

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

CIC/AA/A/2016/180
CICOM/A/2016/00179
CICOM/R/2016/00210

Name of the appellant: Shri Naveen Jaspal,
34, Model Town Extn.
Near Himanshu Nursery,
Panipat (Haryana).

1	Date of RTI application	01.02.2016
2	Date of reply of the RTI application	16.02.2016, 18.02.2016 & 04.03.2016
3	CPIO's who furnished reply	DOs to IC(SA), IC(BS), Chief IC & IC (Y)
4	Date of filing 1 st Appeal	11.04.2016
5	Diary No. of 1 st Appeal of the Dak Section	128077
6	Diary date of the Dak Section	11.04.2016
7	Diary date of 1 st Appeal in the office of FAA	12.04.2016
8	Date of Decision	08.7.2016

Decisions with reasons:

1. In the RTI application, the appellant has sought certified copies of the 5 applications filed by Shri Pratap Singh. The RTI Cell has forwarded RTI application to four different CPIOs.

(ii) The CPIO & DR to CIC (RK), Shri Prakash has replied " your second appeal has been decided against file number CIC/SS/A/2013/02557 copy of the decision is available in public domain i.e. www.cic.gov.in "

(iii) Shri V.D. Naniwadekar, CPIO & DR to IC(YA) has replied "The total number of pages in respect of file numbers CIC/YA/A/2014/000702 and file number CIC/YA/A/2014/001289 run into 116 pages. Accordingly you are requested to deposit Rs. 232/- in the CIC so that the photo copies of the files can be provided to you. It may be noted that the CIC can certify only those documents which are generated at CIC level."

(iv) Shri Umesh Chand Joshi, CPIO & DR to IC (SA) has replied " Para 06: The copy of application cannot be provided as the record is held by the Commission in fiduciary relation, and exempt from disclosure in terms of S/8(1)(e) of RTI Act 2005. Besides, the information pertains to third parties and Hon'ble High Court of Madras in WP (C) No. 26781/2013 has held that judicial record cannot be provided under RTI Act, 2005."

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(v) Shri R.L. Gupta, CPIO & DR to IC (BS) has replied " Item No.5 : The certified copies of second appeal No.CIC/BS/A/2015/000831 has been filed by Shri Pratap Singh r/o Hisar cannot supplied U/s. 8(1)(i) of the RTI Act, 2005 being third party documents."

(vi) In the first Appeal the appellant has stated that he has not received desired information i.e. copies of the applications of Shri Pratap Singh filed in this Commission and requested for providing information on point No.4 & 5 of the RTI application. Since the appellant is seeking information of documents of 3rd party filed in the Commission, the said documents cannot be provided U/s. 8(i)(j) of the RTI Act, 2005. Hence, no direction can be given to the CPIO for providing documents.

2. The appeal is disposed of accordingly.

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



(Achla Sinha)

Additional Secretary & First Appellate Authority

Tele. No : 26162290

Copy to:-

1. The CPIO RTI Cell, CIC, New Delhi