forwarded to all Zones on 09-01-17. Reply was given by AC(S) on 8-2-17, AC(W) on 6-2-17, AC(E) on 13-2-17, AC(ND) on 7-2-17 and AC(NW) on 16-1-17. Thereafter, an appeal was filed on 27-3-17.

Present Sh.Mahender Prasad Chaudhary, Applicant. Most of the PIOs and APIOs are not present. AC(S) is present. Present : Sh. Kulbir Singh, FSI, Smt. Sukhbiri Devi, UDC, Smt. Rekha, UDC, Sh. Ravi Dutt, UDC, Sh. A.P. Verma, FSI, Sh. Mahavir Singh, FSO, C-1.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force"

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A. "any document, manuscript and file;
- B. any microfilm, microfiche and facsimile copy of a document;
- C. any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D. any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

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5/5/17

SA 5/5/17 Sh. Prakash

NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. Despite appeal notice on 29-3-17, still the ACs have not ensured file inspection. AC(W) has not supplied the correct information as per the applicant.

Ends of justice would be met if the AC's provide him an opportunity to inspect the file by the applicant except AC(S), who has provided the list to the applicant within 15 days and thereafter another reply be given to the applicant within the same 15 days. This needs to be ensured by the AC's being the RO/TO declared by the CFS. PIOs i.e. AC (All Zones) are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
 Controller(W&M)Special
 Commissioner(F&S)(Addl.Charge)
 First Appellate Authority

No.RTI (Appeal)/I.D-356/2017/FAA/HQ/F&S/148-59
 Copy to

Dated: 5/5/17

1. Sh.Mahender Prasad Chaudhary, R/o N-28/C-4, CSA Colony, Railway Line, Wazirpur Industrial Area, Ashok Vihar, Delhi-110052.
 2. PIOs i.e. ACs (All Zones).
 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to:

CFS

(Prashant K. Panda)
 Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
 First Appellate Authority

BY SPEED POST



OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-351/2017/FAA/HQ/F&S/ 123-26

Dated: 3/5/17

In the matter of : Application/appeal filed by Sh.Ratan Das, R/o B-1248, Gautam Puri Phase-II, New Delhi-110076 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIOs i.e. Assistant Commissioners (South, Policy, Admn., Enf, Vig), Accounts Officer, Food Supplies & Consumer Affairs Department (ID NO. 5550)

Date of hearing : 02.05.2017

ORDER

The appellant Sh. Ratan Das has filed an application under RTI Act, 2005 before the PIOs i.e. AC (South, Policy, Admn., Enf, Vig.), Accounts Officer, Food & Supplies Department on 02-02-17. Reply was given by AC(South) on 02-03-17, & AC(Policy) on 10-2-17, AC(Enf) on 03-04-17. Rest as stated in the appeal all Branches have provided the information as per the applicant. An appeal was filed on 21-3-17.

Present Sh. Ratan Das, Applicant. None present for AC(S). However, Smt. Archana, FSI, C-52 is present. Policy issues have been settled as the file inspection has been done on 28-4-17.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

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- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

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- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

The undersigned has gone through the information asked by the Appellant. Matter heard, considering all the facts i.e., RTI application, appeal application and documents on record. Ends of justice would be met if the file inspection is allowed to the applicant within next 15 days by the PIO i.e. AC(South) and another reply is

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3/5/17

For Compliance

SA 3.5.17 Sh. Ar Singh

given to the applicant within the same 15 days. NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. This needs to be ensured by the AC being the RO/TO declared by the CFS. PIO i.e. AC (South) is the Record and Transparency Officer as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

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2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-351/2017/FAA/HQ/F&S/ 123-26

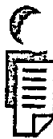
Dated: 3/5/17

Copy to

1. Sh.Ratan Das, R/o B-1248, Gautam Puri Phase-II, New Delhi-110076.
 2. PIO i.e. AC (South).
 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



सूचना का
अधिकार
RIGHT TO
INFORMATION

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)

DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS

'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002

GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-350/2017/FAA/HQ/F&S/ 116-22

Dated: 3/5/17

In the matter of : Application/appeal filed by Sh.Ratan Das, R/o B-1248, Gautam Puri Phase-II, New Delhi-110076 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIOs i.e. Assistant Commissioners (South, Policy, Admn., Enf, Vig), Accounts Officer, Food Supplies & Consumer Affairs Department (ID NO. 5543)

Date of hearing : 02.05.2017

ORDER

The appellant Sh. Ratan Das has filed an application under RTI Act, 2005 before the PIOs i.e. AC (South, Policy, Admn., Enf, Vig), Accounts Officer, Food & Supplies Department on 19-01-17. Reply was given by AC(Admn) on 7-2-17, AC(Policy) on 10-2-17, Accounts Branch on 8-2-17, AC(S) on 23-2-17 and AC(Enf) on 14-2-17. An appeal was filed on 21-3-17. Policy Branch has only got the file inspection done, rest all the PIOs have failed miserably on this count despite notice sent on 22-3-17 clearly asking the PIOs to ensure file inspections.

