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

CIC/AA/A/2018/35
CICOM/A/2018/60012
CICOM/R/2017/50847

Name of the appellant : Shri Amit Shukla,
507, Govind Colony,
Near Shiv Shakti Laundry,
Indore (MP) – 452 015.

1.	Date of online RTI application	23.12.2017
2.	Date of reply of the RTI application	02.01.18, 03.01.18, 08.01.18 & 18.01.18
3.	CPIO(s) who furnished reply	DO to IC(SB), DR to CR-1 & DO to CIC(RK)
4.	Online 1st Appeal Date	27.01.2018
5.	**Date of Hearing**	**15.02.2018**

In the appeal, the appellant has sought personal hearing. Accordingly, the appellant was given an opportunity to appear before the FAA either personally or through an authorized representative or through audio conferencing on 15.02.2018 at 1100 hrs. The appellant accepted to represent his case through audio conferencing. But through email dated 15.02.2018, appellant intimated that he will not be able to attend the audio hearing due to some personal reasons and submitted written submissions besides first appeal.

Brief facts of the case:-

2. On perusal of the appeal and written submission given in the email dated 15.02.2018, it is observed that the appellant is aggrieved with the reply given on Point-1 of the RTI application. On Point-1, the appellant has sought following information:-

> *"An appeal was preferred against the order of CPIO and FAA of Election Commission of India before the Hon'ble CIC bearing No.CIC/CC/A/2015/002183/SB, which was decided on 30.08.2016. Since the order of Hon'ble CIC was not complied with by the respondent thus I wrote a letter dated 15.10.2016 to Hon'ble Shri Sudhir Bhargava Ji, Information Commissioner complaining the same. It was sent by speed post bearing consignment No.E1777121738IN, which was delivered to Hon'ble CIC on 17.10.2016. Earlier "Appeal/Complaint status section" but recently when I went across to check the status of complaint letter dated 15.10.2016 I didn't find any information on the web. I thus request you to kindly give a detailed report if complaint dated 15.10.2016 has been decided exparte, the date of hearing, copy of notice and decision along with order copy may please be supplied to me as I have not received any order or notice in this complaint. If it is still pending for disposal then probable date of hearing may kindly be communicated to me."*

P.T.O.

3. Shri S.C. Sharma, CPIO cum DO to Chief IC(RK) vide letter dated 18.01.2018 responded that:-

> *"Point No.1. Assistance u/s 5(4) was sought from Dak Section as well as DR to IC(SB) and it has been informed that the letter along with the file has been sent to the record room. However, on perusal of file available on the CIC 'system' it is seen that the said letter is not available in this file. The record room has been requested to provide the file. However, a letter has been sent to the concerned Public Authority to provide a compliance report of CIC order dated 30.08.2016 in appeal No.CIC/CC/A/2015/002183/SB (copy enclosed)."*

Decision with reasons:-

4. The appeal and the written submissions submitted vide email dated 15.02.2018 have been perused. **Direction in this regard is given to Shri S.C. Sharma, CPIO cum DO to Chief IC(RK) to collect physical case file No. CIC/CC/A/2015/002183/SB from Record Room within 5 working days from the date of receipt of the order and intimate the action taken on said letter dated 15.10.2016 to the appellant accordingly.**

5. The appeal is, therefore, 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 19th February, 2018.

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

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.
2. Shri S.C. Sharma, CPIO & DO to Chief IC(RK), CIC, New Delhi.