



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

Sh. Jasbir Singh Arora

....Appellant

**VERSUS**

**Central Information Commission**

.....Respondent

**Case No:**

1. CIC/AA/A/2019/180
2. CICOM/A/2019/60139
3. CICOM/R/2019/50623

**Brief facts:**

1. The Appellant, Sh. Jasbir Singh Arora sought the following information vide his RTI application dated 27/07/2019 from Sh. T.B.J.S. Rajappa, CPIO (RTI Cell):

- i. To offer inspection of F.No. CIC/DOP&T/A/2017/156033/CABST within one week time. He has further mentioned, although the reasons for inspection are not to be given but it is clarified that the matter is of public interest, as a special procedure seems to be followed as it relates to a senior IAS officer.

2. The CPIO (RTI Cell) transferred the RTI application of the Appellant to the concerned CPIO. The concerned CPIO, Sh. S. S. Rohilla, DO to CIC (SB) replied to the above mentioned RTI application informing the Appellant that the information sought by him relates to Appeal No. CIC/DOP&T/A/2017/156033/CABST filed by Sh. Jagmohan Singh Raju against Cabinet Secretariat. Since, the information sought is related to the Appeal filed by Third Party, hence, the information is exempt under Section 8(1)(j) of the RTI Act, 2005 as such it is denied.

3. Sh. Jasbir Singh Arora, the Appellant being dissatisfied with the reply received from the CPIO, filed a First Appeal before the undersigned on the ground that 'the details are not provided, refused access to the information requested'. Further, the CPIO has ignored the Full Bench Decision of the Commission (copy attached by the Appellant) that Section 8(1)(j) of the RTI Act, 2005 was not applicable to the information sought by the Appellant. The CPIO has also not given any reason in denial of the request for information required under Section 7 (8) (i) of the Act. The CPIO was supposed to justify how he arrived at the conclusion that the case was covered under Section 8(1)(j) of the RTI Act, 2005. In support of his claim the Appellant has also referred CIC's Decision in Appeal No. CIC/OK/C/2006/00010, A/2006/00027 and A/2006/00049 dated 07/07/2006. The Appellant has also given one of the grounds of Appeal as CPIO further failed to justify that there is no public activity or interest, though, the Appellant while seeking information/inspection had clearly mentioned that there is a public interest in knowing the



details of the file in which Shri. Sudhir Bhargava, Hon'ble CIC being ex-IAS officer had clearly favoured Shri Raju, being working senior IAS officer of Tamil Nadu Cadre.

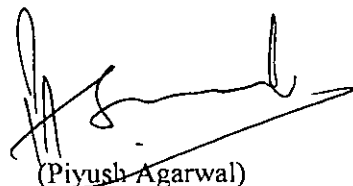
4. After going through the afore mentioned records of the case, though, I am satisfied that the information sought by the Appellant relates to the Third Party and the concerned CPIO should have sought the comments of the said Third Party whether the information/inspection of the file called for by the Appellant may be provided to him by the CPIO or not, instead of informing the Appellant that being the Third Party information, the same is denied. If the CPIO, comes to the conclusion that the information sought for relates to the Third Part information, the disclosure of which has no relationship to any public activity or interest and shall not be disclosed as he is satisfied that larger no public interest justifies the disclosure of such information, he should have clearly specified his satisfaction that the information shall not be provided to the Appellant in his reply dated 23/08/2019 sent to the Appellant. But, the CPIO has not clarified the same in his reply.

**Decision:**

Sh. S.S. Rohilla, CPIO & DO to CIC (SB) is therefore directed to revisit his earlier reply dated 23/08/2019 sent to the Appellant and deal the RTI application of the Appellant appropriately.

2. Hence, the Appeal is disposed of.

Sh. Jasbir Singh Arora 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  
05/09/2019

To,

Sh. Jasbir Singh Arora  
85, GF, Jeewan Nagar,  
Bala Sahib Road  
New Delhi - 110014



Copy To:

1. ✓ Sh. S.S. Rohilla  
CPIO & DO to CIC (SB)  
Central Information Commission

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

