

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

CIC/AA/A/2018/202
CICOM/A/2018/00174
CICOM/R/2018/00610

Name of the appellant : Shri L.D. Verma,
House # 1652, Sec.4,
Urban Estate,
Gurgaon – 122 001.

1.	Date of RTI application	09.06.2018
2.	Date of reply of the RTI application	29.06.2018
3.	CPIO(s) who furnished reply	DO to IC(YA)
4.	1 st Appeal Date	23.07.2018
5.	Diary No. of 1 st Appeal of the Dak Section	807
6.	Diary date of the Dak Section	25.07.2018
7.	Diary date of 1 st Appeal in the office of FAA	26.07.2018
8.	Date of Hearing	30.07.2018

Appellant was present. Shri Ashok Kumar Sharma, CPIO, RTI Cell was present. Shri R.P. Grover, CPIO & DO to IC(YA) was on leave.

Brief facts of the case:-

2. In the RTI application, appellant has sought following information in respect of Commission order dated 04.05.2018 in case file Nos.CIC/NBCCL/A/2017/105098 and CIC/NBCCL/A/2017/104577:-

"The Notice for hearing on my appeal dated 07-05-2018 was put on the website of the Commission on 07-05-2018, date of Hearing was also 07-05-2018 at 3.00 without giving reasonable time to the Appellant as per rules and law which is gross violation of the rules by the Commission (copy enclosed).

2. *The date of Decision is 4-5-2018 which was received by me on 28-5-2018 after more than 20 days which was unilateral and arbitrary as per rules and the Law of Natural justice.*

How the Commission can give the Decision on 4-5-2018 when the date of Hearing was 7-5-2018 which certainly raises an eyebrow.

So you are requested to send me the required information on the above mentioned facts to enable me to proceed further in the matter."

P.T.O.

3. Shri R.P. Grover, CPIO & DO to IC(YA) vide his letter dated 29.06.2018 responded as under:-

"No notice for hearing in file no CIC/NBCCCL/A/2017/105098, 104577 has been issued"

4. Aggrieved with the reply of the CPIO, appellant has filed present first appeal and his comments on the reply of the CPIO are as under:-

*"The reply of CPIO – DO is vague and far from the truth. Why he is mum on the issue of uploading the notice on the website of the commission on 07-05-2018. It appears that **DAL MAIN KUCH KALA HAI**. Had such notice issued, the hard copy of the same must have been forwarded to the Appellant but it was not done for the reasons best known to the commission.*

To nail the lies of DO – CPIO (IC-YA) I have enclosed the copies of the emails for which no reply has been received till date inspite of reminders which clearly shows the DO – CPIO has no tangible answer in his defence. To get justice in the present system it has become HIMALAYAN task to get justice which has created vicious circle for the public. It is the only reason that crores of cases are lying in various courts. Who is the ultimate sufferer, it is the public and nobody else."

Decision with reasons:-

5. During the hearing, appellant has reiterated the same.

6. On perusal of the RTI application, reply of the CPIO and submissions made by the appellant in the appeal as well as during the hearing, it is observed that information furnished by the CPIO is inappropriate. The matter regarding uploading of hearing notice dated 07.05.2018 in the Commission's website on 07.05.2018 needs to be examined. Direction is, accordingly, given to Shri R.P. Grover, CPIO & DO to IC(YA) to re-visit the matter with the assistance of JS(MR) and give appropriate factual information to the appellant within 2 weeks from the date of receipt of the order.

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

8. 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 31st July, 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 R.P. Grover, CPIO & DO to IC(YA), CIC, New Delhi. *Zaker 31/7/18*
31/7/18

