

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

CIC/AA/A/2018/179, 180
CICOM/A/2018/60088, 60089
CICOM/R/2018/50431, 50431/1

Name of the appellant : Shri A. Anand,
H.No.401/2M, Budh Vihar,
Munirka,
New Delhi – 110 067.

1.	Date of online RTI application	17.06.2018
2.	Date of reply of the RTI application	19.06.2018, 22.06.018, 04.07.2018 & 13.07.2018
3.	CPIO(s) who furnished reply	CPIO, RTI Cell, DO to IC(SA) & CPIO(M&R)
4.	Online 1 st Appeal Date	03.07.2018
5.	Date of Hearing	18.07.2018

Appellant has filed two online first appeals against the reply of one RTI application registered vide above mentioned numbers. Therefore, both appeals have been clubbed with.

The appeal was fixed for hearing on 18.07.2018 at 1100 hrs but the appellant did not avail it.

On the day of hearing, appellant has sent an email alleging therein that:-

".....I prayed for appeal hearing to be held through Audio-Conferencing vide my mob. 9560901490 since I have threat on my life which I have also informed to Hon'ble Commissioner of Police, Delhi, but even then you refused to conduct appeal hearing through Audio-Conferencing, the reasons I don't understand & still finding....."

In this regard, it is to mention that Shri Mahesh Rawat, PA to FAA has made number of attempts to contact the appellant over his given mobile number but mobile was not responding. Then a hearing notice dated 12.07.2018 was issued to the appellant in which appellant has been given an opportunity to appear before the FAA and present his case, either personally or through an authorized representative and in case he is unable to do so, he may contact the PA to FAA over phone No.26162290 for an audio-conference. Even on the day of hearing, Shri Subodh Kumar, PA has made several attempts from 1040 hrs to 1115 hrs to contact him but again mobile number given by the appellant was not responding. Moreover, the appellant has been clearly advised in the hearing notice to contact PA to FAA for audio-conferencing but instead of

P.T.O.

contacting PA to FAA on the day of hearing, appellant has made such baseless allegation through his email. Hence, the appellant is advised to read the hearing notice thoroughly and don't make such baseless allegation, in future.

During the hearing, Shri Ashok Kumar Sharma, CPIO RTI Cell and Shri Jeewan Chandra, CPIO(MR) were present.

Brief facts of the case:-

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

- "1. Provide me the Soft Copy (on my e-mail jd-dholpurjnu@gmail.com) of the attendance Sheet (of CPIO, Appellant/Complainant) of hearing (of final order) & records of proceeding (of final order) in connection with my below mentioned Complaint & Second Appeal filed & decided by CIC having file no. as – (I) CIC/NYUKS/C/2017/168343 (II) CIC/NYUKS/C/2017/168345 (III) CIC/NYUKS/C/2017/168346 (IV) CIC/NYUKS/C/2017/168349 (V)CIC/NYUKS/C/2017/168350 (VI) CIC/NYUKS/C/2017/146410 (of final order whose hearing held on 11-05-2018) (VII)CIC/NYUKS/A/2017/144856 (if final order whose hearing held on 15-05-2018).
2. Provide me the link of CIC website where my 8 RTI Applications & its first appeals & their responses are proactively disclosed & available as per D/o Personnel & Training Office Memorandum (F.No.1/1/2013, dt.09-07-2015) (RTI reg. No. & O.M. attached) as all my said RTI is public documents not my personal issues.
3. Provide the link of CIC website where RTI Application, its appeals & their responses are proactively disclosed as per aforesaid DoPT office memorandum.
4. Certified Copies of Complete information together with all related fil-notings/Correspondence/documents, minutes of meetings held etc available in the records/folder/files etc related with selection & appointment of Information Commissioner Mr. M. Sridhar Acharyulu in CIC.
5. Certified Copies of complete information together with all related file-notings/Correspondence/documents, minutes of meetings held etc available in the records/folder/files etc related with all the ministries/ departments under GOI allotted to said Shri M. Sridhar Acharyulu & taking back such ministries/departments under GOI till date.
6. Provide the link of CIC website where this RTI Application & its responses are proactively disclosed as per aforesaid DoPT office memorandum.

