

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

CIC/AA/A/2018/265
CICOM/A/2018/00233
CICOM/R/2018/00932

Name of the appellant : Shri S. Upendra Nayak,
S/o Gopalkrishna Nayak,
Siddapur pete, Siddapur Village,
Kundapur Taluk, Udupi Distt,
Karnataka – 576 229.

1.	Date of RTI application	10.09.2018
2.	Date of reply of the RTI application	26.09.2018
3.	CPIO(s) who furnished reply	DR to IC(SA)
4.	1 st Appeal Date	04.10.2018
5.	Diary No. of 1 st Appeal of the Dak Section	3860
6.	Diary date of the Dak Section	10.10.2018
7.	Diary date of 1 st Appeal in the office of FAA	11.10.2018
8.	Date of Decision	16.10.2018

Brief facts of the case:-

In the RTI application, appellant has sought certified copies of all documents including office notes available in the case File No.CIC/POSTS/A/2018/142847.

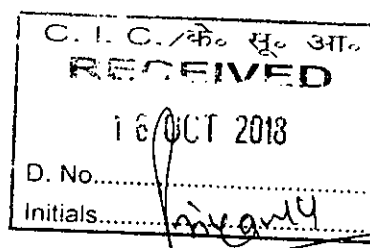
2. Shri T.K. Mohapatra, CPIO & DO to IC(SA) vide letter dated 26.09.2018 has furnished following information:-

"It is to be mentioned that the above said file is not of the file concerned to you but of some other appellant. Hence, copy of the file cannot be provided to you and denied under sec.8(1)(j) of the RTI Act, 2005, being a 3rd party information."

Decision with reasons:-

3. In the appeal, appellant has stated *"That in the third party cases it is the duty of the CPIO to intimate action under section 11 of the RTI Act, 2005. And invite objections from third party. The Respondent has not followed this procedure."*

4. In view of the above reasons, direction is given to Shri T.K. Mohapatra, CPIO & DO to IC(SA) to take action as per Section 11 of the RTI Act, 2005 and give appropriate response to the appellant within 3 weeks from the date of receipt of the order.



P.T.O.

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5. The appeal is disposed off.

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 16th October, 2018.


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

Copy to:-

- Ann*
16/10/18
1. Shri TBSJ Rajappa, CPIO, RTI Cell, CIC, New Delhi.
 2. Shri T.K. Mohapatra, CPIO & DO to IC(SA), CIC, New Delhi.
- 0/C*
Sund
16.10.18

C. I. C. / के. सू. आ.
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