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

CIC/AA/A/2018/285
CICOM/A/2018/00251
CICOM/R/2018/01015

Name of the appellant : Shri Omprakash Kashiram,
3/16 Amol Apartment,
Waldhuni,
Kalyan – 421 301.

1.	Date of RTI application	08.10.2018
2.	Date of reply of the RTI application	24.10.2018
3.	CPIO(s) who furnished reply	DR to CR-I
4.	1st Appeal Date	29.10.2018
5.	Diary No. of 1st Appeal of the Dak Section	5051
6.	Diary date of the Dak Section	09.11.2018
7.	Diary date of 1st Appeal in the office of FAA	12.11.2018
8.	**Date of Decision**	**19.11.2018**

Brief facts of the case:-

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

"1. Please provide the documents duly attested by Public Information Officer with name and designation regarding the reasons for Office Order No.CIC/CR-1/ 2017/0007(Pt-2) dated 14.06.2018 issued by officer of Central Government and who are working on officiating in CIC office and registrar post is not sanctioned post from Ministry of Finance like registrars of Supreme Court of India and High Court of India.

2. *Please provide the documents duly attested by Public Information Officer with name and designation regarding the name of authority under which Registrar is capable to return the second appeal dated 09.09.2018 without considering para 3(b) of second appeal 09.09.2018 and registrar of CIC are not equivalent post to registrar of Supreme Court or High Court or any lower courts and registrar of CIC is a central government officers who are equivalent to PIOs.*

3. *Please provide the documents duly attested by Public Information Officer with name and designation regarding the name of information commissioner who had been permitted to registrar for issue of office order No.CIC/CR=1/2017/ 0007(Pt-2) dated 14.06.2018.*

4. *Please provide the documents duly attested by PIO with name and designation regarding registrar/deputy registrar of CIC posts are equivalent posts to any equivalent courts or high courts/supreme Court who has been issued office order No.CIC/CR-1/2017/0007(Pt-2) dated 14.06.2018.*

P.T.O.

5. *Please provide the documents duly attested by PIO with name and designation regarding the copy of office order which were issued for documents or information should be attested by PIO with name and designation otherwise reply of PIO is not acceptable by CIC. In other words the office order is not issued for rejection of information for not attested by PIO with name and designation and office order issue for rejection of 2nd appeals submitted by applicant and CIC is working behalf of PIOs of Central Government not public of INDIA due to all Registrar and Deputy registrars are officers of Central Government.*

2. Shri Krishan Avtar Talwar, CPIO & DS (CR-1) vide letter dated 24.10.2018 furnished following information:-

"1 There is no reason available on record.

2 The Facilitation Memo (on Dy.No.157471) dated 19.09.2018 on second appeal dated 09.09.2018 was issued by undersigned (and not by the Registrar, as has wrongly been quoted by the appellant. Bare perusal of the copy of it enclosed by the RTI appellant himself at page No.7 vindicate the stand so taken by undersigned CPIO). This Facilitation Memo was issued by the undersigned in accordance with the directions enumerated in office order dated 14.06.2018 referred to by the appellant in point no.1 herein above.

3. *Final approval for issue of the office order dated 14.06.2018 as per record available was accorded by Hon'ble Chief Information Commissioner. In this regard an attested copy of the Note Sheet running into 2 pages is enclosed herewith.*

4. *The subject matter of this issue appears to be more closely related with Admn Section of this Commission. As such, this part of your RTI application is hereby transferred to Shri Sushil Kumar, DS to (Admn), in this Commission. If required, you may contact him at Tele.No.011-26717354, Room No.508, Baba Gang Nath Marg, Munirka Near Old JNU Campus, New Delhi – 110 068 in this regard.*

5. *The issue is not clear. On the basis of whatever understood, it is stated that as already conveyed to you vide Facilitation Memo dated 05.09.2018 on Second Appeal dated 19.08.2018 (Dy.No.152828), name of the DR(CR-1) and the Registrar are on the web-site of the Commission. The Facilitation Memo in a standard format is issued using software of the Commission where there is no provision for the undersigned to mention his name & designation. As such it is not under the control of the undersigned to enter his name & designation on the Facilitation Memo so issued."*

Decision with reasons:-

4. On perusal of the RTI application, CPIOs reply and submissions made in the appeal, it is observed that information provided by Shri Krishan Avtar Talwar, CPIO & DS (CR-I) is appropriate, therefore, no intervention is required on the part of the FAA. Further, it is observed that Shri Talwar transferred Point-4 of the RTI application to Shri Sushil Kumar, DS(Admn) but his reply/response is not available in the record of the case file. **Direction is accordingly given to Shri Sushil Kumar, CPIO cum DS(Admn) to provide information on Point-4 to the appellant within 5 days from the date of receipt of the order.**

5. The appeal is, therefore, disposed of 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 19th November, 2018.

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

Copy to:-

1. Shri TBJS Rajappa, CPIO, RTI Cell, CIC, New Delhi.
2. Shri Sushil Kumar, CPIO cum DS(Admn), CIC, New Delhi.

C. I. C./के. सू. आ.
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