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

CIC/AA/A/2017/282
CICOM/A/2017/00274
CICOM/R/2017/00987

Name of the appellant : Shri P.D. Raphael,
Pudussery House,
Bread Company Junction,
Near St. Joseph's Church,
PO: Pullazhy,
Thrissur – 680 012.

1.	Date of RTI application	02.08.2017
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	18.09.17
5.	Diary No. of 1st Appeal of the Dak Section	166917
6.	Diary date of the Dak Section	21.09.2017
7.	Date of receipt of 1st Appeal in the office of FAA	22.09.2017
8.	**Date of Decision**	**28.09.2017**

Brief facts of the case:-

Vide 06 points of the RTI application, appellant has sought certified copy of appeals/complaints dated 29.10.2011, 02.05.2013, 17.10.2013, 22.03.2014, 05.04.2014 filed by him in the Commission, finally decided vide case file Nos. CIC/DS/A/2011/003905/RM, CIC/RM/A/2013/000337, CIC/RM/C/2014/000022/ SA, CIC/RM/A/2014/001370/SA and CIC/RM/C/2014/000353/SA respectively and expected date of hearing in case File No.CIC/SB/A/2016/001037.

2. Shri R.L. Gupta, CPIO & DO to IC(MP) has informed the appellant that:-

"Point-1,2,3,4.&5 The applicant has sought certified copies of his appeals viz cic/ds/a/2011/003905, cic/rm/a/2013/000337, cic/rm/c/2014/000022, cic/rm/a/2014/001370 & cic/rm/c/2014/000353

The documents sought by the applicant are not admissible as per law laid down by the Hon'ble High Court of Delhi judgment in WP(C) No 26781/2013 in the matter of PIO High Court of Madras V/S CIC and B Bharathi. The relevant portion of the observation of the Hon'ble High Court is reproduced below:-

"26. Insofar as query (iv) is concerned, we fail to understand as to how the second respondent is entitled to justify his claim for seeking the copies of his

complaints and appeals. It is needless to say that they are not the information available within the knowledge of the petitioner, on the other hand, admittedly, they are the documents of the second respondent himself, and therefore, if he does not have copies of the same, he has to blame himself and he cannot seek those details as a matter of right, thinking that the High Court will preserve his frivolous applications as treasures/valuable assets. Further, those documents cannot be brought under the definition "information" as defined under Section 2(f) of the RTI Act. Therefore, we reject the contention of the second respondent in this aspect."

Hence the information sought by the applicant is not permissible as per orders reproduced above."

3. On Points-6 of the RTI application, Shri S.S. Rohilla, CPIO & DR to IC(SB) has informed the appellant that file number CIC/SB/A/2016/001037 is pending and it will be listed for hearing in due course on its turn. Appellant may check up the status of the case from time to time in CIC's website and telephone number given in the reply.

4. As per appeal, the appellant is satisfied with the reply of Shri S.S. Rohilla on Point-6 but he is aggrieved with the reply given by Shri R.L. Gupta, CPIO on Points 1 to 5 of the RTI application.

Decision with reasons:-

5. On perusal of the RTI application, reply of Shri R.L. Gupta and appeal, it is observed that reply given by the CPIO is appropriate and does not require any intervention on the part of the FAA.

6. The appeal is, therefore, disposed of accordingly.

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 28th September, 2017.

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

Copy to:-

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