

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

CIC/AA/A/2017/217
CICOM/A/2017/00210
CICOM/R/2017/50235

Name of the appellant : Dr. Deepak Juneja,
1208, Hemkunt House,
6, Rajendra Place,
New Delhi – 110 008.

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| 1. | Date of RTI application | 12.05.2017 |
| 2. | Date of reply of the RTI application | 31.05.2017 |
| 3. | CPIO(s) who furnished reply | CPIO (MR) |
| 4. | 1 st Appeal Date | 27.06.2017 |
| 5. | Diary No. of 1 st Appeal of the Dak Section | 144080 |
| 6. | Diary date of the Dak Section | 29.06.2017 |
| 7. | Date of receipt of 1 st Appeal in the office of FAA | 03.07.2017 |
| 8. | Date of Decision | 06.07.2017 |

Brief facts of the case:-

In the RTI application, the appellant has sought total number of complaints/2nd appeals pending, number of complaints/2nd appeals disposed off, number of complaints/2nd appeals pending against GNCTD, number of complaints/2nd appeals disposed off against GNCTD for the last 5 years i.e. 01.04.2012 to 31.03.2017.

2. Shri Jeewan Chandra, CPIO/Consultant(MR) vide letter dated 31.06.2017 has informed that:-

"Reply for point No.1&2 : Such data are available in Chapter 3 of Annual Reports uploaded in CIC website www.cic.gov.in.

"Reply for point No.3&4 : Such data are not being maintained in the Commission separately."

3. In the appeal, the appellant has stated that:-

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"By the said application, In questions 1 & 2, I had sought the number of Complaints and 2nd appeals pending and disposed off by the CIC in the last 5 years. The CPIO simply states that the data is available in Chapter 3 of the Annual reports uploaded on CIC Website. Firstly, the reports are available only from 2015-16 going backwards and not for the year 2016-17 since that is the first year for which the information was sought (31 March 2017). Secondly, the reports do not provide separate information for Complaints and 2nd appeals as sought, either pending or disposed off (Kindly refer to page 18 of the 2015-16 Annual Report – copy enclosed).

In question 3 & 4, information regarding the number of complaints and 2nd appeals, pending and disposed off against GNCTD was sought. The CPIO has replied that such data is not being maintained in the Commission separately. The reply of the CPIO is incorrect, unacceptable and untenable. Kindly refer to table 2.8 on page 13

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of the 2015-16 annual report (copy enclosed). In the table, information regarding RTI's received, First appeals and 2nd appeals/complaints filed against UT of Delhi (row 3) along with 19 other PA's is provided. Thus it is possible to retrieve information regarding any particular PA simply because the record management system is electronic and by a few clicks by changing the variables, the information sought can be obtained. The case status feature of the CIC website provides facility to people to search and access cases through the applicants name but not the name of the PA but it cannot be accepted that such a facility is not available with the CIC itself, otherwise column 6 (No. of Second Appeals/Complaints Received) of table 2.8 of the report could not have been constructed public authority wise. Being an electronic database it is easy to separate the complaints and appeals by PA and year wise as well."

4. Hence, the appellant has requested to reject the reply of the CPIO and order him to provide complete information and also requested to decide first appeal on merit based upon the submissions made herein.

Decision with reasons:-

5. In view of the above submissions of the appellant, direction is given to Shri Jeewan Chandra, CPIO/Consultant(MR) to re-visit the matter and provide information, if available to the appellant within 2 weeks from the date of receipt of the order.

6. The appeal is, therefore, disposed off.

7. 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 6th July, 2017

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

Copy to:-

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

2. Shri Jeewan Chandra, CPIO/Consultant(MR), CIC, New Delhi.

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