

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

CIC/AA/A/2018/266
CICOM/A/2018/00234
CICOM/R/2018/00836

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

1.	Date of RTI application	17.08.2018
2.	Date of reply of the RTI application	26.09.2018
3.	CPIO(s) who furnished reply	DO to IC(DP) & DR to CR-I
4.	1 st Appeal Date	14.10.2018 received through email
5.	Diary date of 1 st Appeal in the office of FAA	15.10.2018
6.	Date of Decision	16.10.2018

Brief facts of the case:-

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

- "A. A letter (packet weighing 296 gms) No.LIC 54 & No.LIC 54/A dt. 12.05.2007 with several enclosures addressed to Shri O.P. Kejariwal, Information Commissioner, CIC, Old JNU Campus, New Delhi was sent by Shri K.N. Kittur, PIO, Swami Vivekanand National Institute of Rehabilitation Training and Research, Olatpur, PO: Bairoi, Dist: Cuttack, Orissa 754010 on 13.05.2007 at 09.27hrs by SPEED POST (Receipt No.SP EE8634404601 Dt. 13.05.2007) booked at the Speed Post Office Counter, RMS, Bhubaneswar 751001. The letter should have been delivered on 14th or 15th May 2007 to CIC office.

The following information may kindly be provided –

- a. Date of receipt of the above mentioned letter at CIC Office, New Delhi.
- b. Serial Number & Date of entry in the Inward/Letters Receipt Register of CIC, Photocopy of this page may kindly be provided.
- c. Date on which the letter was forwarded to the concerned section by Inward/Letters Receipt Section & Name of person/employee, Designation, Name of the Section who received the above mentioned letter.
- d. The location (section) and the name/s, designation, section of the employee/s who was holding (or under whose custody) the above mentioned letter from the date of forwarding from Inward/Receipt Section till 31.12.2008.
- e. The present location (custodian) of the above mentioned letter.
- f. The date on which the letter was brought to the notice or put up to the addressee (Shri OP Kejariwal, IC, CIC).
- g. If the letter was not brought to the notice or put up the addressee immediately from the date of receipt of letter the reasons for the same.
- h. The decision/order passed by Shri O.P. Kejariwal, IC, CIC after perusing the above mentioned letter.

P.T.O.

- B. Two E-mails dt. 14.5.2007 & 19.8.2008 were sent to okejariwal@nic.in Hon'ble Information Commissioner from nirtar@ori.nic.in by Mr KN Kittur, PIO of SVNIRTAR regarding reply to show cause notice, affidavit etc.

Kindly provide me the information on the following-

Who opened these emails whether Mr Kejariwal himself or his staff, if staff opened them, kindly provide me the name and designation and date opened and the date on which emails were shown to Mr Kejariwal, IC. Copy of File noting after perusing these emails and decision/orders passed by Mr Kejariwal, IC.

- C. Copy of the proof of sending penalty order No.CIC/OK/A/2006/00499 dt. 31.7.2008 of Mr. Kajariwal, IC by CIC, New Delhi to SVNIRTAR staff. Copies of replies received from SVNIRTAR staff and additional letters sent from CIC, New Delhi till 31.12.2008.
- D. Three E-mails dt. 19.08.2008 (3.57pm), 19.8.2008 (4.0Pm) & 26.8.2008 were sent to gs.manian@nic.in Mr G Subramanian, Asst Registrar, CIC. Kindly provide me the information on the action taken by Mr Subramanian on these emails."
2. On Point A(a-h), Assistant (Dak Section) has intimated that:-
"A thorough search was made in Central Information Commission's record of dak receipt in the Commission for the year 2007 and it is observed that there is no entry of any communication received from Shri K.N. Kittur, PIO, Swami Vivekanand National Institute of Rehabilitation Training and Research, in the year 2007."
3. On Points B, C & D of the RTI application, Shri H.P. Sen, CPIO & DO to IC(DP) vide letter dated 10.09.2018 replied that *".....no information is available on the points raised in these paras."*

Decision with reasons:-

4. On perusal of the RTI application, reply of the CPIO(s) and submission made in the appeal, it is observed that factual information has been furnished by Shri H.P. Sen, CPIO & DO to IC(DP) on Points B, C & D. As regards Point (A), **direction is given to Shri Krishan Avtar Talwar, CPIO & DR to CR-I to make a fresh efforts to trace the letter and give appropriate response to the appellant within 3 weeks from the date of receipt of the order.**

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

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:-

1. Shri TBJs Rajappa, CPIO, RTI Cell, CIC, New Delhi.
- Shri Krishan Avtar Talwar, CPIO & DR to CR-I, CIC, New Delhi.

