

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

CIC/AA/A/2018/284
CICOM/A/2018/60171
CICOM/R/2018/50698

Name of the appellant : Shri Mohit Kumar Gupta,
B-10, Karampura,
Nr. Ambedkar University,
(Karampura Campus),
PS: Moti Nagar,
New Delhi – 110 015.

1.	Date of online RTI application	11.09.2018
2.	Date of reply of the RTI application	28.09.18, 03.10.2018, 08.10.18, 10.10.18 & 15.10.18
3.	CPIO(s) who furnished reply	DDO, DS(GA), CPIO(MR), CPIO(RTI Cell), DO to ex.IC(YA) & DO to IC(BJ)
4.	Online 1 st Appeal Date	12.11.2018
5.	Date of Hearing	27.11.2018

Appellant along with Advocate Narvinder Thakran was present. Shri Krishan Avtar Talwar, CPIO cum DR to CR-I, Shri K.L. Das, CPIO & DO to IC(BJ), Shri R.P. Grover, CPIO & DO to ex.IC(YA), Ms. Dipti Gururani, CPIO & ALIO/DDO and Shri TBJs Rajappa, CPIO, RTI Cell were present during the hearing.

Decision with reasons:-

On perusal of the RTI application, CPIOs reply and submissions made by the appellant in the appeal as well as during hearing, it is observed that:-

2. During the hearing, appellant has stated that he is aggrieved with the reply of the deemed CPIO, Shri Piyush Agarwal, Registrar that "no action has been taken on the mails" on Points 1-5 of the RTI application. Appellant stated that even in cases where no action is taken, procedure is adopted for filing it or otherwise disposing it off or else being referred to the Nodal Officer as a matter of public grievances. Under the RTI Act, FAA role is limited to the RTI application. What procedure should be adopted by the public authority is beyond the ambit of the RTI Act. Hence, as far as information furnished by the deemed CPIO on points 1-5 is concerned, it is found that deemed CPIO has provided factual information, therefore, no intervention is required on the part of the FAA.

3. On point 6 of the RTI application, it is observed that information furnished by the CPIO is incomplete, therefore, **direction is given to Shri TBJs Rajappa, CPIO (RTI Cell) to re-visit the matter and provide information by taking the assistance from JS(Admn) to the appellant within 01 week from the date of receipt of the order.**

4. On Points 7 & 8 information furnished by the CPIO is appropriate and factual, therefore, no intervention is required on the part of the FAA.

P.T.O.

5. On Point 9 of the RTI application, appellant has sought information whether registry of Central Information Commission is complying with decisions of CIC in the matters of Mr. Lalit Yadav v. DDA CIC/KY/C/2015/000158 and Dr. Jeet Singh Mann v. Guru Gobind Singh Indraprastha University CIC/SA/C/2014/000268. Shri Rajappa, CPIO, RTI Cell had transferred this point to DOs to IC(YA) and IC(BJ) though this point was related with the Central Registry as stated by Shri Piyush Agarwal, Registrar & deemed CPIO in his reply dated 27.09.2018. Shri TBS Rajappa, CPIO RTI Cell is advised to be careful, in future. **Direction is accordingly given to Shri Krishan Avtar Talwar, CPIO cum DR to CR-I to provide the information sought to the appellant within 01 week from the date of receipt of the order.**

6. On Point 10, information furnished by the CPIO is appropriate and factual, therefore, no intervention is required on the part of the FAA.

7. On Point 12, appellant has stated that part information has been provided by the CPIO(MR), as procedure (online as well as offline) to file Second Appeals/Complaints/Link Papers for authorities not registered is not provided.

8. On Point 16, appellant stated that the links provided do not contain the information, as is checked for testing with IC Yashovardhan Azad wherein details are updated for 2017 and 2018. It is also not clear whether details regarding non-compliance are either not maintained or not available as stated by the CPIO.

On Points 12 & 16 mentioned above, **direction is given to Shri Jeewan Chandra, CPIO(MR) to re-visit both the points and provide appropriate information to the appellant within 01 week from the date of receipt of the order.**

9. On Points 14 & 15, information furnished by the CPIO is appropriate and factual, therefore, no intervention is required on the part of the FAA.

10. On Point 17, appellant has stated that no information is provided. On perusal of the case file, it is observed that CPIO, RTI Cell in his reply dated 08.10.2018 has provided the information that "No such information is available on record". It is further stated that cause list pertaining to hearings is available in CIC's website. Since factual information has been provided, no intervention is required on the part of the FAA.

11. On Point 18, appellant has stated that he sought total amount of reimbursements of mobile numbers of Registrar and all other staff members as provided on the official website of the CIC. But CPIO has provided consolidated amount without any proof. Each month details for each official needs to be provided. **Direction in this regard is given to Ms. Dipti Gururani, CPIO & ALIO/DDO to provide month-wise available information for the year 2017 & 2018 to the appellant within 3 weeks from the date of receipt of the order.**

12. On Point 19, appellant has stated that no information is provided. On perusal of the case file, it is observed that CPIO, RTI Cell in his reply dated 08.10.2018 has provided the information that "No such information is available on record". Since factual information has been provided, no intervention is required on the part of the FAA.

13. On Point 20 of the RTI application, it is observed that information provided by the CPIO is not appropriate. **Direction is accordingly given to Shri S.K. Rabbani, CPIO**

& DS(GA) to re-visit the matter and provide appropriate information to the appellant within 01 week from the date of receipt of the order.

14. After the hearing, appellant has sent an email and sought copies of the written briefs submitted by the CPIOs. In this regard, it is to state that no written briefs have been submitted by any of the CPIO to the FAA.

15. The appeal is, therefore, disposed of accordingly.

16. 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 4th December, 2018.

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

Copy to:-

1. Shri TBSJ Rajappa, CPIO, RTI Cell, CIC, New Delhi.
2. Shri Krishan Avtar Talwar, CPIO cum DR to CR-I, CIC, New Delhi. *File 5/12*
3. Shri S.K. Rabbani, CPIO & DS(GA), CIC, New Delhi. *5/12/2018*
4. Ms. Dipti Gururani, CPIO & ALIO/DDO, CIC, New Delhi. *5/12/2018*
5. Shri Jeewan Chandra, CPIO(MR), CIC, New Delhi. — *5/12/18*