Present Sh. Ratan Das, Applicant. None of the PIOs are personally present. APIO for Admn. Sh. Satyavir Singh is present. Smt. Manorama, Accounts Officer, PIO for Accounts is present. Sh. K. Tripathy, APIO, Policy is present.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

For Compliance -

21/5/17
SA Sh. Avinash

598/SA/IT
8/5/17

The undersigned has gone through the information asked by the Appellant. Matter heard, considering all the facts i.e., RTI application, appeal application and documents on record. Ends of justice would be met if the file inspection is allowed to the applicant within next 15 days by the PIOs i.e. AC(South, Admn., Enf.), Accounts Officer and another reply is given to the applicant within the same 15 days. NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs (South, Admn., Enf, Accounts) are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-350/2017/FAA/HQ/F&S/ 116-22

Dated: 3/5/17

Copy to

1. Sh.Ratan Das, R/o B-1248, Gautam Puri Phase-II, New Delhi-110076.
 2. PIOs i.e. ACs (South, Admn., Enf.), Accounts Officer.
 - ✓ 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



सूचना का
अधिकार
RIGHT TO
INFORMATION

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002
GOVERNMENT OF NCT OF DELHI

No. RTI (Appeal)/I.D-349/2017/FAA/HQ/F&SI 110-15

Dated: 3/5/17

In the matter of : Application/appeal filed by Sh. Ratan Das, R/o B-1248, Gautam Puri Phase-II, New Delhi-110076 U/s 19(1) of the Right to Information Act, 2005.

V/s.

PIOs i.e. Assistant Commissioners (South, Enf, PGMS), S.A. (I.T.), Food Supplies & Consumer Affairs Department (ID NO. 5523)

Date of hearing : 02.05.2017

ORDER

The appellant Sh. Ratan Das has filed an application under RTI Act, 2005 before the PIOs i.e. AC (South, Enf, PGMS) & S.A. (I.T.), Food & Supplies Department on 11-01-17. Reply was given on 8-2-17 by AC (South) and by S.S.A. ON 31-1-17. Despite notice sent on 22-3-17 clearly asked the PIOs to ensure file inspections but the same was not done by the PIOs. The Appellant has filed the present appeal dated 21-03-2017 aggrieved by non-furnishing of satisfactory information/reply by the PIOs with regard to aforesaid RTI application.

None present for the applicant. None of the PIOs/APIOs are personally present. None present for Enforcement. Present : Smt. Deepika, Asstt. Programmer representing S.S.A., Smt. Archana, FSI, C-53 representing AC(S), Smt. Manisha and Ms. Bharti for AC(PGMS).

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force."

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device"

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (v) "Inspection of work, documents, records;
- (vi) Taking notes, extracts or certified copies of documents or records;
- (vii) Taking certified samples of material;
- (viii) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

For compliance.

SA
3/5/17
Sh. Avinash.

4/5

599/SSA/IT
3/5/17.

The undersigned has gone through the information asked by the Appellant. Matter heard, considering all the facts i.e., RTI application, appeal application and documents on record. Ends of justice would be met if the file inspection is allowed to the applicant under the PIOs i.e. AC (South, Enf, PGMS) & S.A.(I.T.)'s supervision within next 15 days and another reply is given to the applicant within the same 15 days. NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs (South, Enf, PGMS) & S.A.(I.T.) are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-349/2017/FAA/HQ/F&S/ 110-15

Dated: 3/5/17

Copy to

1. Sh.Ratan Das, R/o B-1248, Gautam Puri Phase-II, New Delhi-110076.
 - ✓ 2. PIOs i.e. AC (South, Enf, PGMS) & S.A.(I.T.)
 - ✓ 3. SA(IT) with the request to upload the order in F&S website.
- Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



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BY SPEED POST

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)

DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS

'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110 002

GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-354/2017/FAA/HQ/F&SI **40-43**

Dated: **4/5/17**

In the matter of : Application/appeal filed by Sh.Jitender, R/o H.No.199, Gali No.13, Shiv Mandir, Wazirabad, Delhi-110054 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (North), Food Supplies & Consumer Affairs Department (ID NO. 5556)

Date of hearing :03.05.2017

ORDER

The appellant Sh.Jitender has filed an application under RTI Act, 2005 before the PIO i.e. AC (North), Food & Supplies Department on 02-02-17. Reply was given by PIO i.e. AC(N) on 28-2-17. Thereafter, an appeal was filed on 22-3-17.

Present Sh. Jitender, Applicant. Sh. Desh Raj, AC(N)/PIO is not present. Sh.J.K.Anand, FSI, Circle-2&3 is present which clearly shows the seriousness of the PIO.

