



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 : 04:15 p.m.

Case No:

1. **CIC/AA/A/2019/155**
2. **CICOM/A/2019/00137**
3. **CICOM/R/2019/50562**

Present:

1. **Sh. Chandranshu Mehta - For the Appellant**
2. **Sh.S.S. Rohilla, DR to CIC (SB) & concerned 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. S. S. Rohilla, the concerned CPIO vide his letter dated 17/07/2019, responded to the RTI application of the Appellant mentioning therein that the Appellant's complaint of non-compliance letter dated 12/06/2019 (Dy. No. 129154) is under process. The necessary action on the Appellant's complaint of non-compliance of the Commission's order No. CIC/JUSTC/A/2017/178209 dated 08/05/2019 is being taken and intimation in this regard will be sent to the Appellant in due course.

3. Being dissatisfied with the reply received from the concerned CPIO, the Appellant filed First Appeal dated 24/07/2019 before the First Appellate Authority along with his submissions.

Record of proceedings:

1. Sh. Chandranshu Mehta, Appellant, Sh. S.S. Rohilla, 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. Sh. Chandranshu Mehta, Appellant during hearing pleaded that the information sought by him has not been provided by the CPIO vide his reply to the RTI application filed by the Appellant as the CPIO has only stated that the complaint of non-compliance dated 22/06/2019 by the Appellant is under process. The Appellant further requested that if any action has not been taken on the letter mentioned in his RTI application, he may be provided reasons for administrative decision for not taking any action. The Appellant has also pleaded that the information was not provided in the stipulated period of 30 days from the date of filing the RTI application.

3. Sh. S.S. Rohilla, CPIO during the hearing of the matter reiterated to his earlier stand taken by him in his reply to the RTI application of the Appellant.

4. On perusal of the RTI application, reply of the CPIO, First Appeal filed by the Appellant and the submissions made by both the parties during hearing, it has been noticed that the Appellant filed his RTI application on 30/06/2019 and CPIO has replied the same on 17/07/2019. Therefore, it is clear that the CPIO has responded within a period of 30 days of receipt of RTI application. In fact, Appellant has mentioned the date of filing RTI application as 12/06/2019 which is not correct. Hence, the ground of Appeal of late submission of reply from CPIO does not hold good. Further, the Appellant is also informed that under RTI Act seeking reasons for not taking action does not come under the definition of information sought as such he cannot ask for the reasons for taking or not taking any action on the matter.



5. Therefore, the Appeal is disposed of as no further intervention is required in the matter.

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. S.S. Rohilla
DR to CIC (SB) & concerned CPIO
Central Information Commission

✓ Prio
24/9/19



2. ✓ Sh. T.B.J.S. Rajappa
Nodal CPIO (RTI Cell)
Central Information Commission

✓ Am
24/09/19

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