

Central Information Commission
Baba Gang Nath Marg,
Munirka, New Delhi-110067.

CIC/AA/A/2018/18
CICOM/A/2018/00019
CICOM/R/2017/01281

Name of the appellant : Shri I.K. Saini,
A-70, 2nd Floor,
N.D.S.E. II,
New Delhi – 110 049.

1.	Date of RTI application	04.10.2017
2.	Date of reply of the RTI application	24.11.2017
3.	CPIO(s) who furnished reply	DO to IC(MP)
4.	1 st Appeal Date	20.12.2017
5.	Diary No. of 1 st Appeal of the Dak Section	101309
6.	Diary date of the Dak Section	04.01.2018
7.	Diary date of 1 st Appeal in the office of FAA	05.01.2018
8.	Date of Decision	11.01.2018

Brief facts of the case:-

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

"I was the appellant of the case No.CIC/CVCOM/A/2017/175375/MP and had filed some written submissions dated 21.09.17 Dy.No.167037 as per the case hearing notice para No.4. Please provide me with verified copy of the said written submissions as well as written submissions if any by the respondent authorities."

2. Shri R.L. Gupta, CPIO cum DO to IC(MP) vide reply dated 24.11.2017 has denied to provide the verified copy of the written submissions of the appellant by quoting Para-26 of a judgement of the Hon'ble High Court of Madras in WP(C) No.26781/2013 which states that:-

"26. In so far 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."

Decision with reasons:-

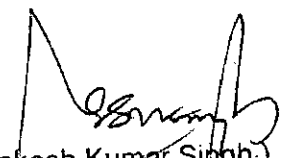
3. The appellant contested the reply of the CPIO in the appeal, which has been perused. In this regard, it is to mention that the Commission vide its decision No.CIC/SB/A/2016/000743 & 744 (Shri Parveen Kant Vs CPIO, CIC) also held the same on the similar case, therefore, information sought cannot be provided to the appellant. Hence, no intervention is required on the part of the FAA, in the matter.

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


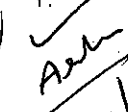
[2]

5. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi-110067 against this order within 90 days.

Dated the 11th January, 2018.


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

Copy to:-

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

11/01/18

