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

CIC/AA/A/2017/150
CICOM/A/2017/00144
CICOM/R/2017/00136

Name of the appellant : Shri Prakashchand Chhaganmalji Jain
G-5, Dushant Vihar Apartment,
Godni Road,
Yavatmal – 445 003.

1.	Date of RTI application	02.02.2017
2.	Date of reply of the RTI application	09.02.2017
3.	CPIO(s) who furnished reply	CPIO, CR-1
4.	Date of filing 1st Appeal	16.02.2017
5.	Diary No. of 1st Appeal of the Dak Section	111896
6.	Diary date of the Dak Section	21.02.2017
7.	Diary date of 1st Appeal in the office of FAA	21.04.2017
8.	**Date of Decision**	**26.04.2017**

This first appeal has been inadvertently marked to other section of the CIC and received in the office of FAA on 21.04.2017.

2. The appellant has also sent additional submission dated 14.03.2017 in the above appeal, diarized in the Commission vide Dy.No.119558 dated 24.03.2017, received in the office of the FAA on 27.03.2017.

Brief fact of the case:-

3. In the RTI application, the appellant has sought following information:-

"Sir, please provide me the Diary No. & File No of 2nd appeal with compliance of Required Documents & Deficiencies of 2 sets containing 84 & 62 page and covering letter to D.R. contains – 03 page totaling 149 Nos. of Page sent in the name of the Chief Commissioner as per letter dated 22.06.2016 in Diary No.144860 enclosed herewith Encl No.1 & received by your office on 10.01.2017 as per Track Record enclosed herewith Encl. No 2."

4. Shri Krishan Avtar Talwar, DS & CPIO, CR-1 has responded that :-

"Since record in Central Registry is maintained on the basis of Dak numbers, as such, matter was taken up with Dak Section. The Incharge – Dak Section, who is the authorized person to receive all Dak pertaining to the Commission, has commented that ***"As per our computerized dak management system the letter mentioned in RTI application dated 02.02.2017 said to be delivered on 10.01.2017 has not been found."***

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In view of the above, the CPIO for want of Diary number of your communication is not in a position to provide you the requisite information."

Decision with reasons:-

5. After perusal of the RTI application and the appeal, it is observed that in reference to DR to CR letter No.144860/2016 dated 22.06.2016, the appellant has re-submitted his 2nd the appeal, which was said to be received in the Commission on 10.01.2017 but the appellant has not mentioned the date of the 2nd appeal neither in the RTI application nor in the appeal.

6. In the computerized management system of the Commission, there are number of appeals/complaints/RTI are showing in the name of the appellant. So, in the absence of exact date of 2nd appeal, it is very difficult for the CPIO, Dak Section/CR Section to search the same.

7. It is also observed from copy of the said 2nd appeal enclosed with this appeal, the appellant has not enclosed the last page of the 2nd appeal, without which exact date could not be revealed. Moreover, the appellant has not mentioned his contact number anywhere to enable us to know the date of 2nd appeal re-submitted by the appellant.

8. In view of the above, the appellant is advised to intimate the exact date written on the 2nd appeal re-submitted by the appellant to the CPIO, Dak Section along with a copy of this order for reference. The appellant may also send complete set of the above mentioned 2nd appeal, if he wishes so, to avoid further delay and early action. **Direction is given to CPIO, Dak Section that on receipt of the exact date of 2nd appeal, intimate status to the appellant immediately or if he provides copy of the complete set of 2nd appeal, it may be sent to CR-1 section and DS & CPIO, CR-1 is directed to take action, as per the provision of the RTI Act.**

9. Further in the appeal, the appellant has alleged that signature on the two FAA's decisions No.CIC/AA/A/2016/00059, CICOM/A/2016/00059, CICOM/R/2015/00892 and No.CIC/AA/A/2016/205, CICOM/A/2016/00204, CICOM/R/2015/01108 were carbon signature as Madam Achla Sinha retired thereafter and appears to be doubtful. In this regard, the concerned first appeal case files are perused and found that the allegations

made by the appellant are baseless. However, a copy of the above mentioned two first appeals decisions are enclosed herewith duly certified for the satisfaction of the appellant.

10. Besides above, in the additional submission of this first appeal, the appellant has made allegation against Shri R.L. Gupta, DO and Shri Dinesh Kumar, DO and accusing them for missing of the 2nd appeal delivered on 10.01.2017. In this regard, it is to mention that this is the appellant's on inference; therefore, no action is required on the part of the FAA.

11. The appellant further alleged that no IPO is found in the above earlier two first appeals decisions. The allegation made by the appellant is baseless as no IPO is found in the concerned file, which confirms that it has been sent along with the decisions.

