

Central Information Commission
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066.

CIC/AA/A/2016/55
CICOM/A/2016/00054
CICOM/R/2016/00040

Name of the appellant : Shri R.K. Jain,
1512-B, Bhishm Pitamah Marg, Wazir Nagar,
New Delhi-110 003.

1.	Date of RTI application	04.01.2016
2.	Date of reply of the RTI application	25.01.16, 08.02.16 & 23.02.16
3.	CPIO(s) who furnished reply	JS(Law), DS(Admin) & RTI Cell
4.	1 st Appeal No. & Date	16122 dt. 30.01.16 & 16165 dt. 26.02.2016
5.	Diary No. of 1 st Appeal of the Dak Section	109587 & 116625
6.	Diary date of the Dak Section	01.02.16 & 29.02.16
7.	Diary date of 1 st Appeal in the office of FAA	02.02.16 & 01.03.16
8.	Date of Hearing	06.07.2016

The appellant was present when Shri Sushil Kumar, DS(Admin), Kishore Kr. Pukhral, CPIO, Legal Cell and Shri V.K. Chandok, CPIO, RTI Cell were present.

Decision with reasons:-

2. On Point (A) of the RTI application, the appellant has sought the list of all the files relating to Parliamentary questions opened after 01.07.2014 and provide copies of the note-sheets of these files. During the hearing, the appellant has stated that after filing the first appeal, he has received the reply dated 21.03.2016 from Shri S.P. Beck, JS(Admin) & CPIO in which the CPIO has offered the inspection of concerned file No.CIC/Parliament/2014/LS and CIC/Parliament/2014/RS to the appellant and hence, the appellant will inspect the files accordingly.

3. On Point (B) of the RTI application, the appellant has sought the details of the dates of the last audit of the accounts, records and working of the CIC, as undertaken by various authorities and details in relation to each authority who conducted the audit/inspection of CIC from 01.04.2013 till date. He also sought copies of their reports, audit objections and memos issued to CIC. During the hearing, the appellant has stated that after filing the first appeal, he has received the reply dated 06.04.2016 from Shri S.K. Rabbani, DS(GA) & CPIO in which the CPIO has offered the inspection of the relevant files and hence, the appellant may inspect the files accordingly.

4. On Point (C) of the RTI application, the appellant has sought the details of the future dates, if any, intimated for audit/inspection of CIC. **Direction is accordingly given to Shri S.K. Rabbani, DS(GA) to provide the information to the appellant within one week from the date of receipt of the order.**

5. On Point (D) of the RTI application, the appellant has sought following information:-

"As per para 1.4 of DoPT Office Memorandum No.1/6/2011 dated 15.04.2013, all Public Authorities including CIC, is required to make pro-active disclosures of RTI Applications and Appeals received by it and the response given by it, on the website of the Public Authorities. In violation of DoPT directions, CIC has not made any pro-active disclosure in this respect. Hence, this application for supply of copy of all the RTI applications received from 01.01.2015 till the date of providing the information and their responses. Information can be provided either in digital form on CD or photocopies of the documents, as is convenient to you."

6. The CPIO, RTI Cell, Shri Y.K. Singhal vide letter dated 23.02.2016 has informed that appellant that *"the required information is available on RTI-MIS software administrated by DoPT."*

7. During the hearing the appellant has stated as per the information provided by the CPIO, he has searched the RTI-MIS software but the said software was found password protected. Hence, he could not access the information and requested during the hearing that the CPIO may be directed to either upload the RTI application and its replies in the website for the public or provide the hard copies of the same to the appellant.

8. The similar information was sought by the appellant in the other RTI application earlier on which direction was issued in F.No.CIC/AA/A/2016/101, CICOM/A/2016/00100 and CICOM/R/2016/00146 dated 18.03.2016 to Shri A.K. Gehlot, JS(MR) to take up the matter with the DoPT. Shri A.K. Gehlot, JS(MR) informed during the hearing that he has written a letter in this regard to DoPT and it is under process.

9. **However, it is felt necessary that the matter should be placed before the Commission to take appropriate action as deemed fit by the Commission, therefore, Nodal Officer, CIC is directed to put-up the matter before the Commission to take further course of action.**

10. On Points (E) & (F) of the RTI application, **direction is given to Shri Y.K. Singhal, JS(Law) to provide the copies of the file opening register and dak inward and outward register of JS(Law) and Legal Cell to the appellant within 2 weeks from the date of receipt of the order.**

11. On Points (G) & (H) of the RTI application, Shri Y.K. Singhal, JS(Law) vide letter dated 25.01.2016 has responded that:-

"No specific period has been mentioned for which information has been asked for. Collate and collection of such information would disproportionately divert the resource of this office."

12. During the hearing, Shri Y.K. Singhal, J.S.(Law) has stated that the information sought is voluminous and moreover he has no sufficient staff to engage in collating such information, hence he cannot provide the information to the appellant. However, the Shri Singhal has requested the appellant during the hearing to bring his own staff/person

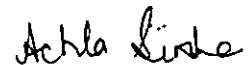
and photocopier for collating and making the copies of the dak, register etc. The appellant has accepted it during the hearing and stated that the direction in this regard may be given.

13. It is not appropriate to ask the appellant to bring his own person or machinery to a public authority to get the information, which may also create a bad precedence. **Direction is given to Shri Y.K. Singhal, JS(Law) to provide inspection to the appellant with mutual convenient date on any working days and provide copies to the appellant as identified by him after the inspection.**

14. The appeal is disposed of accordingly.

15. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the CIC in Room No.185, Ground Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 against this order within 90 days.

Dated the 20th August, 2016



(Achla Sinha)

Additional Secretary & First Appellate Authority
Tel: 26162290

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.
2. Shri S.P. Beck, JS(Admin) cum Nodal Officer, CIC, New Delhi.
3. Shri Y.K. Singhal, JS(Law) & Nodial Officer, CIC, New Delhi.
4. Shri S.K. Rabbani, DS(GA), CIC, New Delhi.