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

CIC/AA/A/2016/116
CICOM/A/2016/00115
CICOM/R/2014/00625

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.16179 dated 07.03.2016, diarised in the Commission on 08.03.2016 and received in the office of FAA on 09.03.2016 against the reply of JS(Law) letter dated 23.02.2016 in response to his RTI application dated 26.09.2014. Appellant was present when Shri Y.K. Singhal, JS(Law) cum CPIO was present.

Decision with reasons:-

2. During the hearing, the appellant has stated on Point (A) of the RTI application that he has sought the file number in which the decision was taken in CIC for not filing counter affidavit before the Hon'ble Supreme Court in SLP No.25719 of 2012 and also sought copies of the relevant notesheets. In response to the RTI application, Shri S.P. Beck, JS(Admn) who was looking after the work of JS(Law) at that time vide letter dated 14.11.2014 had further forwarded the RTI application to Shri Raja Ram, Legal Assistant with a copy to the appellant requesting him to contact Shri Raja Ram for suitable date and time for inspection of files. However, the appellant stated during the hearing that the inspection could not be undertaken due to non-availability of Shri Raja Ram. Further, Shri Raja Ram, Legal Assistant had left the Commission. However, Shri Y.K. Singhal, JS(Law) cum CPIO vide his letter dated 23.02.2016 has furnished the information on the above mentioned RTI application stating that the *"information is not held in this office"*. Shri Singhal submitted during the hearing that despite of his best efforts, the concerned file could not be traced out and since the file is not available, he furnished the information accordingly.

3. After hearing the appellant and the JS(Law) cum CPIO, the FAA comes to the conclusion that the CPIO should put more efforts to trace the concerned file. **Direction is accordingly given to Shri Y.K. Singhal, JS(Law) cum CPIO to put his best efforts once again to trace the concerned file and furnish the information on Point (A) of the RTI application to the appellant, if traced out within 4 weeks from the date of receipt of the**

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4. Other points of the RTI application are not pressed by the appellant.

5. The appeal is, therefore, disposed of 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, 'B' Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 against this order within 90 days.

Dated, the 6th 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.

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