



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 : 12:25 p.m.

Case No:

1. **CIC/AA/A/2019/178**
2. **CICOM/A/2019/60137**
3. **CICOM/R/2019/50276**

Present:

1. **None - 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. Varun Krishna, the Appellant, with reference to email dated 26/02/2019, sought the following information vide his RTI application dated 23/04/2019:

- i. Inward number and date of receiving hard copy of email dated 26/02/2019 along with inward number of soft copy of email received dated 26/02/2019.
- ii. Action taken report (ATR) by Hon'ble IC Shri Neeraj Kumar Gupta.
- iii. ATR by Dy. Registrar IC (NG) Shri Subhash Sharma.
- iv. ATR by Hon'ble CIC Shri Sudhir Bhargava.



v. Copies of all documents prepared, executed, received and issued pertaining to email dated 26/02/2019.

2. Sh. S.S. Rohilla, DR to CIC (SB) and the concerned CPIO replied to the RTI application of the Appellant vide his letter dated 20/05/2019, mentioning as follows:

i. With reference to point 4 of the RTI application is as under: Hon'ble Chief Information Commissioner had informally briefed the Commission on the issues raised in the complaint.

3. Being dissatisfied with the reply of the CPIO, the Appellant filed a First Appeal dated 21/08/2019 before the First Appellate Authority, mentioning the grounds of Appeal as 'details not provided, provided incomplete, misleading or false information and made the following points:

i. PIO did not provide the certified copy of his reply by speed post as demanded in the RTI application.

ii. PIO is providing evasive reply for Sl. No. 4 of the RTI application deliberately knowingly and with the mala-fide intentions.

The Appellant has also sought the following relief:

- Proper strictures must be passed in order to implement RTI properly.
- In the light of the above, the RTI application 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).
- 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:

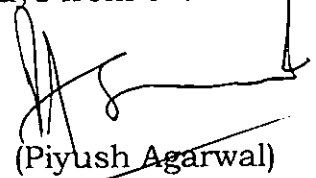
1. Sh. Varun Krishna, Appellant did not appear in the hearing despite of the fact that the Notice of Hearing was sent to him in response to his request of granting him hearing in the matter. However, Sh. S.S. Rohilla, concerned CPIO and Sh. T.B.J.S. Rajappa, Nodal CPIO (RTI Cell) attended the hearing of the Appeal today and Sh. S.S. Rohilla, concerned CPIO has reiterated to his earlier stand taken by him in his reply dated 20/05/2019.

2. On perusal of the RTI application, reply of the CPIO and the First Appeal filed by the Appellant, it has been noticed that the said RTI application has been disposed off by the CPIO on 20/05/2019 but the Appellant has filed the First Appeal on 21/08/2019 which is well beyond the limitation period of filing the same within 30 days from the date of receipt of information/reply from the



CPIO. Hence, the Appeal is hopelessly time barred and the same is dismissed on this sole ground.

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



Handwritten initials 'JC'

Copy To:

1. Sh. S.S. Rohilla
DR to CIC (SB) & concerned CPIO
Central Information Commission
2. Sh. T.B.J.S. Rajappa
Nodal CPIO (RTI Cell)
Central Information Commission

Sanjay Kumar
23-09-19

✓
Am

23/09/19

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D. No.
Initials	<i>Sanjay Kumar</i>