



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

Sh. Varun Krishna

...Appellant

VERSUS

Central Information Commission

.....Respondent

Date of hearing: 20/09/2019

Time : 12:00 p.m.

Case No:

1. **CIC/AA/A/2019/175**
2. **CICOM/A/2019/60134**
3. **CICOM/R/2019/50061**

Present:

1. **None - For the Appellant**
2. **Sh. K.L. Das, DR to IC (BJ) & concerned CPIO - For the Respondent**
3. **Sh. T.B.J.S. Rajappa, Nodal CPIO (RTI Cell) - For the Respondent**

Brief facts:

1. Sh. Varun Krishna, the Appellant sought the following information vide his RTI application dated 31/01/2019:
 - i. List of all disposed cases of ONGC for the period 01/01/2018 to 31/12/18.
 - ii. Name and designation of all the officials from Sl. 1 who participated in the hearing as per attendance record.
2. Sh. K.L. Das, DR to IC (BJ) and the concerned CPIO, vide his letter dated 07/03/2019, replied to the RTI application of the Appellant, mentioning as follows:
 - i. No such list is maintained. However, orders of all the cases disposed by the Commission are available on the website of the Commission.



- ii. No such list is maintained. Names and designations of officials attending the hearings for disposal of cases are invariably mentioned in the orders. Compilation of such information would disproportionately divert the resources of the Commission. If any specific case is mentioned, information may be provided.
3. Being dissatisfied with the reply of the CPIO, the Appellant filed a First Appeal dated 20/08/2019 before the First Appellate Authority, mentioning the grounds of Appeal as follows:
- i. PIO did not timely provide the information.
 - ii. PIO has obstructed information deliberately for Sl. 1 and Sl. 2 of the RTI application. Sl.No. 1 and 2 are available information, the PIO can simply provide the certified copies of attendance sheets of ONGC and Appellants thereby covering information for Sl. No. 1 & 2.

The Appellant has also sought the following relief:

- i. Proper strictures must be passed in order to implement RTI properly.
- ii. In the light of the above, the RTI application of the Appellant should be accepted and information should be provided as per the provisions of RTI Act immediately by registered/speed post free of cost u/s 7(6).
- iii. Personal hearing in the interest of natural justice must be provided and copy of PIO's comments be provided in advance of hearing date.

Record of proceedings:

1. Sh. Varun Krishna, Appellant did not appear in the hearing despite of the fact that the Notice of Hearing was sent to him in response to his request of granting him hearing in the matter. However, Sh. K.L. Das, concerned CPIO and Sh. T.B.J.S. Rajappa, Nodal CPIO (RTI Cell) attended the hearing of the Appeal today and Sh. K.L. Das, concerned CPIO has reiterated to his earlier stand taken by him in his reply dated 07/03/2019.

2. Perusal of the RTI application, reply of the CPIO and the First Appeal filed by the Appellant, I have noticed that the reply was sent by the CPIO to the Appellant on 07/03/2019 whereas the First Appeal has been filed by the Appellant on 20/08/2019, which is far beyond the limitation period of filing the First Appeal. The Appellant has also not disclosed any reason for filing the Appeal so late as the Appeal was supposed to be filed within 30 days from the date of receipt of reply/information from the CPIO.



3. Hence, the Appeal is time barred and the same is liable to be dismissed solely on this ground. However, in the interest of justice, I have also gone through the reply sent by the CPIO and I am fully satisfied that the reply is in order which needs no further intervention of the First Appellate Authority.

4. Hence, the Appeal is dismissed being devoid of merits.

Sh. Varun Krishna 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. Varun Krishna
213, Gobind Appts, B-2,
Vasundhra Enclave,
Delhi - 110096
M. No. 9910946207

DC

Copy To:

1. Sh. K.L. Das
DR to IC (BJ) & concerned CPIO
Central Information Commission 23/9/19



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

Am
23/09/19

