

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

CIC/AA/A/2019/52
CICOM/A/2019/00042
CICOM/R/2019/00008

Name of the appellant : Shri Dhananjay Kumar Jha,
S.B. Ray Road (Lohabari),
B. Deoghar,
Jharkhand – 814 112.

1.	Date of RTI application	19.12.2018
2.	Date of reply of the RTI application	09.01.19 & 14.01.19
3.	CPIO(s) who furnished reply	DO to ex.IC(SA) & DR to DR-II
4.	1 st Appeal Date	04.02.2019
5.	Diary No. of 1 st Appeal of the Dak Section	8663
6.	Diary date of the Dak Section	13.02.2019
7.	Diary date of 1 st Appeal in the office of FAA	15.02.2019
8.	Date of Decision	18.02.2019

Decision with reasons:-

As per appeal, appellant is aggrieved with the reply of the CPIO on Points 1, 2 & 4 of the RTI application.

2. On Point 1, appellant stated in the appeal that he sought certified copy of order dated 04.05.2018 in case F.No.CIC/MSTCH/A/2017/100675 with original signature of Hon'ble Central Information Commissioner, Prof. M. Sridhar Acharyulu but CPIO provided uncertified copy of the order. He alleged that the order dated 04.05.2018 is passed by Shri T.K. Mohapatra, CPIO by using false signature of the Ld. Commissioner. In this regard, appellant may refer to Para-6 of Hon'ble High Court of Delhi order dated 11.01.2013 in LPA No.785/2012 Hansi Rawat and Anr. Vs. Punjab National Bank and Ors, in which it was held that:-

"6. The proceedings under the RTI Act do not entail detailed adjudication of the said aspects..... the proceedings under the RTI Act cannot be converted into proceedings for adjudication of disputes as to the correctness of the information furnished."

However, as regards providing of certified copy of the order dated 04.05.2018 in case F.No.CIC/MSTCH/A/2017/100675, **direction is given to Shri A.K. Assija, CPIO**

P.T.O.

& DO to IC(VN) as the public authority of this case is allocated to the registry of IC(VN) to provide certified copy of the above mentioned order to the appellant as per DoPT OM No.10/1/2013-IR dated 06.10.2015 within one week from the date of receipt of the order.

3. On Point 2, appellant stated in the appeal that he sought information regarding action taken by CIC on his complaint diarized vide Dy. No.152255 dated 24.08.2018 and CPIO replied that the said diary number is not available in the concerned case file No.CIC/MSTCH/A/ 2017/100675. Hence, no information is available in the registry. In this regard, it is to mention that reply furnished by the CPIO is factual. As per the reply dated 14.01.2018 of CPIO & DR-II, Dy.No.152255/2018 was inadvertently linked with e-book of case file No.CIC/MSTCH/A/ 2017/100675 but it was rolled back and sent to Administration Section for further action. On perusal of the reply dated 30.01.2019 of Shri Sushil Kumar, CPIO & DS(Admn) the said diary number was forwarded to Registrar, CIC for necessary action.

The matter has been further enquired from office of the Registrar, CIC and it is informed by Shri Rajesh, DEO that after taking necessary action, Registrar has returned all concerning documents to JS(Admn) through note vide Dy.No.429 dated 04.02.2019. **Direction is accordingly given to Shri Sushil Kumar, CPIO & DS(Admn) to seek assistance u/s 5(4) from JS(Admn) and intimate action taken on Dy.No.152255/2018 to the appellant within 2 weeks from the date of receipt of the order.**

4. On Point-4, appellant stated in the appeal that he sought information regarding action taken by Hon'ble Commission on his letter dated 28.05.2018 in the matter of order dated 04.05.2018 in case F.No.CIC/MSTCH/A/2017/100675. The CPIO informed him that as per information available in the e-book of the concerned case file, no specific action has been taken on the said letter. Since CPIO has provided factual information on the basis of record available with him, no intervention is required on the part of the FAA, on this point.

5. The appeal is, therefore, disposed of.

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 18th February 2019.

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

Copy to:-

1. Shri TBSJ Rajappa, CPIO, RTI Cell, CIC, New Delhi.
2. Shri T.K. Mohapatra, CPIO & Director, CIC, New Delhi.
3. Shri A.K. Assija, CPIO & DO to IC(VN), CIC, New Delhi.
4. Shri Sushil Kumar, CPIO & DS(Admn), CIC, New Delhi.

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Initials.