

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

CIC/AA/A/2018/317
CICOM/A/2018/00275
CICOM/R/2018/01091

Name of the appellant : Shri Mohan Kumar Pansari,
Ward No.16, Industrial Area,
Near Old Sales Tax Check Gate,
Distt. Bargarh
(Odisha) – 768028.

1.	Date of RTI application	07.12.2018
2.	Date of reply of the RTI application	27.11.2018
3.	CPIO(s) who furnished reply	DO to IC(DP)
4.	1 st Appeal Date	07.12.2018
5.	Diary No. of 1 st Appeal of the Dak Section	6522
6.	Diary date of the Dak Section	18.12.2018
7.	Diary date of 1 st Appeal in the office of FAA	19.12.2018
8.	Date of Decision	21.12.2018

Brief facts of the cas:-

In the RTI application, appellant has sought 4 points information in respect of his petition dated 12.09.2018.

2. Shri H.P. Sen, CPIO & DO to IC(DP) vide letter dated 27.11.2018 has responded as under:-

"With reference to your above RTI application, it may be mentioned that there is no provision of reviewing the decision in CIC. No action, therefore, could be taken on your review petition dated 12.09.2018."

3. In the appeal, appellant has quoted Clause 23(3) and Clause 4(ii) of the CIC (Management) Regulations-2007 in support of his review petition.

Decision with reasons:-

4. On perusal of the RTI application, CPIO's reply and appeal, it is to mention that the CIC (Management) Regulations, 2007 has been declared ultra-vires the Right to Information Act, 2005 by Hon'ble High Court of Delhi on 21.05.2010 in DDA Vs CIC WP(C) 12714/2009. Therefore, reply furnished by the CPIO is appropriate. No further intervention is required on the part of the FAA, in the matter.

P.T.O.

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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 21st December, 2018.



(Rakesh Kumar Singh)

Additional Secretary & First Appellate Authority

Tel: 26162290

Copy to:-

Shri TBJs Rajappa, CPIO, RTI Cell, CIC, New Delhi.

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