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

CIC/AA/A/2017/271
CICOM/A/2017/00263
CICOM/R/2017/00887

Name of the appellant : Shri R. Srinivasan,
B-14/209, Kendriya Vihar,
Avdi Poonamallee High Road,
Paruthipattu, Avadi,
Chennai – 600 071.

1.	Date of RTI application	12.07.2017
2.	Date of reply of the RTI application	Nil
3.	CPIO(s) who furnished reply	CPIO cum DO to IC(MP)
4.	1st Appeal Date	04.09.17
5.	Diary No. of 1st Appeal of the Dak Section	163216
6.	Diary date of the Dak Section	08.09.2017
7.	Date of receipt of 1st Appeal in the office of FAA	11.09.2017
8.	**Date of Decision**	**14.09.2017**

Brief facts of the case:-

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

"(i) It appears that Shri Shailesh Gandhi, the then Central Information Commissioner, has given a decision No.CIC/SG/A/2008/00347+00277/ 1554, Appeal No.CIC/SG/A/2008/00347+00277 dated 9-2-2009 Mr. T.B. Dhorajiwala Vs Dr. Indu Saxena, IIT, Bombay to the effect that RTI Act does not state that queries must not be answered nor does it stipulate that prefixes such as 'why, what, when and whether' can not be used. Pl. confirm and furnish a certified/true or attested copy of the decision.

(ii) Whether the said decision has been reversed in any subsequent decisions of the Central Information Commission. If so, pl. furnish details thereof.

(iii) Whether Associations, particularly Residents' Welfare Associations, are debarred from seeking information under the RTI Act, 2005 or they can seek information.

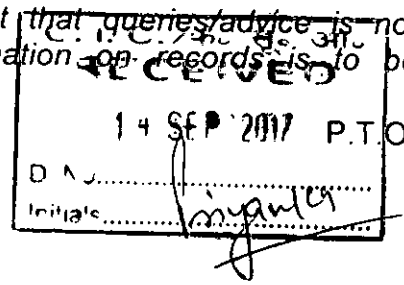
(iv) If there is any decision of the Central Information Commission to the effect that Associations can seek information under the RTI Act, kindly furnish a copy of the decision.

O/C

2. Shri R.L. Gupta, CPIO cum DO to IC(MP) has responded as under:-

"1 No such information is on records
2 No such information is on records
3 No such information is on records
4 No such information is on records

It is also for the information of the applicant that queries/advice is not permissible under the RTI Act 2005, information on records is to be furnished."



3. In the appeal, the appellant has stated that the said decision of Shri Shailesh Gandhi, the then Information Commissioner is available in the CIC's website, therefore, it is not clear as to how the CPIO has stated that no such information is on records. He requested for confirmation of this decision from the CPIO and sought a certified/true or attested copy of the decision for future use as the decision displayed in the website did not bear the signature of the then CIC.

Decision with reasons:-

4. Shri R.L. Gupta, CPIO cum DO to IC(MP) was called for who intimated that this is a very old case and as per the policy of the Commission the records relating to second appeals and complaints are to be retained for a period of six months from the date of disposal of the case. Accordingly, the said case file might have been weeded out and without case file, CPIO cannot certify copy of any decision of the Commission.

5. In view of the above, no further direction can be given to the CPIO, therefore, the appeal is disposed off.

6. 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 14th September, 2017.

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

Copy to:-

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