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

CIC/AA/A/2018/80
CICOM/A/2018/00071
CICOM/R/2018/00125

Name of the appellant : Shri S.R. Gangurde,
Building No.418, Flat No.213,
Wing 'B', 2nd Floor, Tagore Nagar No.1,
Vikhroli (E), Mumbai – 400 083.

1.	Date of RTI application	22.01.2018
2.	Date of reply of the RTI application	02.02.2018
3.	CPIO(s) who furnished reply	DO to IC(DP)
4.	1st Appeal Date	10.03.2018
5.	Diary No. of 1st Appeal of the Dak Section	116147
6.	Diary date of the Dak Section	14.03.2018
7.	Diary date of 1st Appeal in the office of FAA	15.03.2018
8.	**Date of Decision**	**22.03.2018**

Brief facts of the case:-

In the RTI application, the appellant has stated as under in respect of case File No.CIC/NCFSC/A/2017/176490/SD, hearing of which was held on 05.01.2018:-

"The petitioner had sent his additional document evidences in support of his above referred appeal on 30/12/17 before within 7 days of appeal disposal but same has not been considered by your II RTI appeal authority for disposal of said appeal conclusion. Petitioner apology for his absence due to his old age 73 years and suffering from arthritis joint pains.

Why petitioner's additional documentary evidences have not been taken into above appeal disposal?

Please explain above non consideration of his document evidences in return of RTI application reply and oblige."

2. Shri H.P. Sen, CPIO & DO to IC(DP) vide letter dated 02.02.2018 has stated as under:-

"With reference to your above RTI application it is intimated that you have not sought any information as per Section 2(f) of RTI Act."

n/c

C. I. C./... No. 3116
RECEIVED
22 MAR 2018
D. No.....
Initials.....

P.T.O.

Decision with reasons:-

3. On perusal of the RTI application, reply of the CPIO and appeal, it is observed that the appellant has not sought any information but sought explanation as to why his additional submissions were not considered by the Commission. In this regard, the reply furnished by the CPIO is to the point and does not require any intervention from the Appellate Authority. As per the decision in the case of Khanapuram Gandaiah Vs Administrative Officer and Others of the Hon'ble Supreme Court decided on 4th January 2010, the CPIO is not expected to reply/explain as to why such opinions, advices, circulars, orders, etc. have been passed. Hence, the CPIO is not expected to justify or give rationale for the order of the Commission.

4. In view of the above, the appeal is disposed off. Two IPOs bearing No.33F 573748 and 573749 are returned herewith as no fee is required for filing appeal in the Commission.

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 22nd March, 2018.

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

Copy to:-

1. Shri Ashok Kumar Sharma, CPIO, RTI Cell, CIC, New Delhi.

22/03/18