



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

Sh. Nikhil Khurana

....Appellant

VERSUS

Central Information Commission

.....Respondent

Case No :

1. CIC/AA/A/2019/208
2. CICOM/A/2019/60147
3. CICOM/R/2019/50656

Brief facts:

1. Sh. Nikhil Khurana, the Appellant sought the following information vide his RTI application dated 13/08/2019:

- i. Provide the action taken report on email sent from email ID nikhilkhurana25@yahoo.co.in to CIC email ID on 26/07/2019 for complaint against the IC Shri Neeraj Kumar Gupta.
- ii. Provide the action taken report on complaint sent by Nikhil Khurana to CIC on 26/07/2019 for complaint against the IC Shri Neeraj Kumar Gupta via letter ref. no. NK/RTI/CIC/2019-20/01 which was delivered on 29/07/2019 at CIC office through DTDC courier no. Z12530092.
- iii. Provide all the date in material form with CIC regarding above complaint with ATR in CIC office.
- iv. Provide online link for additional payment if any required.

2. Sh. S.S. Rohilla, DR to CIC (SB) & the concerned CPIO replied to the above mentioned RTI application mentioning therein that the email/letter dated 26/07/2019 was marked by the Chief Information Commissioner to Information Commissioner, Sh. Neeraj Kumar Gupta on 02/08/2019. Sh. Neeraj Kumar Gupta has mentioned on the said complaint – ‘seen’. Order on merits has been passed and no further action can be taken at this level.

3. The Appellant, Sh. Nikhil Khurana being dissatisfied with the reply received from the CPIO, filed a First Appeal on the grounds that ‘details not provided, provided incomplete, misleading or false information. He has further mentioned that as per the request in RTI, action taken report was requested in the matter but the PIO has disposed off the RTI without giving any copy in material form with action taken report and comments provided by the IC. The Appellant has sought the following relief:

- i. Information sought in the RTI in material/copy/document form as already requested in RTI application.



- ii. Proper strictures should be passed against officials in order to properly implement RTI Act.
- iii. Proper training to be provided to the PIO in order to strengthen RTI Act.
- iv. Any other measures suitable to implement RTI Act properly.

4. I have gone through the records of the concerned file and found that the CPIO, Sh. S. S. Rohilla has replied to the RTI application of the Appellant, Sh. Nikhil Khurana informing on the action taken by the Chief Information Commissioner/Information Commissioner on his letter dated 26/07/2019. However, Sh. S.S. Rohilla, CPIO did not provide the copy in material form as requested by the Appellant.

Decision:

Sh. S.S. Rohilla, CPIO is therefore directed to provide him the copy of the record available with him regarding action taken on the letter dated 26/07/2019 filed by the Appellant before the Hon'ble Chief Information Commissioner within a period of one month from the date of receipt of this order. It is further clarified that rest of the relief sought by the Appellant is beyond the jurisdiction/does not relate to the First Appellate Authority.

2. Hence, the Appeal is disposed off accordingly.

Sh. Nikhil Khurana 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.

[Signature]

(Piyush Agarwal)

Registrar & First Appellate Authority

09/09/2019



OK

To:

Sh. Nikhil Khurana
WZ-1604, Nangal Raya
New Delhi-110046

Copy to:

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

2. *[initials]* Sh. T.B.J.S. Rajappa
CPIO (RTI Cell)
Central Information Commission

[Handwritten signature/initials]

*Recd
for CIC
21/9/19
3PM*

