

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

CIC/AA/A/2018/195, 196, 197
CICOM/A/2018/60108, 60107, 60106
CICOM/R/2018/50370/3, 50370, 50370/1

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

1.	Date of online RTI application	24.05.2018
2.	Date of reply of the RTI application	25.06.2018 & 04.06.2018
3.	CPIO(s) who furnished reply	DS(Admn) & DO to CIC(RK)
4.	Online 1 st Appeal Date	24.07.2018
5.	Date of Hearing	06.08.2018

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 Sushil Kumar, DS(Admn) cum CPIO was absent during the hearing 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.

4. It is further to mention that appellant has filed 03 online first appeals against the reply of CPIOs in response to different points of his one RTI application, therefore, all three appeals have been clubbed in this decision.

Brief facts of the case:-

5. In the RTI application, appellant has sought certified copy of following information pertaining to issues related with the registry of IC(BJ):-

- "1. Copy of file noting, and Action Taken Report pertaining to Email Dtd 9.4.18 [1] with regards to conflict of interest.*
- 2. Copy of file noting, and Action Taken Report pertaining to Email Dtd 1.5.8 [2].*
- 3. Number of representations received against Honble IC(BJ) pertaining to conflict of interest in the office of Honble CIC(RM).*

P.T.O.

4. Please provide copies of representations, corresponding file noting, and corresponding Action Taken Reports of Sno3.
5. Number of Show-Cause Notice issued proceedings pending from Honble IC(BJ) as on current date along with Expected date by which the same will be completed.
6. Provide the proof for Sno 5 that the same are listed on Website under MIS Reports, If not then, provide the list and expected date by which the same will be uploaded."

Decision with reasons:-

From the perusal of three online first appeals, it is observed that appellant is aggrieved with the reply of the CPIOs on Points 1,2,3 & 4 of the RTI application.

6. On Points 1 & 2 of the RTI application, appellant has stated in the appeal that information is partly provided and demanded information must be provided. On perusal of reply dated 06.06.2018 of Shri S.P. Beck, JS(Admn), it is observed that deemed CPIO has categorically furnished that "No action has been taken". Since deemed CPIO has furnished factual information, no intervention is required on the part of the FAA, on these points.

7. On Points 3 & 4 of the RTI application, appellant has stated in the appeal that information obstructed and demanded information must be provided. On perusal of the reply of deemed CPIO, Shri S.P. Beck, JS(Admn), it is observed that information furnished is not appropriate. Therefore, **direction is, therefore, given to Shri Sushil Kumar, DS(Admn) cum CPIO to re-visit points 3 & 4 and provide factual information by seeking assistance from the concerned to the appellant within 2 weeks from the date of receipt of the order.**

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

9. 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 7th August 2018 आ०

RECEIVED

07 AUG 2018

D. No.

Initials.....

(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 Sushil Kumar, DS(Admn), CIC, New Delhi.

Handwritten notes:
 11/8/18
 sent at 5.28 PM on 11/8/18
 7/8/18