

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

CIC/AA/A/2019/97
CICOM/A/2019/00083
CICOM/R/2018/50949

Name of the appellant : **Shri Rakesh Kumar Gupta,
F.No.1001, 10th Floor,
Block C2B, Pocket 2,
Golf Link Residency DDA New Multi
Storey Apartment, Sec.18B,
Dwarka, N.D. – 110 078.**

1.	Date of RTI application	11.12.2018
2.	Date of reply of the RTI application	08.01.2019
3.	CPIO(s) who furnished reply	DO to IC(YS) & CPIO(Legal Cell)
4.	1 st Appeal Date	26.03.2019 received through email.
5.	Diary date of 1 st Appeal in the office of FAA	09.04.2019
6.	Date of Hearing	09.04.2019

Appellant was present. Shri R.P. Grover, CPIO & DO to IC(YS), Shri K.L. Das, CPIO & DO to IC(BJ), Shri TBSJ Rajappa, CPIO, RTI Cell and Shri Jeewan Chandra, CPIO (MR) were present. Shri Kapil Joshi, Assistant, Legal Cell attended hearing on behalf of Shri Kishore Kr. Pukhral, CPIO(Legal Cell) who was on official tour on the date of hearing.

Decision with reasons:-

2. During the hearing, appellant has stated that he is aggrieved with the CPIOs replies on Points 1 to 3, 6(C) & 8 only. On these points, appellant sought following information:-

"Undersigned want to know compliance of Delhi High Court order (Page 222) as well Respected Chief Central Information Commissioner order (Page 3) related to Undersigned request. Copy of both order enclosed. Some Undersigned pending RTI appeal and non compliance request detail is given in the letter enclosed. Page 4-21"

"1 Kindly provide proof of providing information requested by undersigned in RTI Memo CICOM/R/2018/50510 Dated 16-07-2018 – With reference to RTI Appeal CICOM/A/2018/60135 dated 31-08-2018.

Pending information is informed vide letter copy enclosed.....

2 Kindly provide detail of action taken on undersigned request to provide full information at the earliest related to RTI memo No CICOM/R/2018/50510 dated 9-12-2018.

P.T.O.

Kindly provide detail of action taken on undersigned request to provide pending information related to RTI Appeal CICOM/A/2018/60135 dated 31-08-2018

3. *IF, LD CPIO (Read as **Mr R.P. Grover-CPIO & Designated Officer (IC-YA) And Shri Kishore Kumar Pukhral, Consultant/CPIO, Legal Cell**) is not ready to provide information pointed out in Point 1 and 2 in earlier RTI memo (RTI Memo CICOM/R/2018/50510 Dated 16-07-2018), then kindly treat above information as information requested in present RTI memo.*
- 6 *Kindly provide this information through e mail to Undersigned.....*
- C *list of pending Non compliance of CIC orders request.*
- 8 *Kindly provide Inspection of CIC records in relation to above points. Kindly provide copy of records pointed out during inspection."*

3. On Points 1, 2 & 8, appellant stated during the hearing that he only needs certified copy of Commission's order No.CIC/DDA/TY/A/2017/116514 dated 11.05.2018 and No.CIC/DDA/TY/A/2017/191263 dated 11.05.2018 and inspection of these two case files. **Direction is given accordingly to Shri R.P. Grover, CPIO to provide certified copy of above two orders and also offer inspection of the case files with mutual convenient date and time to the appellant within 2 weeks from the date of receipt of the order.**

4. For Point-3, appellant sought inspection of records on Point 8 of the RTI application from which information provided by Shri Kishore Kumar Pukhral, CPIO (Legal Cell). **Direction in this regard is given to Shri Kishore Kumar Pukhral, CPIO who was on official tour to offer inspection of the concerned file to the appellant with mutual convenient date and time within 2 weeks from the date of receipt of the order.**

5. On Points 6(C) & 8, appellant sought pending list of non-compliance cases and inspection of that list. As regards inspection of the list in the system, it is to mention that since it is generated by the software and involves various third parties information, therefore, inspection cannot be offered. However, **direction is given to Shri Jeewan Chandra, CPIO(MR) to provide a list of pending list non-compliance case files to the appellant within two weeks from the date of receipt of the order.**

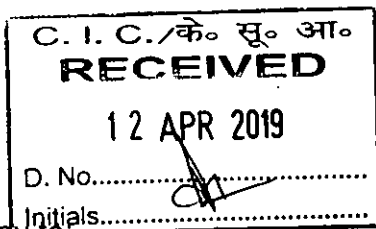
6. The appellant further stated that in his RTI application No.CICOM/R/2018/50510, he sought complete file in soft/scan copy of both the cases (CIC/DDA/TY/A/2017/116514 & CIC/DDA/TY/A/2017/191263) but CPIO, Shri Grover denied to provide soft /scanned copy by quoting Para-24 of Hon'ble Madras High Court order in WP No.26781 of 2013. In this regard, it is to mention that FAA is in agreement with reply of CPIO. However, other documents which are not provided by the appellant, can be provided. **Direction is accordingly given to Shri R.P. Grover, CPIO to send soft/scanned copy of all available documents except those which are provided/submitted by the appellant to the email I/D snehcs@gmail.com of the appellant within 2 weeks from the date of receipt of the order.**

7. He further stated that he also sought action taken on his email dated 27.09.2018 (copy enclosed with the appeal) addressed to Shri R.P. Grover, CPIO regarding non-compliance of CIC's Order No.CIC/DDATY/A/2017 dated 23.07.2018 but no information is received. **Direction is given to Shri R.P. Grover, CPIO to provide action taken on the above said email to the appellant within 2 weeks from the date of receipt of the order.**

8. The appeal is, therefore, disposed of.

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 12th April, 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 R.P. Grover, CPIO, CIC, New Delhi.
3. Shri Kishore Kumar Pukhral, CPIO(Legal Cell), CIC, New Delhi.
4. Shri K.L. Das, CPIO, CIC, New Delhi.
5. Shri Jeewan Chandra, CPIO/Consultant(MR), CIC, New Delhi.

Amr
12/04/19
Surender
12/4/19

Pardub
12/04/19
Zakir
12/4/19
Amr
12/4