

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

CIC/AA/A/2019/135
CICOM/A/2019/00117
CICOM/R/2019/00451

Name of the appellant : Shri R.L. Goyal,
IF No.897 GF,
Adjacent City Centre
Amravati Enclave,
Distt. Panchkula – 134 105.

1.	Date of RTI application	31.05.2019
2.	Date of reply of the RTI application	14.06.2019
3.	CPIO(s) who furnished reply	DR to CR-I
4.	1 st Appeal Date	18.06.2019
5.	Diary No. of 1 st Appeal of the Dak Section	13957
6.	Diary date of the Dak Section	25.06.2019
7.	Diary date of 1 st Appeal in the office of FAA	27.06.2019
8.	Date of Decision	03.07.2019

Brief facts of the case:-

In the RTI application, appellant has sought following information relating to his complaint dated 01.10.2018 returned vide FM No.16039/2018 dated 10.10.2018:-

1. Under which provision of the RTI Act, 2005, my Complaint dated 01.10.2018 was not entertained, allotted Complaint Number and enquired by the Hon'ble CIC, New Delhi
2. Reasons for not issuing the Notice u/s 20 of the RTI Act, 2005 to the PIO (Shri Romesh Nagpal), UCO Bank, Zonal Office, Chandigarh for taking an imaginary decision to decline the documents sought vide the RTI Application dated 25.07.2018 under the pretext of CIC, New Delhi letter no.CIC/VS/A/2012/001022/SH dated 18.01.2016, as no such directions were given by the CIC. "
2. Shri Krishan Avtar Talwar, CPIO & DR to CR-I vide letter dated 14.06.2019 has replied that:-

"At the outset, it is stated that it would be wrong to say that your petition dated 01.10.2018 received on 04.10.2018 vide Diary No.160439/2018 was returned to you in original without assigning any reason.

The software of the Commission shows that on Diary No.160439/2018, a Facilitation Memo dated 10.10.2018 was issued vide Speed Post Tracking No.ED886747528IN dated 11.10.2018 treating said petition as second appeal while mentioning therein that "you have not filed a First Appeal against the reply of the CPIO, before the First Appellate Authority." You were also advised therein to resubmit your second appeal after removing the aforementioned deficiency. A

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copy of said Facilitation Memo, generated from the software is enclosed herewith for ready reference.

Thus you were at liberty to write back, if you were not satisfied with the said response. Last but not least, though entire background of the subject matter of your RTI application has been clarified herein above, no information on the two points mentioned by you in your RTI application can be provided as reasoning/advise etc are being sought which de hors section 2(f) of RTI Act, 2005."

3. Aggrieved with the response of CPIO, appellant filed present appeal.

Decision with reasons:-

4. In the appeal, appellant has stated that:-

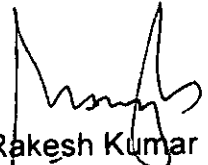
".....The CPIO has further suggested that I should submit Second Appeal. I very respectfully suggest that my complaint DATED 01.10.2018 (Which I have submitted again with the RTI Application dated 31.05.2019) may please be entertained under section 18 (Powers and functions of Information Commission) of the RTI Act, 2005 and Notice may please be issued to Shri Romesh Nagpal, CPIO, UCO BANK, Zonal Office, Chandigarh to cover up the delay in entertaining the Complaint dated 01.10.2018."

5. Since the appellant has sent all documents of his complaint dated 01.10.2018 along with the RTI application dated 31.05.2019, **necessary action, as deemed fit, u/s section 18 of the RTI Act may be taken by Shri Krishan Avtar Talwar, CPIO & DR to CR-I.**

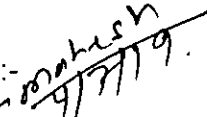
6. The appeal is, therefore, disposed of.

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.

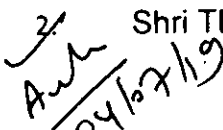
Dated the 3rd June, 2019.


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

Copy to:-

1. 
4/7/19

Shri Krishan Avtar Talwar, CPIO & DR to CR-I, CIC, New Delhi.

2. 
04/07/19

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