

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

CIC/AA/A/2018/204
CICOM/A/2018/00176
CICOM/R/2018/50452

Name of the appellant : Shri K.N. Kittur,
863, 25th Main, 11th Cross,
Sector-1, HSR Layout,
Bangalore – 560 102.

1.	Date of online RTI application	27.06.2018
2.	Date of reply of the RTI application	28.06.2018
3.	CPIO(s) who furnished reply	DO to IC(DP)
4.	1 st Appeal Date	27.07.2018 received through email.
5.	Diary date of 1 st Appeal in the office of FAA	30.07.2018
6.	Date of Decision	01.08.2018

Brief facts of the case:-

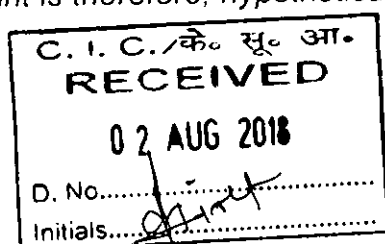
In the RTI application, appellant has sought following information:-

"Shri O P Kejariwal Honourable Information Commissioner CIC Old JNU Campus New Delhi issued a Penalty Order of Rs.25000 on Shri S N Rout Asst Prof (Prosthetics and Orthotics) Dept of P and O Swami Vivekanand National Institute of Rehabilitation Training and Research SVNIRTAR Olatpur Post Bairoi Dist Cuttack Orissa 754010 in August to November 2008 for delaying in providing information. The following information may kindly be provided a) Copy of the above cited Order of Information Commissioner Shri OP Kejariwal b) Was this Order copy posted on the website of CIC through NIC if yes the date of posting on the website if not posted the reasons for not posting it on the website c) Provide Details of Penalty amount of Rs 25000 received from Mr SN Rout Asst Prof Pros Ortho DPO SVNIRTAR mentioned below Date of recovery mode of recovery Cash deposit or from his Salary Number of installments d) Provide Details of depositing the above penalty amount of Rs 25000 with PAO CAT such as mode of payment Provide the details by Bank transfer by Bank Draft provide the Bank Draft No date and Name of the Bank and date sent from the Institute by Swami Vivekananda National Institute of Rehabilitation Training and Research Olatpur Cuttack 754010 Orissa e) Provide the Copy of the covering letter for sending Bank Draft payable on PAO CAT New Delhi sent to CIC received from SVNIRTAR."

2. Shri H.P. Sen, CPIO & DO to IC(DP) vide his letter dated 28.06.2018 has replied as under:-

"With reference to your above RTI application, it may be mentioned that you have not indicated any file no. nor any specific date of decision. The information sought is therefore, hypothetical."

P.T.O.



3. In the appeal, appellant has stated that:-

"I submitted my RTI application on 27.06.2018 (No.CICOM/R/2018/50452) online requesting from the records/files of Central Information Commission, New Delhi. Very next day (28 June 2018) I received an email reply (File No.CIC/CPIO/IC-DP/2018/0003 dt. 28.6.208) from Shri Haro Prasad Sen, CPIO disposing off my request. I felt that proper care was not given before disposing off my request by CPIO hence I sent him a request email on 29 June 2018. I received a print copy of CPIO's reply letter dt. 28 June 2018 by post on 3 July 2018. I also sent a print copy of my email to CPIO by Speed Post (copy is enclosed for reference) and I received the Acknowledgement from CIC (No.441/2018/DAK-CIC) for my letter. I have explained everything in my letter to CPIO. In spite of informing him that sought information/document was created at CIC and held at CIC and is required for the use of CIC Office, New Delhi. I have not received the sought information/document till date.

I shall be very grateful if you could kindly instruct the concerned CPIO or any other staff of CIC to provide me the sought document/information as early as possible. If any other details/information required in tracing the document I am ready to help."

Decision with reasons:-

3. In view of the above and on perusal of the email dated 29.06.2018 sent to the CPIO, it is observed that appellant has provided specific order No.CIC/OK/A/2006/00499 dated 31.07.2008 of the Commission and brief of the case regarding revoking of penalty of Rs.25000/- imposed on the appellant. Direction is accordingly given to Shri H.P. Sen, CPIO & DO to IC(DP) to re-visit the matter in the light of email dated 29.06.2018 (copy enclosed) and provide information as sought in the RTI application 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 02nd August, 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 H.P. Sen, CPIO & DO to IC(DP), CIC, New Delhi.