

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

CIC/AA/A/2017/139
CICOM/A/2017/00133
CICOM/R/2016/01441

Name of the appellant : Dr. P.K. Aditya,
775, Sector 22-A,
Chandigarh – 160 022.

1.	Date of RTI application	17.10.2016
2.	Date of reply of the RTI application	31.10.16, 18.11.16, 21.11.16, 25.11.16
3.	CPIO(s) who furnished reply	DO to CIC(RK) DO to IC(SB) & CPIO, RTI Cell
4.	1 st Appeal Date	26.12.2016
5.	Diary No. of 1 st Appeal of the Dak Section	100419
6.	Diary date of the Dak Section	03.01.2017
7.	Date of Decision	21.04.2017

This first appeal has been marked to some other section inadvertently and received in the office of the FAA on 13.04.2017.

2. The appellant has requested for hearing through video conferencing. But since the VC system is out of order, the appellant has been informed over his given mobile number on 19.04.2017 about it and sought his willingness either present his case through audio-conferencing or appear personally or through an authorized representative but he insisted for VC. On 20.04.2017 evening, the appellant was again contacted but he did not attend the call. Since the appeal is lying pending from 03.01.2017 in the Commission, which is to be disposed off in time bound manner as per RTI Act and no further response received from the appellant, the appeal is being decided on the basis of available material on record.

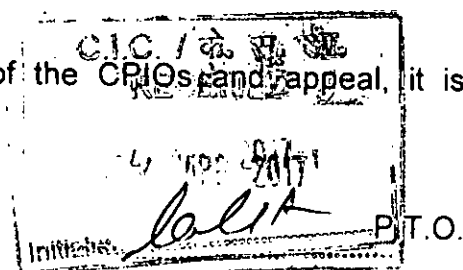
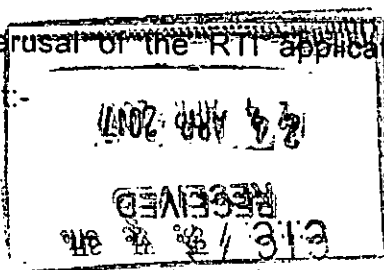
Brief facts of the case

3. In the RTI application, the appellant has sought copy of documents received, with notings and further proceedings in respect of 13 Diary Numbers.

4. CPIO, RTI Cell has transferred the RTI application to all concerned CPIOs in the Commission for providing information. All concerned CPIOs have furnished the information available with them about their concerned diary numbers.

Decision with reasons:-

5. On perusal of the RTI application, reply of the CPIOs and appeal, it is observed that:-



- (i) On Points 1 & 2 of the RTI application, factual information has been provided by Shri S.C. Sharma, DO to CIC(RK), therefore, no intervention is required on the part of the FAA.
- (ii) On Points 3, 4, 5, 6, 7, 9 & 11 of the RTI application, the CPIO, RTI Cell has demanded further fee as photocopy charges for providing the documents. In this regard, the appellant has stated in the appeal that he has received the reply on 30.11.2016, late by 10 days, therefore, the information should be provided free of cost as per Section 7(6) of the RTI Act.

However, it is seen that the RTI application dated 17.10.2016 dialed in the Commission on 24.10.2016 and CPIO has furnished information vide his letter dated 21.11.2016, which is well within the prescribed period. **Therefore, the appellant is advised to deposit further fee as demanded by the CPIO, RTI Cell for getting the photocopy of the documents.**

- (iii) On Point 8 of the RTI application, factual information has been provided by the CPIO, RTI Cell, therefore, no intervention is required on the part of the FAA.
- (iv) On Point 10 of the RTI application, Shri Kishore Kumar Pukhral, SO & CPIO, Legal Cell vide his letter dated 25.11.2016 has informed that *"the relevant information is not available at this stage as the dak diary No.136476 dated 03.06.2015 is not traceable."* In this regard, **direction is given to Shri Kishore Kumar Pukhral, SO & CPIO, Legal Cell to put his best efforts once again for tracing the above mentioned diary number and provide information to the appellant within 2 weeks from the date of receipt of the order.**
- (v) On Points 12 & 13 of the RTI application, Shri V.K. Sharma, DO & CPIO to IC(SB) vide his letter dated 18.11.2016 has informed that:-
"12. Diary No.160068 dated 10.09.2015 has been registered as File No.CIC/SB/C/2015/000141 and was heard and decided by IC(SB) on 17.03.2016. No documents other than the order passed by the Hon'ble IC(SB) are available on the file. In case you require any further information, you may clearly spell out the same.

13. *Diary No.184360 dated 28.12.2015 has been registered as File No.CIC/SB/A/2016/000276 and is pending in this registry. The same will be listed for hearing in due course in its turn. You may check up the status of the same on phone from time to time."*

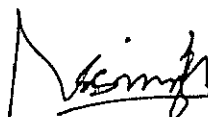
6. From the above reply of the CPIO on Points 12 & 13, it is observed that factual information has been provided, therefore, no intervention is required on the part of the FAA.

7. It is further to mention that on perusal of the appeal, it is observed that the appellant has raised some issues and suggestions regarding functioning of RTI Cell of the Commission. In this regard, the appellant is advised to send these issues/suggestions separately to the Commission because it is not in purview of the FAA.

8. The appeal is, therefore, disposed off.

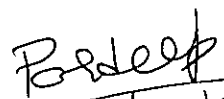
9. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the CIC in Room No.185, Ground Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 against this order within 90 days.

Dated the 24th April, 2017


(Rakesh Kumar Singh)
Additional Secretary & First Appellate Authority
Tel: 26162290

Copy to:-

- ✓ 1. Shri Ashok Kumar Sharma, CPIO, RTI, CIC, New Delhi.
 - ✓ 2. Shri Shri Kishore Kumar Pukhral, SO & CPIO, Legal Cell, CIC, New Delhi.
- 24/4/17*


24/4/17