12. The appeal is disposed off accordingly. IPO No.19F 131115 for Rs.10/- is returned herewith as no fee is required for filing appeal in the Commission.

13. 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 26th April, 2017.

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

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.
2. The CPIO, Dak Section, CIC, New Delhi.
3. The DS & CPIO, CR-1, CIC, New Delhi.

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

CIC/AA/A/2016/60
CICOM/A/2016/00059
CICOM/R/2015/00892

Name of the appellant : Shri Prakashchand Chhaganmalji Jain
G-5, Dushant Vihar Apartment,
Godni Road,
Yavatmal – 445 003.

1.	Date of RTI application	02.09.2015
2.	Date of reply of the RTI application	28.09.15 & 05.11.15
3.	CPIO(s) who furnished reply	DR(CR) & DO to IC(BS)
4.	Date of filing 1st Appeal	27.01.2016
5.	Diary No. of 1st Appeal of the Dak Section	111335
6.	Diary date of the Dak Section	08.02.2016
7.	Diary date of 1st Appeal in the office of FAA	09.02.2016
8.	**Date of Decision**	**13.06.2016**

In the RTI application, the appellant wants to know the reasons for returning his letter dated 30.06.2014 submitted by him in connection with the case No.CIC/LS/A/002898/BS and the person responsible for the same.

Decision with reasons:-

1. In the first appeal, the appellant has stated that he has received a reply dated 28.09.2015 from Shri Dinesh Kumar, DR in Central Registry. He has also stated that his letter dated 30.06.2014 should have been linked with the case No. CIC/LS/A/002898/BS so that the Commission may take it into consideration before pronouncing the order in the above mentioned case. Therefore, he has asked for the damages of Rs.10,000/- due to negligence on the part of the DR in Central Registry by not linking his letter dated 30.06.2014 in the concerned case file and returning it to him stated it to be a pre-mature appeal as per the RTI Rules. In this regard, it is to be mentioned that the FAA of the Commission has no authority to impose any penalty or damage charges to the appellant. Since the reply of the CPIO cum DR in Central Registry is factual and based on the available records, there is no need to intervene in the matter by the FAA.

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2. The appeal is disposed off accordingly. IPO No.19F 130253, 19F 130254 & 19F 130255 for Rs.10/- each are returned herewith as no fee is required for filing appeal in the Commission.

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 13th June, 2016.

(Achla Sinha)
Additional Secretary & First Appellate Authority
Tel: 26162290

Copy to:- 15/7/16

1. The CPIO, RTI Cell, CIC, New Delhi.

20/7/17

राकेश कुमार सिंह
RAKESH KUMAR SINGH
अपर सचिव/Additional Secretary
केन्द्रीय सूचना आयोग
Central Information Commission
भीकाजी कामा प्लेस, नई दिल्ली-110066
Bhikaji Cama Place, New Delhi-66

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

CIC/AA/A/2016/205
CICOM/A/2016/00204
CICOM/R/2015/01108

Name of the appellant: Shri Prakashchand Chhaganmalji Jain,
G-5, Dushant Vihar Apartment,
Godni Road,
Yavatmal – 445 003
Maharashtra.

1	Date of RTI application	03.11.2015
2	Date of reply of the RTI application	12.03.2016.
3	CPIO's who furnished reply	Shri M.K.Sharma, Registrar, CIC
4.	Date of filing 1st Appeal	11.04.2016
5	Diary No. of 1st Appeal of the Dak Section	131344
6	Diary date of the Dak Section	29.04.2016
7	Diary date of 1st Appeal in the office of FAA	02.05.2016
8	Date of Decision	06.7.2016

Decisions with reasons:

1. In the RTI application, the appellant has sought reasons for not forwarding his review application to the larger Bench and related information. The CPIO & Registrar, Shri M.K.Sharma has intimated the Commission has no power to review its decision. The appellant has been provided the factual information, no intervention is required on the reply of the Registrar & CPIO, Shri M.K.Sharma. The original IPO No. 15 F. 130359 is returned herewith as no fee is required for file an appeal inc

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.

Encl:- IPO of Rs 10.00

(Achla Sinha)
Additional Secretary & First Appellate Authority
Tele. No : 26162290

Copy to:- 15/7/16

1. The CPIO RTI Cell, CIC, New Delhi

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अपर सचिव/Additional Secretary
केन्द्रीय सूचना आयोग
Central Information Commission
भीकाजी कामा प्लेस, नई दिल्ली-110066
Bhikaji Cama Place, New Delhi-66

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Prakashchand C. Jain
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