



CENTRAL INFORMATION COMMISSION
Baba Gang Nath Marg, Munirka,
New Delhi – 110 067

Sh. Pardeep Bajaj

....Appellant

VERSUS

Central Information Commission

.....Respondent

Case No :

1. CIC/AA/A/2019/192
2. CICOM/A/2019/00152
3. CICOM/R/2019/00486

Brief facts:

1. The Appellant, Sh. Pardeep Bajaj sought the following information vide his RTI application dated 20/06/2019:

With reference to Notice of Hearing bearing file no. CIC/DPTAT/A?2017/157719 dated 25/04/2019 through which a hearing of the 2nd Appeal of the appellant was held before the Hon'ble IC Sh. Yashvardan Kumar Sinha on 22/05/2019. During the said proceedings, a written submission on behalf of 3rd party namely Balkar Singh and others, signed by Mr. Balkar Singh son of Jagat Singh c/o Bella Casa, C-11/3, Mansarovar Garden, New Delhi was filed.

- i. Provide certified true copy duly signed and stamped of the above said written submission.
- ii. Provide the certified true copy duly signed and stamped of all other papers, if any, submitted on behalf of the 3rd party by the above said Mr. Balkar Singh.

2. Sh. R.P. Grover, DO to IC (YS) and concerned CPIO, replied to the RTI application vide his letter dated 19/07/2019 mentioning therein that the final orders in case file no. CIC/DPTAT/A/2017/157719 has not been pronounced and appeal files containing the document, if any, submitted during the hearing not received in registry. Hence the copies of the documents sought for could not be provided at that moment.

3. Being dissatisfied with the reply of the CPIO, the Appellant filed a First Appeal before the First Appellate Authority, on the following grounds:

- i. That Sh. R.P. Grover, CPIO and DO to IC (YS) has not applied his judicial mind while sending the reply because it was the responsibility of the CPIO to supply the copies of information, in writing, as per the laid-down provision under Section 7(1) of the RTI Act, 2005.
- ii. That the CPIO has not rendered reasonable assistance to the appellant thereby seeking information as per Section 5(3) & (4) of the RTI Act, 2005.



- iii. That the CPIO has not applied his judicial mind while replying, because the CPIO has not mentioned any particular Section/Sub-section of RTI Act, 2005 under which the required information is being denied and thus, completely violated the laid-down provision of Section 7(1) of the RTI Act, 2005.
- iv. That the CPIO has not applied his judicial mind while replying, because even if the said file [CIC/DPTAT/A/2017/157719] has not come back (although the hearing took place on 22/05/2019) in the Registry after elapsing a period of two months, the CPIO himself could have easily approached directly to the Hon'ble IC or through his PA, being a CPIO and DO to IC (YS), thereby narrating the time-bound disposal of the said RTI application. Therefore, the CPIO has once again, violated the laid-down provision of Section 7(1) of the RTI Act, 2005.
- v. It is now evident that the CPIO has simply done the paper formality thereby furnishing baseless and deceptive reply to the appellant.
- vi. That the CPIO has therefore completely contravened the various provisions of RTI Act, 2005.

4. I have perused all the records available in the file, such as the RTI application, reply of the CPIO and the First Appeal and the CPIO is hereby directed to revisit his earlier reply and provide the copies of the documents sought by the Appellant vide his above mentioned RTI application, if the same have come to the concerned Registry by now. The said information/documents may be provided to the Appellant within one month from the date of receipt of this order.

Sh. Pardeep Bajaj 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
11/09/2019

To:

Sh. Pardeep Bajaj
A-45, Naraina Industrial Area,
Phase-II, New Delhi-110029
M. No. 9811128785



OC

Copy To:

1. Sh. R.P. Grover
DR to IC (YS) & CPIO
Central Information Commission
2. Sh. T. B. J. S. Rajappa
Nodal CPIO (RTI Cell)
Central Information Commission