As per RTI Act Sec.2.(f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

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- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

602/SSA/IT
05/05/17

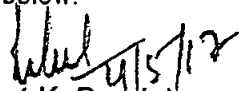
25/5/17
SA
Sh. Anand

In view of the reply given by the PIO and the orders of the Ld. C.I.C. vide Order No. CIC/SA/A/2016/001305 dated 30-06-2016 to which the PIO/AC(N) will again ensure compliance to the applicant within 10 days in view of the appeal. Thereafter nothing remains to be provided as per the definition of "information" and "record" of the RTI Act.

Hence, the case is decided accordingly..

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

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No.RTI (Appeal)/I.D-354/2017/FAA/HQ/F&S/ 140-43

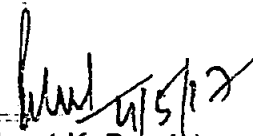
Dated: 4/5/17

Copy to

1. Sh.Jitender, R/o H.No.199, Gali No.13, Shiv Mandir, Wazirabad, Delhi-110054.
2. PIO i.e. AC (North).
- ✓ 3. SA(IT) with the request to upload the order in F&S website.

Copy for information to:

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(Prashant K. Panda)
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GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-353/2017/FAA/HQ/F&SI / 33-39

Dated: 3/5/17

In the matter of : Application/appeal filed by Sh.Ratan Das, R/o B-1248, Gautam Puri Phase-II,
New Delhi-110076 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIOs i.e. Assistant Commissioners (Vigilance, Policy, Distribution, South), Food Supplies &
Consumer Affairs Department (ID NO. 5558)

Date of hearing :02.05.2017

ORDER

The appellant Sh.Ratan Das has filed an application under RTI Act, 2005 before the PIOs i.e. AC (Vigilance, Policy, Distribution, South.), Food & Supplies Department on 08-02-17. AC(S) replied on 28-2-17, AC(Vig.) replied on 13-2-17, AC(Policy) replied on 10-2-17 & AC(Distribution) replied on 8-2-17. An appeal was filed on 21-3-17.

Present Sh. Ratan Das, Applicant. APIO (Policy & Distribution) is present. APIO (Vigilance) is present. FSI, C-52 for AC(S) is present.

As per RTI Act Sec.2 (f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

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As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

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5/5/17

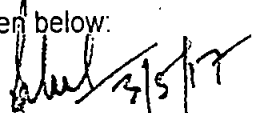
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NFS Act also promotes Transparency. Section 14 of the NFS Act desires an internal grievance redressal mechanism be put in place which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs (Vigilance, Policy, Distribution, South) are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant. The undersigned has gone through the information asked by the Appellant. Matter heard, considering all the facts i.e., RTI application, appeal application and documents on record. Ends of justice would be met if the file inspection and another amended reply thereafter is provided to the applicant by the PIOs i.e. AC(Vigilance, Policy, Distribution, South) within 15 days. Only Policy Branch has issued notices for file inspection.

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
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Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-353/2017/FAA/HQ/F&S/ 133-39

Dated: 3/5/17

Copy to

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 2. PIOs i.e. ACs (Vigilance, Policy, Distribution, South).
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BY SPEED POST

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(Under the Right to Information Act, 2005)
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'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-27/2017/FAA/HQ/F&S/ 369-72

Dated: 12/6/17

In the matter of : Application/appeal filed by Smt.Renu Singh, R/o House No.F-273, Nanak Pura, New Delhi-110021 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (Central), Food Supplies & Consumer Affairs Department.

Date of hearing :12.06.2017

ORDER

The appellant Smt.Renu Singh has filed an application under RTI Act, 2005 before the PIO i.e. AC (Central), Food & Supplies Department on 17-4-17. An appeal was filed on 19-5-17.

None present for the applicant. Sh. Kismat Prasad, FSO-24 is present. PIO/AC(C) Sh.R.K.Saxena is not present. Perused the records.

As per RTI Act Sec.2(f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

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receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. Despite clear orders in the notice dated 22-5-17 to the PIO/AC(C), no file inspection was carried out by the PIO to the applicant.

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC(C) personally in the next 10 days and another reply is given to the applicant by the PIO positively within the same 10 days. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

It is pertinent to mention herein that the Ld. CIC issued a Show Cause Notice as to why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to RTI application. The Ld. CIC observed that this is a serious lapse on the part of Food & Supply Department. The Ld. CIC also observed that "The authority is directed to give point wise revised reply to the RTI applicant on all the four questions within 15 days from the date of receipt of this order and the Commission directs the concerned PIO and the representative sent by him for the hearing to explain why maximum penalty cannot be imposed for their irresponsible conduct, being non-responsive to an RTI application" as decided in the case of **Suresh Kumar Vs Food & Supply Department, Govt. of N.C.T. of Delhi.**

Hence, the case is decided accordingly.

