

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

CIC/AA/A/2019/62  
CICOM/A/2019/00048  
CICOM/R/2018/01187

Name of the appellant : Shri Shashi Kumar Mohata,  
1, Sadam Society,  
Navrangapura,  
Ahmedabad – 380 009.

1.	Date of RTI application	03.12.2018
2.	Date of reply of the RTI application	14.01.2019
3.	CPIO(s) who furnished reply	DO to IC(BJ)
4.	1 <sup>st</sup> Appeal Date	15.02.2019
5.	Diary No. of 1 <sup>st</sup> Appeal of the Dak Section	9123
6.	Diary date of the Dak Section	20.02.2019
7.	Diary date of 1 <sup>st</sup> Appeal in the office of FAA	25.02.2019
8.	Date of Decision	28.02.2019

**Brief facts of the case:-**

In the RTI application, appellant has sought certified copies of two documents submitted by him in the hearing on 13.11.2018 i.e. (i) Synopsis and (ii) Plan having sign and seal of Service Tax Commissioner concerning to case file No.CIC/CCSTM/A/2017/157053-BJ.

2. Shri K.L. Das, CPIO & DO to IC(BJ) vide letter dated 14.01.2019 replied as under:-

*".....You have sought certified copies of following documents sent by yourself:-*

- I. Synopsis*
- II. Plan having sign and seal of Service Tax Commissioner*

*The plan having sign and seal of Service Tax Commissioner is not available in the file.*

*The desired documents have been sent by you only. These documents are not, therefore, forwarded."*

**Decision with reasons:-**

3. The submissions made in the appeal have been perused. To know the facts, Shri

P.T.O.

K.L. Das, CPIO has been called for who informed that both the documents submitted by the applicant during the hearing are very much available in the file. The one which the applicant forwarded does contain the seal of Service Tax Commissioner, Mumbai but the signature of the Service Tax Commissioner is not identifiable, therefore, applicant was informed that the plan bearing the seal and signature of the Service Tax Commissioner is not available in the file. In any case, these documents were forwarded by the applicant himself and were, therefore, denied.

4. In this regard, Para-24 of Hon'ble Madras High Court order in WP No.26781 of 2013 may be referred to, in which it was held that:-

*"24. Insofar as query (iv) is concerned, we fail to understand as to how the second respondent is entitled to justify his claim for seeking the copies of his own complaints and appeals. It is needless to say that they are not the information available within the knowledge of the petitioner; on the other hand, admittedly, they are the documents of the second respondent himself, and therefore, if he does not have copies of the same, he has to blame himself and he cannot seek those details as a matter of right, thinking that the High Court will preserve his frivolous applications as treasures/valuable assets. Further, those documents cannot be brought under the definition "information" as defined under Section 2 (f) of the RTI Act. Therefore, we reject the contention of the second respondent in this aspect."*

5. In view of the above, there is no infirmity in the reply of the CPIO, therefore, no further intervention is required on the part of the FAA, in the matter.

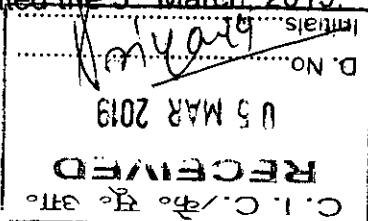


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6. The appeal is, therefore, disposed of.

7. 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 5<sup>th</sup> March, 2019.



Copy to:-

Shri TBJs Rajappa, CPIO, RTI Cell, CIC, New Delhi.

Shri K.L. Das, CPIO & DO to IC(BJ), CIC, New Delhi.

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

*Handwritten signature and date 23/3/19*

*Handwritten signature and date 5/3/19*