

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

CIC/AA/A/2018/190  
CICOM/A/2018/60105  
CICOM/R/2018/50412

Name of the appellant : Shri Varun Krishna,  
213, Gobind Appts.,  
B-2, Vasundhara Enclave,  
Delhi – 110 096.

1.	Date of online RTI application	09.06.2018
2.	Date of reply of the RTI application	02.07.2018
3.	CPIO(s) who furnished reply	CPIO(MR)
4.	Online 1 <sup>st</sup> Appeal Date	23.07.2018
5.	<b>Date of Hearing</b>	<b>06.08.2018</b>

The hearing was scheduled on 06.08.2018 in consultation with the appellant but the appellant requested through email dated 06.08.2018 that he will be available on mobile.

2. Accordingly, appellant was heard over phone when Shri Ashok Kumar Sharma, CPIO, RTI Cell was present. Shri Jeewan Chandra, CPIO(MR) was absent despite of hearing notice issued to him.

3. During the tele hearing, appellant asked to FAA to tell him that on which points of his submission, he is disagreeing so that he can argue. He was informed that in the hearing process, the appellant is given an opportunity to present his case for better appreciation. It is not for the argument between appellant and FAA to decide the case.

**Brief facts of the case:-**

4. In the RTI application, appellant has sought certified documents of following information pertaining to Grievance Reg No.PMOPG/E/2018/0220173 where CIC has published false data u/s 25(3) about ISP Nashik in CIC's Annual Report 2015-16 at Pg No.54:-

1. Note sheet indicating notings by various officials and Action taken report on the investigation report/feedback received.
2. Copy of data received from ISP – Nashik u/s 25(3) for publishing purpose as per the subject Grievance.

P.T.O.

3. *Name and Designation of the official accountable for publishing false data u/s 26(3) in CIC's annual report 2015-16 at Page No.54 about India Security Press, Nashik [without verification].*
4. *Name, and Designation of the controlling authority of erring official at Sno 3 along with Action taken report by the controlling authority."*
5. Shri Jeewan Chandra, CPIO(MR) vide reply dated 02.07.2018 responded as under:-

*"Point No.1: Being submitted returns through online by the public authorities, no action investigation report/feedback is available with the commission.*

*Point No.2: The ISP Nashik had submitted their returns online. This is online procedure and all the public authorities have online portal to submit their quarterly returns. On behalf of their returns the Central Information Commission prepared its annual report.*

*Point No.3 & 4: The Public Authorities are accountable for providing the correct data to the Central Information Commission. They need to verify the data before online submission to the Central Information Commission."*

In the appeal, appellant has stated that PIO obstructed the information and mentioned following infirmities in the point-wise information provided by the CPIO:-

Point 1

***"Infirmity:***

*Information pertaining to Sno 1 was demanded for the Grievance attached along with the RTI which seems to be overlooked and PIO has provided information pertaining to online quarterly report submission made by Public Authority."*

Point 2

***"Infirmity:***

*PIO is stating that on behalf of their returns the Central Information Commission prepared it's annual report.*

*Hence the same information received from ISP Nashik after verified by CIC's officials is demanded in my RTI which PIO has obstructed."*

Point 3

***"Infirmity:***

*PIO is providing misleading and false information as the officials from CIC who have published the data without verification are equally responsible. Hence the information sought must be provided."*

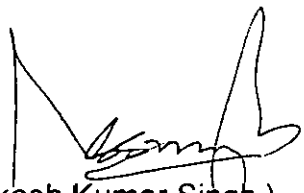
Point 4***"Infirmary:***

*"PIO is again being a judge and not providing the details of controlling authority. It is upto controlling authority to determine whose fault it is."*

**Decision with reasons:-**

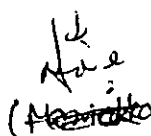
6. On perusal of the RTI application, reply of the CPIO and submission made in the appeal, it is observed that point-wise information furnished by the CPIO seems to be appropriate, therefore, no intervention is required on the part of the FAA, in the matter.
7. The appeal is, therefore, disposed off 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.

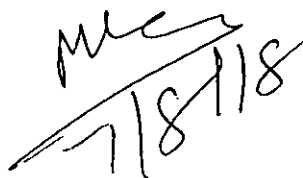
Dated the 7<sup>th</sup> August, 2018.

  
 ( 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(MR), CIC, New Delhi.

  
 (Monika)  
 35(MR)

  
 7/8/18



C. I. C. / के. सू. आ.	
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