

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

CIC/AA/A/2016/115
CICOM/A/2016/00114
CICOM/R/2014/00384

Name of the appellant : Shri R.K. Jain,
1512-B, Bhishm Pitamah Marg, Wazir Nagar,
New Delhi-110003.

Date of hearing : 18th March, 2016.

Brief facts of the case :-

Shri R .K. Jain has filed first appeal No.16174 dated 03.03.2016, diarised in the Commission on 04.03.2016 and received in the office of FAA on 07.03.2016 against the reply dated 24.02.2016 of JS(Law) cum CPIO in response to his RTI application dated 05.08.2014. Appellant was present when Shri Y.K. Singhal, JS(Law) cum CPIO was also present.

Decision with reasons:-

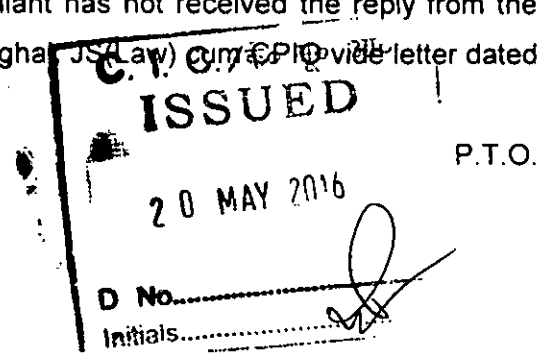
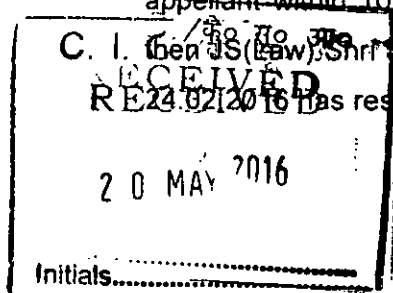
2. The appellant did not press the Points (D), (E) & (F) of the RTI application. The appellant is aggrieved with the response dated 24.02.2016 of the JS(Law) cum CPIO on Points (A), (B) & (C) on which the appellant has sought following information:-

"(A) Please provide list of the CIC Appeals or Complaints, which are pending due to court cases or stay orders as on 31.12.2013 or any other date of 2014, as is convenient to you. Such list was earlier ordered to be made out as per point 1 of MoM dated 05.10.2010 of the full court meeting of the CIC.

(B) Please provide the number of dak received in the office of the JS(Law) and the Legal Cell, CIC, from 01.01.2014 till the date of providing the information and please also provide information about number of files opened in the office of the Jt. Secretary(Law) and the Legal Cell, CIC, from 01.01.2014 till the date of providing the information.

(C) Please provide inspection of the opening register and the dak receipt register and daily diary of the Jt. Secretary (Law) and of the Legal Cell for the year 2014."

3. Earlier the appellant has not received the reply of the RTI application within prescribed period and had filed a first appeal for deemed refusal. Accordingly, the then FAA, Shri A.K. Dash vide decision No.CIC/AA/A/2014/530 dated 19.09.2014 had directed the then JS(Law), Shri S.P. Beck and Shri Sushil Kumar, DS(Admin) to furnish the suitable response to the appellant within 10 working days. However, the appellant has not received the reply from the then JS(Law) Shri S.P. Beck and later on Shri Y.K. Singhal, JS(Law) cum CPIO vide letter dated 24.02.2016 has responded as under:-



Query	Reply/information
(A)	Information is not held in this office.
(B) & (C)	You may inspect file opening register and daily dak diary on mutually convenient date with undersigned.

4. However, during the hearing, the appellant has stated that he has not sought information from the office of the JS(Law) but from the CIC as a whole and has quoted Para-1 of Minutes of Meeting of the Commission held on 05.10.2010 in which it has been decided that:

".....Processes of disposal of the cases were held up till the Court's view in a given subject or interpretation of statute was made known. Registries will put up the list of such cases to the Chief IC for directions."

5. Direction is accordingly given to all CPIOs to furnish the information on Point (A) of the RTI application, if available/maintained to the appellant within 2 weeks from the date of receipt of the order.

6. On Point (B) of the RTI application, direction is given to Shri Y.K. Singhal, JS(Law) cum CPIO to provide the number of daks received in the Legal Cell for the period from 01.01.2014 to 05.08.2014 and number of files opened in Legal Cell within 15 days from the date of receipt of the order.

7. On Point (C) of the RTI application, the CPIO has offered the inspection to the appellant, therefore, the appellant is advised to inspect the same on mutually convenient date.

8. The appeal is, therefore, disposed of accordingly.

9. 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, 'B' Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 against this order within 90 days.

Dated, the 9th May, 2016.

Achla Sinha

(Achla Sinha)

Additional Secretary & First Appellate Authority
Tele No : 011-26162290

Copy to :-

1. The CPIO, RTI Cell, CIC, New Delhi.
2. Shri Y.K. Singhal, JS(Law) cum CPIO, CIC, New Delhi.
3. Shri Subhash Chander Sharma, CPIO cum DO to CIC
4. Shri Vijay Bhalla, CPIO cum DR To IC(SH)

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