



CENTRAL INFORMATION COMMISSION

**Baba Gang Nath Marg, Munirka,
New Delhi - 110 067**

Sh. Chandranshu Mehta

....Appellant

VERSUS

Central Information Commission

.....Respondent

Date of hearing: 20/09/2019

Time : 04:00 p.m.

Case No. -

1. **CIC/AA/A/2019/154**
2. **CICOM/A/2019/00136**
3. **CICOM/R/2019/50562/1**

Present:

1. **Sh. Chandranshu Mehta - for the Appellant**
2. **Sh. H.P. Sen, DR to IC (DP) & CPIO - For the Respondent**
3. **Sh. T.B.J.S. Rajappa, Nodal CPIO (RTI Cell) - For the Respondent**

Brief facts:

1. Sh. Chandranshu Mehta, the Appellant sought the following information vide his RTI application dated 30/06/2019:

- i. Copy of the action-taken with complete file noting including internal/external correspondence pertaining to correspondence addressed to Shr. Sudhir Bhargava, Chief Information Commissioner vide Dy. No. 129152 dated 19/06/2019. If no action had been taken on the said letter then while keeping in mind clause (d) of sub-section (1) of Section (4) of the RTI Act, 2005, provide reasons for administrative decision for not taking any action to the requester.
- ii. Copy of the action-taken including internal correspondence with complete file noting pertaining to the requester letter dated 25/03/2019 addressed to Sh. H.P. Sen-Deputy Registrar (DR) submitted by-hand on 25/03/2019 vide Dy. No. 113454. If no action had been taken on the said letter then while keeping in mind clause (d) of sub-section (1) of Section (4) of the RTI Act, 2005, provide reasons for administrative decision for not taking any action to the requester.



- iii. Copy of action-taken including internal/external correspondence with complete file noting pertaining to the requester letter dated 12/06/2019 addressed to the Hon'ble Central Information Commission (CIC) submitted by-hand on 19/06/2019 vide Dy. No. 129154 with subject: non-compliance of the Hon'ble Commission's order. If no action had been taken on the said letter, then while keeping in mind clause (d) of sub-section (1) of Section (4) of the RTI Act, 2005, provide reasons for administrative decision for not taking any action to the requester.

2. Sh. H.P. Sen, DR to IC (DP) and concerned CPIO responded vide his letter dated 08/07/2019 to the RTI application of Sh. Chandranshu Mehta mentioning therein that no administrative reason in respect of the 3 Dy. Nos. mentioned in the RTI application is available in the file.

3. Being dissatisfied with the reply sent by the CPIO, the Appellant filed a First Appeal dated 15/07/2019 before the First Appellate Authority along with his submissions.

Record of proceedings:

1. Sh. Chandranshu Mehta, Appellant, Sh. H.P. Sen, concerned CPIO and Sh. T.B.J.S. Rajappa, Nodal CPIO (RTI Cell) were present during the hearing of the case on 20/09/2019.

2. During hearing, Sh. Chandranshu Mehta, Appellant informed that he is not pressing for point 1 of his RTI application as it has already been settled between him and the concerned CPIO. The Appellant has pleaded with respect to point no. 2 and 3 of his RTI application stating that the CPIO has refused to provide the information by stating that no administrative reason in respect of 3 diary numbers mentioned in the RTI application are available in the file when the Appellant has also sought the information from the CPIO that the action taken be provided including internal correspondence with complete file notings pertaining to the requester's letter dated 25/03/2019, if any action has been taken. He has also requested to provide the reasons for administrative decision for not taking any action to the requester.

3. Sh. H.P. Sen, the concerned CPIO during hearing of the proceedings reiterate to his earlier stand as reply by him by his letter dated 08/07/2019 in response to the RTI application of the Appellant.

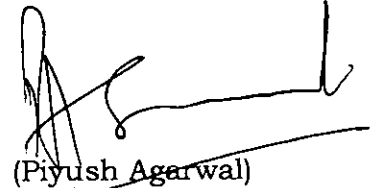
4. On perusal of the RTI application, reply of the CPIO, First Appeal filed by the Appellant as well as the submissions made by both the parties during hearing of the Appeal, it has been noticed that the Appellant has some substance in his Appeal. The CPIO should have clearly informed the Appellant what action was taken on the correspondences made by the Appellant vide 3 Dy. Numbers mentioned in the RTI application. The CPIO instead of informing the action taken on the subject by the Commission had only informed the Appellant that no administrative reasons are available in the file.



5. Sh. H.P. Sen, concerned CPIO is therefore directed to inform the action taken on the issue raised by the Appellant in his RTI application dated 30/06/2019 in respect of Point 2 and 3 of the RTI application. The said information may be provided to the Appellant within a period of 30 days from the date of receipt of this order.

6. Hence, the Appeal is disposed of accordingly.

Sh. Chandranshu Mehta is further informed if he is not satisfied with the order of the undersigned, he is free to file a Second Appeal under Section 19 (1) of the RTI Act, 2005 before the Hon'ble Information Commissioner Sh. Divya Prakash Sinha at the above mentioned address within a period of 90 days from the date of receipt of this order.



(Piyush Agarwal)
Registrar & First Appellate Authority
20/09/2019

To:

Sh. Chandranshu Mehta
A-261, Sector-9, New Vihar Nagar
Ghaziabad-201009, Uttar Pradesh
M. No. 8860020093

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Copy To:

1. Sh. H.P. Sen
Dy. Registrar & CPIO
Central Information Commission
2. Sh. T.B.J.S. Rajappa
CPIO (RTI Cell)
Central Information Commission

Pawan
25/09/19 (DK 108)



98/9/19

C. I. C./के. सू. आ.	
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Initials.....	<i>[Signature]</i>