

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

CIC/AA/A/2019/111
CICOM/A/2019/00097
CICOM/R/2019/00273

Name of the appellant : Shri Rakesh Singh,
WW-23-GF, Malibu Towne,
PO: South City-2,
Gurgaon – 122 018.

1.	Date of RTI application	20.03.2019
2.	Date of reply of the RTI application	12.04.2019
3.	CPIO(s) who furnished reply	DO to IC(BJ)
4.	1 st Appeal Date	05.05.2019
5.	Diary No. of 1 st Appeal of the Dak Section	12277
6.	Diary date of the Dak Section	09.05.2019
7.	Diary date of 1 st Appeal in the office of FAA	10.05.2019
8.	Date of Decision	13.05.2019

Brief facts of the case:-

In the RTI application, appellant has sought following information relating to non-compliance of Commission's Order No.CIC/SH/A/2015/000898 dated 24.08.2016:-

- a. *Certified true copy of information as sought and if provided by CPIO-BPCL to CIC, based on which notice dated 10-08-2017 got closed as the information as per para 4 & 5 of order dated 28-08-2016 of CIC and para 4 & 6 of show cause notice dated 10-08-2017, is not yet received by this applicant.*
- b. *Certified true copy of approval note based on which this show cause notice dated 10-08-2017 got closed, since the information is not yet provided.*
- c. *List of reasons for the closer of this case without compliance of order dated 24-08-2016 of CIC.*
- d. *List of reasons/rules/act under which this case cannot be reopened specifically when the compliance of CIC order dated 24-08-2016 is pending.*
- e. *List of reasons for which the penalty as per show cause notice dated 10-08-2017 cannot be imposed on CPIO-BPCL."*

2. In response to RTI application, Shri K.L. Das, CPIO & DO to IC(BJ) vide reply dated 12.04.2019 has furnished following information:-

P.T.O.

- "a. This information was provided by CPIO vide his letter dated 23.01.2017, inadvertently mentioned as 23.01.2018 (copy enclosed). Copy of Approval for closing non-compliance on the above compliance letter enclosed.
- b. Information already provided, copy enclosed as per point –a.
- c. As per point – a&b.
- d. Review of its own decisions is not within the powers of CIC.
- e. As per a & b above."

Decision with reasons:-

3. On perusal of the RTI application, CPIO's reply and appeal, it is observed that point-wise factual and appropriate information has been furnished by the CPIO. Moreover, CPIO as well as FAA of the Commission cannot comment on the decision of the Commission.
4. In view of the above, no further intervention is required on the part of the FAA, in the matter.
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 13th May, 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 K.L. Das, CPIO & DO to IC(BJ), CIC, New Delhi.

13/5/19

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13 MAY 2019

D. No.....

Initials.....