As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied or does not receive the information/ documents from the PIO, may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

CENTRAL INFORMATION COMMISSION
2ND FLOOR, 'B' WING, AUGUST KRANTI
BHAWAN,
BHIKAJI CAMA PLACE, NEW DELHI-110
066.

(Prashant K. Panda)
Controller(W&M)Special
Commissioner(F&S)(Addl.Charge)
First Appellate Authority

No.RTI (Appeal)/I.D-27/2017/FAA/HQ/F&SI 369-72

Dated: 12/6/17

Copy to:

1. Smt.Renu Singh, R/o House No.F-273, Nanak Pura, New Delhi-110021.
2. PIO i.e. AC (Central).
- ✓ 3. SA(IT) with the request to upload the order in F&S website.

Copy for information to:

CFS

(Prashant K. Panda)
Controller(W&M)Special Commissioner(F&S)(Addl.Charge)
First Appellate Authority



सूचना का
अधिकार
RIGHT TO
INFORMATION

OFFICE OF THE FIRST APPELLATE AUTHORITY/SPL. SECRETARY (RTI 2005)
(Under the Right to Information Act, 2005)
DEPARTMENT OF FOOD, SUPPLIES & CONSUMER AFFAIRS
'C' Block, Room No.118, 1st Floor, Vikas Bhawan, I.P. Estate, New Delhi-110002
GOVERNMENT OF NCT OF DELHI

No.RTI (Appeal)/I.D-37/2017/FAA/HQ/F&S/ 373-76

BY SPEED POST

Dated: 12/6/17

In the matter of : Application/appeal filed by Sh. Abdul Latif Saifi, R/o House No.A-2/303, Madangir, New Delhi-110062 U/s 19(1) of the Right to Information Act, 2005.

V/s

PIO i.e. Assistant Commissioner (South), Food Supplies & Consumer Affairs Department.

Date of hearing : 12.06.2017

ORDER

The appellant Sh. Abdul Latif Saifi has filed an application under RTI Act, 2005 before the PIO i.e. AC (South), Food & Supplies Department on 21-4-17. Reply has been given on 25-5-17. An appeal was filed on 01-06-17.

None present for the applicant. Smt. Sangeeta Vasisht, FSO-45&46 is present. PIO/AC(S) is not present.

As per RTI Act Sec.2(f) definition of INFORMATION is as under :

"Information" means any material in any form, including Records, Documents, Memos, e-mails, Opinions, Advices, Press releases, Circulars, Orders, Logbooks, Contracts, Reports, Papers, Samples, Models, Data material held in any electronic form and information relating to any private body which can be accessed by a Public Authority under any other law for the time being in force".

"Records" is defined as U/S 2(i) of the RTI Act, 2005 includes:-

- A "any document, manuscript and file;
- B any microfilm, microfiche and facsimile copy of a document;
- C any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- D any other material produced by a computer or any other device".

As per RTI Act Sec.2(j), "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to :-

- (i) "Inspection of work, documents, records;
- (ii) Taking notes, extracts or certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device".

NFS Act also promotes Transparency. Section 12 of the NFS Act states (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act. (2) The reforms shall, inter alia, include full transparency of records. The initiative taken up by the Department to ensure transparency as available on the website of the Department which reads as "SMS ALERTS REGARDING DISPATCH OF RATION TO FPS" : Recently in order to computerize Supply Chain Management of PDS operations, sugar offtake module has been implemented in Delhi State Civil Supplies Corporation. SMS alert is being sent to Vigilance Committee headed by the Hon'ble MLA of the area, concerned FSO, Inspectors and card holders who have registered with our website, as and when sugar is dispatched from sugar godown. Anyone can

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receive SMS pertaining to any FPS, by registering their mobile number on the following link: <http://nfs.delhi.gov.in/Citizen/UpdateMobileNumber.aspx>. Section 27 of the NFS Act reads as "All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government." And Section 28 of the NFS Act reads as "(1) Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. (2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits." Which promotes transparency and accountability as per the NFS Act. Despite clear orders in the notice dated 02-06-17, still the PIO/AC(S) has not complied with the orders of file inspection to the applicant.

Ends of justice would be met if the file inspection is allowed to the applicant by the PIO/AC(S) in the next 10 days and another reply given thereafter to the applicant by the PIO personally within the same 10 days. Reasons for non-reproduction of records be given in writing to the applicant. This needs to be ensured by the ACs being the RO/TO declared by the CFS. PIOs i.e. ACs are the Record and Transparency Officers as notified by the department (which is also displayed on the website of the department) vide order No.RTI (HQ)/F&S/Misc/2016/1520-1549 dated 18.3.2016 will ensure that the requisite information is furnished to the applicant.

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Dated: 12/6/17

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