

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

CIC/AA/A/2018/75  
CICOM/A/2018/00067  
CICOM/R/2018/00142

Name of the appellant : Commodore Lokesh k. Batra (Retd),  
H-02, Sector-25,  
Jalvayu Vihar,  
Noida – 201 301.

1.	Date of RTI application	01.02.2018
2.	Date of reply of the RTI application	12.03.2018
3.	CPIO(s) who furnished reply	CPIO, Legal Cell
4.	1 <sup>st</sup> Appeal Date	05.03.2018
5.	Diary date of 1 <sup>st</sup> Appeal in the office of FAA	15.03.2018
6.	Date of Decision	15.03.2018

**Brief facts of the case:-**

The appellant has sent RTI application through email to Shri S.P. Beck, JS(Admn) & RTI Nodal Officer. Shri Beck sent it to RTI Cell for registration and accordingly it was registered as RTI application and CPIO, RTI Cell has transferred the RTI application to CPIO, Legal Cell for providing information. In the RTI application, the appellant has sought following information:-

"..... 2. Please provide reference(s) detail(s) of File/Files/Folder(s) as maintained in the CIC records on the subject 'RTI Rules' more known in DoPT as "2017 Draft RTI Rules".

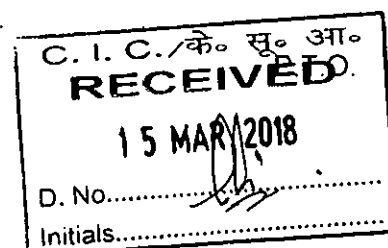
3. I would also like to inspect records concerning above requested information as above and take certified copies from as required by me. Date & Time for inspection will be fixed at mutually convenient time."

The appellant further sent his first appeal through email to the FAA, CIC intimating therein that he has not received any response from the CPIO.

**Decision with reasons:-**

4. On perusal of the case file, it is found that Shri Kishore Kr. Pukhral CPIO, Legal Cell, has furnished the information vide letter dated 12.03.2018. In his reply, the CPIO has stated that the information sought is exempted under Section 8(1) (i) of the RTI Act.

5. Shri Kishore Kr. Pukhral, CPIO, Legal Cell was called for, who explained that Draft RTI Rules is likely to go upto Cabinet for approval. Therefore, the information sought has been denied, being exempted under section 8(1)(i) of the RTI Act.



But it is observed that it has not been declared as Cabinet paper, therefore, the denial of information by the CPIO, Legal Cell under section 8(1)(i) is not found acceptable. Direction is accordingly given to Shri Kishore Kumar Pukhral, CPIO, Legal Cell to provide information sought on Point-1 and offer inspection of the file(s) as mentioned in response to Point-1 with mutual convenient date and time within 2 weeks from the date of receipt of the order. The appellant may also be provided certified copies, if desire by him as per the provision of the RTI Act.

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 Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi-110067 against this order within 90 days.

Dated the 15<sup>th</sup> March, 2018.

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

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.  
Shri Kishore Kumar Pukhral, CPIO, Legal Cell, CIC, New Delhi.

*Aut*  
15/03/18

*B*  
15-03-18

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