

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

CIC/AA/A/2018/300
CICOM/A/2018/00262
CICOM/R/2018/50834

Name of the appellant : Shri Chandranshu Mehta,
A-261, Sector-9,
New Vijay Nagar,
Ghaziabad (UP) – 201 009.

1.	Date of online RTI application	26.10.2018
2.	Date of reply of the RTI application	19.11.2018
3.	CPIO(s) who furnished reply	DO to IC(SA)
4.	1 st Appeal Date	22.11.2018
5.	Diary date of 1 st Appeal in the office of FAA	28.11.2018
6.	Date of Decision	06.12.2018

Brief facts of the case:-

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

"Copy of the Noting and Action-Taken for E-mail to Prof.(Dr) Madabhushanam Sridhar Acharyulu, Information Commissioner (IC) on 05.07.2018 at 1:39:07 PM with Subject: Are they Clerks or Are they Officers.

Copy of the Action-Taken and Noting on Letter Number Admn./RTI-249/2017-18/4345 dated 17.11.2017 addressed to the Honorable Information Commissioner (IC), Prof. (Dr) Madabhushanam Sridhar Acharyulu by Smt. Trilochan Kaur Bhatia, CPIO & DS(Admn).

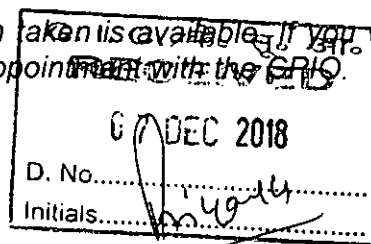
Copy of the directions given by Prof.(Dr) Madabhushanam Sridhar Acharyulu, Information Commissioner (IC) to the Sangeet Natak Akademi (SNA) for submit a brief service record of Shri Chandranshu Mehta, LDC on the ground of his voluminous RTI applications on the various subjects in the Hearing of CIC/MCULT/A/2017/169133 dated 14.11.2017.

Was Prof. (Dr) Madabhushanam Sridhar Acharyulu, Information Commissioner (IC) verbally requested CPIO of M/o Culture and Sangeet Natak Akademi (SNA) to submit a brief service record of Shri Chandranshu Mehta, Jr. Clerk cum typist and submit the same to CIC in two days time i.e. upto 16 November 2017 in the Hearing of CIC/MCULT/A/2017/169133 dated 14.11.2017."

2. Shri T.K. Mohapatra, CPIO & DO to IC(SA) vide online reply dated 19.11.2018 has furnished following information:-

"1. No records of e-mail sent to Honorable Information Commission or to the registry and action taken on them is maintained, hence no information can be provided.

2. No information on any action taken is available. If you wish, you can inspect the concerned case file with prior appointment with the CPIO.



P.T.O.

3. All the directions given by the Honorable Information Commissioner are available on the order itself. You can go through the orders which are available in the website of the Commission i.e. www.cic.gov.in and get the information as required by you.

4. No such information is available with the CPIO, other than that is available in the concerned case file."

3. In the appeal, appellant has stated that he is not satisfied with the CPIO's reply on Points 1,2 & 4 of the RTI application. On Point-1, appellant stated that "...Why? I had sent an e-mail and I have a copy for that with me. Why he didn't maintain the record" The learned CPIO also worked as a Deputy Registrar (DR) or Designated Officer (DO) of the concerned Hon'ble Information Commissioner. This action is in complete violation of the 'Public Records Act, 1993' and the 'Right to Information Act, 2005'. Hence it is again requested please direct the learned CPIO to provide me the correct reply."

On Points 2 & 4, appellant has stated that "the learned CPIO provide the 'Appellant' an opportunity to 'Inspect' the concerned 'Case File'. The 'Appellant' didn't want an 'Inspection' but for completion of the 'RTI Request' please direct the learned CPIO to provide the said letter Admn./RTI-249/2017/4345 dated 17.11.2017 'Certified Copy' as per clause (ii) & (iii) of sub-section (j) of Section(2) of the RTI Act, 2005 free of charge as per sub-section (6) of Section (7) of RTI Act, 2005."


Decision with reasons:-

4. On perusal of the RTI application, reply of the CPIO and submissions made in the appeal, it is observed that on Points 2 & 4 of the appeal, appellant has denied CPIO's offer of inspection of concerned case file and sought certified copy of letter No.Admn./RTI-249/2017/4345 dated 17.11.2017. In this regard, it is to mention that appellant has not sought copy of the said letter in his original RTI application, therefore, his request cannot be acceded to in the present appeal.

5. It is further observed that the point-wise information provided by the CPIO is factual and appropriate, therefore, no intervention is required on the part of the FAA, in the matter.

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 06th December, 2018.


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

Copy to:-

1. Shri TBJS Rajappa, CPIO, RTI Cell, CIC, New Delhi.

