



CENTRAL INFORMATION COMMISSION

Baba Gang Nath Marg, Munirka,

New Delhi – 110 067

Sh. Ghanshyam Vir

....Appellant

VERSUS

Central Information Commission

.....Respondent

Case No :

1. **CIC/AA/A/2019/205**
2. **CICOM/A/2019/00165**
3. **CICOM/R/2016/01109**

Brief facts:

1. Sh. Ghanshyam Vir, the Appellant filed a RTI application dated 25/06/2016 seeking various information and documents as mentioned in the said RTI application.
2. As per the records available, Sh. R. P. Grover, DR to IC (YS) and the concerned CPIO, vide his letter dated 19/09/2016 replied to the Appellant informing as under:
 - i. As per the decision of Madras High Court in W.P. (C) no. 26781 dated 19/09/2014 the desired information cannot be provided because the appellant is asking for the copies of his documents submitted by him and documents cannot be covered under definition of information.
 - ii. As above.
 - iii. Copy of the note sheet is enclosed.
 - iv. As above.
 - v. NIL
 - vi. However, the Appellant can inspect the files with prior appointment.
3. The Appellant, being dissatisfied with the information provided by the CPIO, filed a First Appeal on 13/10/2016 stating that the certified copies of the documents sought by him were not provided.
4. The above mentioned First Appeal filed by the Appellant was wrongly registered by the Registry of the Central Information Commission as a Second Appeal bearing file no. CIC/CICOM/A/2017/312296/SD. The Hon'ble IC Sh. Divya Prakash Sinha disposed off the alleged Second Appeal vide his Decision dated 31/07/2019 with the observation that the instant matter has been erroneously registered as Second Appeal when the Appellant filed the instant case as a First Appeal with the First Appellate Authority of the Commission. The Hon'ble IC (DP) also marked the copy of the order to the Registrar, CIC to take necessary action in the matter. On receipt of the order from the office of IC (DP), Sh. K.A. Talwar, DR CR(I) has registered it as a First Appeal and forwarded the same to the First Appellate Authority for adjudication.



5. After perusing the records available in the file, it has been noticed that the Appellant had sought the certified copies of the documents submitted by him from the concerned CPIO. The CPIO informed the Appellant on the basis of a Decision of the Madras High Court in W.P.(C) No. 26781 dated 19/09/2014 that the desired information cannot be provided because the Appellant is asking for the copies of documents submitted by him and the same are not covered under definition of 'information'. However, copy of a concerned notesheet was also provided to the Appellant and was also given an opportunity to inspect the case files with prior appointment.

6. On consideration of the above facts and the documents available in the file, I am of the considered view that the CPIO has rightly replied the Appellant vide his letter dated 19/09/2016 and the CPIO has also given an opportunity to the Appellant to inspect the case files any time with prior appointment, it was for the Appellant to seek time for inspection of the concerned files from the CPIO. Therefore, no further intervention is required in the matter. Hence, the Appeal is dismissed being devoid of merits.

Sh. Ghanshyam Vir 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. Ghanshyam Vir
H.No. 150, Street No. 3
In front of MCD School
Village Khera Kalan
Delhi-110082



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

