

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

CIC/AA/A/2018/149  
CICOM/A/2018/00140  
CICOM/R/2018/00337

Name of the appellant : Shri V.P. Sharma, Advocate  
SCBA 1, Supreme Court of India,  
New Delhi – 110 001.

1.	Date of RTI application	20.03.2018
2.	Date of reply of the RTI application	03.05.2018
3.	CPIO(s) who furnished reply	DO to IC(AB)
4.	1 <sup>st</sup> Appeal Date	25.05.2018 recd through Sr Postmaster, Indrapastha HPO vide letter dt. 31.05.18
5.	Diary No. of 1 <sup>st</sup> Appeal of the Dak Section	135908
6.	Diary date of the Dak Section	06.06.2018
7.	Diary date of 1 <sup>st</sup> Appeal in the office of FAA	07.06.2018
8.	Date of Decision	15.06.2018

**Brief facts of the case:-**

In the RTI application, appellant has sought information on final action taken and current status, directions/orders by CIC on the following complaint submitted u/s 18 and 20 of the RTI Act:-

*"I Application dated 01/10/2012 and subsequent various reminders last written reminders diary No.136455 dated 02-06-2015 against non implementation o orders of the CIC/DS/C/2012/000822 DATED 22-08-12 by EAST Delhi Municipal Committee (EDMC) for non Compliance. (Copy enclosed) Annexure A*

*II. Application dated 07-03-2015 Non Supply of Information by District Consumer Forum South II, Institution Area Mehrauli, New Delhi – 110 016 (Copy Enclosed) for proper directions on complaint last written reminders dairy No.136446 dated 02-06-2015. (Copy enclosed) Annexure B*

*III. Application dated 07-03-2015 Non Supply of Information 23-08-2016 in ref, to CIC/VS/A/2015/000713/SB DATED 15-07-2016 (copy enclosed) Public Authority DELHI POLICE, ECONOMIC OFFENCES WING GOLE MARKET NEW DELHI (Annex.C).*

*IV. Application dated 05-06-2013 for Non Supply of Information in view of CIC ORDERS VIDE REF DECISION CIC/VS/A/2012/00125/02781 (COPY ENCLOSED) Public Authority DDA, Dy Director Enforcement (H) VIKAS Sadan INA, New Delhi. (Annex. D)"*

P.T.O.

2. On Point II, Shri A.K. Talpatra, CPIO & DO to IC(AB) has replied as under:-

*"Since the work allocation related to Consumer Dispute Redressal Forum was allocated to this registry during February 2018, no records regarding the action taken in respect of your letter dated 07.03.2015 and 02.06.2015 is available with this registry."*

3. On other three points, Shri R.P. Grover, CPIO & DO to IC(YA) has furnished following information:-

*"1. Your letter dated 01.10.2012 is available in the scan file, but action appear to be taken on the said letter. No other letters are available in the files referred in your RTI.*

*3. Your letter dated 07.03.2015 is available in the scan file but no action seems to be taken on the said letter. However as per the CIC decision dated 24.8.2016, Commission has not issued any direction for providing the information.*

*4. File no CIC/VS/A/2015/00125 is in the name of Sh Ashwani Kumar not in the name of Sh V P Sharma"*

**Decision with reasons:-**

4. On the ground of the appeal, the appellant has mentioned that "Non Supply/ Denial of information Knowingly BY the PIO'S/CPIO'S" but he has not mentioned as to why or on which point of the CPIO's reply, he is aggrieved with. The appellant simply enclosed the copies of the CPIOs reply.

5. However on perusal of the case file, it is observed that on Point-II, Shri Krishan Avtar Talwar, DS & CPIO, CR-I vide letter dated 17.04.2018 has intimated that:-

*"....Your application dated 07.03.2015 was diarized vide Diary No.118461/2015 on which the Dak Management System of the Commission reflects registration of File No.CIC/VS/A/2015/000713 and reminder Diary No.136446/2015 was forwarded to DO to IC(VS). Now said public authority seems to be falling under the jurisdiction of the registry of Hon'ble CIC(AB). Accordingly for providing you further information, on action taken on it, this part of your RTI application is being transferred to his DO....."*

6. From the above, it is clear that the petition dated 07.03.2015 was registered vide case File No. CIC/VS/A/2015/000713 and diary number of the last reminder was already mentioned in the RTI application by the appellant. Therefore, the plea of Shri

A.K. Talapatra, CPIO that "the public authority 'Consumer Dispute Redressal Forum' was allocated to the registry of IC(AB) during February, 2018 and no records regarding the action taken in respect of letter dated 07.03.2015 and 02.06.2015 is available with the registry", is not acceptable. Direction is accordingly given to Shri A.K. Talapatra, CPIO & DO to IC(AB) to search the above mentioned case file from the concerned section, if physical case file is not available, search the same in scanned file in the AppsCom or may take the assistance of JS(MR) for retrieving the soft copy of scanned file and provide suitable reply to the appellant within 2 weeks from the date of receipt of the order.

7. Further the reply furnished by Shri R.P. Grover, CPIO & DO to IC(YA) is factual and appropriate except reply furnished on Point IV. On this point, CPIO has stated that "File no CIC/VS/A/2015/00125 is in the name of Sh Ashwani Kumar not in the name of Sh V P Sharma" is not found appropriate as the correct file number as mentioned in the RTI application is CIC/VS/A/2012/00125/02781. Direction is accordingly given to Shri R.P. Grover, CPIO & DO to IC(YA) to re-visit point-IV of the RTI application and provide information sought to the appellant within 2 weeks from the date of receipt of the order.

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

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 15<sup>th</sup> June, 2018.

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

Copy to:-

1. Shri Ashok Kumar Sharma, CPIO, RTI Cell, CIC, New Delhi.
2. Shri A.K. Talapatra, CPIO & DO to IC(AB), CIC, New Delhi.
3. Shri R.P. Grover, CPIO & DO to IC(YA), CIC, New Delhi.

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