

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

CIC/AA/A/2016/155
CICOM/A/2016/00154
CICOM/R/2016/00129

Name of the appellant Shri Harish Kumar,
628/3, Shivaji Road,
Pul Mithai,
Delhi - 110 006.

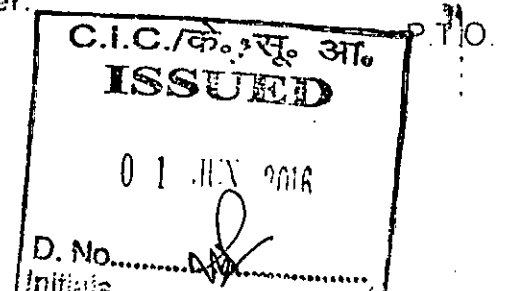
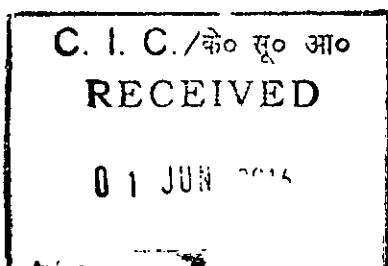
1	Date of RTI application	25.01.2016
2	Date of reply of the RTI application	22.02.2016
3	CPIO(s) who furnished reply	DO to IC(YA)
4	Date of filing 1 st Appeal	25.03.2016
5	Diary No. of 1 st Appeal of the Dak Section	124063
6	Diary date of the Dak Section	29.03.2016
7	Diary date of 1 st Appeal in the office of FAA	30.03.2016
8	Date of Hearing	27.04.2016

The appellant was present when Shri Y.K. Singhal, JS cum CPIO and Shri V.D. Naniwadekar, now ex DO to IC(YA) were also present during the hearing.

Decision with reasons:-

1 In the RTI application, the applicant has sought certain information on 11 points and point-wise reply of which has been furnished by the CPIO cum DO to IC(YA) vide letter dated 22.02.2016. The reply furnished by the CPIO on Points - 2 to 8 of the RTI application is appropriate. However, the reply on Point-1 in which the CPIO has quoted the W.P. No.26781 dated 17.09.2014 of the Madras High Court and stated that *the desired information cannot be provided because the appellant is asking for copies of his documents submitted by himself and the documents cannot be covered under the definition of information* is not found appropriate. The appellant has sought the certified copies of the entire records of 8 case file numbers as mentioned in the RTI application. In the concerned case files, apart from the letters/documents/appeal provided by the appellant, there may be the documents of the Commission and the respondents. According to above mentioned Madras High Court order only those documents which have been submitted by the appellant himself, cannot be provided to the applicant, if the same is sought in the RTI application. Moreover, the CPIO cannot provide the certified copies of those documents, which have been submitted by the respondents and the third party, if any. However, the CPIO can provide the photocopies of the documents available in the case files **without certifying it**. The CPIO can only provide the **certified copy** of those documents, which have been originated from the Commission itself.

Since Shri V.D. Naniwadekar has left the Commission, direction is given to Shri R.P. Grover who is now the CPIO cum DO to IC(YA) to provide the photocopies of the documents as sought by the applicant in Point-1 of the RTI application except those which had been submitted by the appellant himself within 2 weeks from the date of receipt of the order.



[2]

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

3. 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 25th May, 2016

Achla Sinha

(Achla Sinha)

Additional Secretary & First Appellate Authority

Tel: 26162290

Copy to:-

1/6/16
The CPIO, RTI Cell, CIC, New Delhi.

Shri R.P. Grover. DO to IC(YA), CIC, New Delhi.

2/6/16
2/6/16