

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

CIC/AA/A/2018/257
CICOM/A/2018/00225
CICOM/R/2018/00804

Name of the appellant : Dr. Chandrashekhar Datta,
24 Ganpati Avenue, Officers' Colony,
CLW, Chittaranjan, Dist. West Burdwan,
West Bengal – 713 331.

1.	Date of RTI application	31.07.2018
2.	Date of reply of the RTI application	21.08.2018
3.	CPIO(s) who furnished reply	DO to IC(YA)
4.	1 st Appeal Date	08.09.2018
5.	Diary No. of 1 st Appeal of the Dak Section	3087
6.	Diary date of the Dak Section	20.09.2018
7.	Diary date of 1 st Appeal in the office of FAA	24.09.2018
8.	Date of Decision	25.09.2018

Brief facts of the case:-

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

"a) Kindly provide certified copy of INFORMATION/RULE/SECTION of RTI ACT 2005 UNDER WHICH BCCL AUTHORITIES WERE NOT ORDERED TO PROVIDE THE COMPLETE FILE IN THE CASE NUMBER CIC/NCCLD/A/2017/105222 & CIC/NCCLD/A/2017/135719, DATE OF HEARING 12.06.2018, DATE OF DECISION 29.06.2018 (COPY ENCLOSED).

b) Kindly provide certified copy of INFORMATION REGARDING ACTION TAKEN ON CPIO, BCCL, KOYLA BHAWAN, DHANBADIN THE CASE NUMBER CIC/NCCLD/A/2017/105222 & CC/NCCLD/A/2017/135719, DATE OF HEARING 12.06.2018, DATE OF DCISION 29.06.2018, BY HON'BLE CIC, NEW DELHI, as Information was demanded on 11.07.2016 & 29.11.2016 but no information was provided by CPIO EVEN AFTER CLEAR ORDERS OF FAA, when the matter was heard in the HON'BLE CIC, NEW DELHI, AFTER ABOUT TWO YEARS. UNDER WHICH SECTION/RULE THE CPIO WAS NOT FINED, CERTAINLY SUCH ACTION WILL SPOIL THE REAL SPIRIT OF RTI APPLICANTS AND IT'S OBJECTIVES."

2. Shri R.P. Grover, CPIO & DO to IC(YA) vide letter dated 21.08.2018 has furnished following information:-

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"1. CPIO is not competent to make any comment on the decision of the Commission.

2. No action has been taken at present."

3. In the appeal, appellant has stated that incomplete information has been provided by CPIO as per RTI Act 2005. He further stated that "I HAVE ASKED FOR THE RULE/SECTION OF RTI ACT 2005 UNDER WHICH THE AUTHORITIES WERE NOT ORDERED TO PROVIDE THE COMPLETE FILE, NOT THE COMMENT OF THE CPIO."

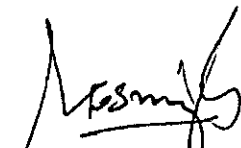
Decision with reasons:-

4. The contention of the appellant that he sought rule/section of RTI Act, 2005 under which the authorities were not ordered to provide the complete file and not the comment of the CPIO, but meaning is same. CPIO as well as FAA of the Commission cannot comment on the decision of the Commission as to what and under which rule/section of the Act, Hon'ble Commission has not ordered to provide complete file.

5. In view of the above, the appeal is disposed of.

6. 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 25th September, 2018.


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

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.



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