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

CIC/AA/A/2016/74
CICOM/A/2016/00073
CICOM/R/2015/00489

Name of the appellant : Shri P.K. Jalali,
E-404, Satisar Apartments,
Plot No.6, Sector-7,
Dwarka,
New Delhi – 110 075.

1.	Date of RTI application	07.10.2015
2.	Date of reply of the RTI application	11.01.2016
3.	CPIO(s) who furnished reply	JS(Law)
4.	Date of filing 1st Appeal	01.02.2016
5.	Diary No. of 1st Appeal of the Dak Section	110366
6.	Diary date of the Dak Section	04.02.2016
7.	Diary date of 1st Appeal in the office of FAA	05.02.2016
8.	**Date of Decision**	**13.06.2016**

Earlier the deemed refusal order No.CIC/AA/A/2015/435, CICOM/A/2015/00489, CICOM/R/2015/01043 dated 21.12.2016 was issued to JS(Law) for furnishing the information of the RTI application dated 07.10.2015 to the appellant within 10 working days.

Decision with reasons:-

2. In response to the FAA's order and RTI application, the JS(Law) cum CPIO, Shri Y.K. Singhal vide letter dated 11.01.2016 responded that:

Query	*Reply/Information*
(a)	*The information may be obtained from High Court of Delhi and their website.*
(b)	*No such information is available*
(c)	*The information may be obtained from High Court of Delhi and their website.*

The appellant in his appeal has stated that the cases referred by the appellant in his RTI application, the CIC is the first respondent and it is difficult to believe that the Commission not keeping a track of the cases in which the orders of the Commission has been challenged in the court and stay granted by the court. He also stated that the

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CPIO is duty bound to obtain the requested information from the Counsel defending the case on behalf of the Commission. The CPIO instead of advising him to obtain the information from High Court of Delhi should have transfer the RTI application under Section 6(3) to the High Court of Delhi. Since the CPIO has not transferred the RTI application to the High Court of Delhi, the conclusion can be imaged that the information is available in the Commission itself and the CPIO knew that he had no reason to forward the RTI application to the High Court of Delhi. The appellant has requested to direct the CPIO to provide the information.

3. In the RTI application, the appellant wanted to know whether the stay granted by the High Court of Delhi in its order dated 14.09.2007 in WP(C) No.6759/2007 has been vacated or not and if that has been vacated whether the High Court of Delhi has upheld the legality of the Commission's order dated 28.08.2007 in Case No.CIC/MA/C/2007/00023 & CIC/MA/C/2007/00093 declaring IGL as a public authority. He has also sought a copy of the final order of the High Court of Delhi in this matter.

4. Since the appellant is aware of the WP number and the details of the case on which the writ has been filed, he can get all the information from the website of the concerned High Court. Moreover, the information is available in public domain, the CPIO of this Commission cannot be directed to make available the information to the appellant.

5. The appeal is disposed off accordingly.

6. 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 13th June, 2016.

C. I. C./केo सूo आo
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28 JUL 2016
Initials.....

Achla Sinha
(Achla Sinha)
Additional Secretary & First Appellate Authority
Tel: 26162290

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.

C. I. C./केo सूo आo
ISSUED
29 JUL 2016
D. No.