7. *Certified Copies of Complete information together with all related file-notings/Correspondence/documents, minutes of meetings held etc related with the proactive disclosure & uploading of RTI Application, its appeals & their responses on the website of CIC as per aforesaid DoPT office memorandum, & also provide the date on which first time CIC proactively disclosed RTI Application, its appeals & their responses on its website.*
8. *File notings on the movement of this RTI Application through 8 points/items."*

2. In the appeal, appellant has stated that:-

"...2. The information sought under – (I) point.-1, has not been provided. sought information is also stored in computer in CIC as scanned soft copy which shall be accessed u/s 2(f) of RTI Act. (II) Point no.2, false information is provided by CPIO, only one RTI Application dt. 17-6-18 is available on CIC website that too after filing this RTI it is uploaded, upload all my RTI Applications & first appeal so far filed in CIC, providing false information by public authority is criminal offence under IPC. (III) Point no.4.5, 7 is not provided by CPIO....."

Decision with reasons:-

On perusal of the case file, it is observed that:-

3. On point-1 of the RTI application, Shri T.K. Mohapatra, CPIO & DO to IC(SA) vide his online reply dated 22.06.2018 has furnished following information:-

"Copy of the attendance sheets has already been provided to you in reply to your earlier RTI application no.CICOM/R/2018/50073 dated 01/02/2018. There is no provision in the Commission for sending the documents through e-mail on the RTI applications."

Since information sought has already been furnished by the, no further information can be provided.

4. On points 2, 3 & 6 of the RTI application, Shri Ashok Kumar Sharma, CPIO, RTI Cell vide reply dated 19.06.2018 has provided the link in the CIC's website to see RTI application, reply of CPIO and first appeals.

The appellant allegation that his only one RTI application is available on CIC website, found correct. The matter has been enquired with Shri Jeewan Chandra, CPIO(MR) who intimated that the RTI-MIS software is designed by DoPT. All RTI applications, its replies and first appeals are showing uploaded from this end but there

may be some technical problem in the server of DoPT from where these are not being uploaded in the CIC's website. So, this problem can be rectified by DoPT only. Hence, the information provided by the CPIO is not false as alleged by the appellant but due to technical glitch at the end of the DoPT, appellants other RTI applications and its replies are not showing in the CIC's website. However, **direction is accordingly given to Shri Jeewan Chandra, CPIO(MR) to take up the matter with DoPT or appropriate forum to rectify the problem at the earliest.**

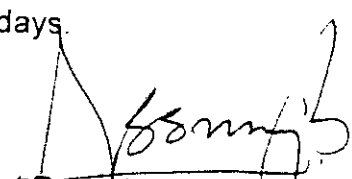
5. On Points 4, 5 & 7 of the RTI application, appellant has stated in the appeal that no information has been provided. On perusal of the case file, it is observed that Point-4 was transferred to DoPT by the CPIO, RTI Cell, therefore, appellant is advised to approached DoPT to get the information. On point-5, Shri Jeewan Chandra, CPIO(MR) vide his reply dated 04.07.2018 has offered inspection of the concerned file. The appellant is advised to avail the opportunity of inspection as offered by the CPIO.

6. On Point-7, CPIO(MR) vide his letter dated 13.07.2018 has furnished the information but the information furnished by the CPIO is not appropriate, therefore, **direction is given to Shri Jeewan Chandra, CPIO(MR) to re-visit point-7 of the RTI application and furnished appropriate information to the appellant within 1 week from the date of receipt of the order.**

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

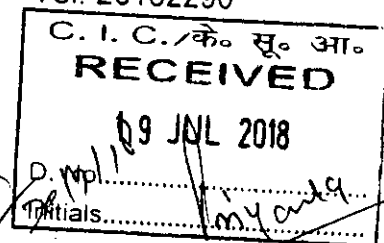
8. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi-110067 against this order within 90 days.


Dated the 19th July, 2018.


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

Copy to:-

1. Shri Ashok Kumar Sharma, CPIO, RTI Cell, CIC, New Delhi.
2. Shri Jeewan Chandra, CPIO (M&R), CIC, New Delhi.




20/07/18