



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

Sh. Deepak Kumar Mawandia

....Appellant

**VERSUS**

Central Information Commission

.....Respondent

**Case No :**

1. CIC/AA/A/2019/223
2. CICOM/A/2019/60160
3. CICOM/R/2019/50717

**Brief facts:**

1. Sh. Deepak Kumar Mawandia, Appellant referred to CIC's Decision in Second Appeal vide CIC/BS/A/2016/000785, sought the following information vide his RTI application dated 27/08/2019:

- i. Certified copy of the above said Second Appeal (with all attached annexures) submitted by the Applicant.
- ii. Certified copy of all correspondence starting from RTI application till the above said decision.

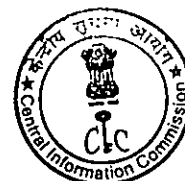
2. Sh. A.K. Assija, DR to IC (VN) & the concerned CPIO, vide his reply, informed the Appellant that the certified copies of the Second Appeal having F. No. CIC/BS/A/2016/000785 and the documents sought in the RTI application are a third party information and disclosure of the same is exempted under Section 8(1)(j) of the RTI Act, 2005.

3. The Appellant being dissatisfied with the reply received from the concerned CPIO filed a First Appeal dated 16/09/2019 on the following grounds that, since the decision was made in favour on the ground that it is in larger public interest, he would like to seek the information since public interest would be served in disclosing the information sought and requested to provide the certified copy of the documents – 1. Certified copy of the Second Appeal bearing F. No. CIC/BS/A/2016/000785 with all attached annexures submitted by Applicant. 2. Certified copy of all correspondence starting from RTI application till the said CIC decision.

4. The RTI application, the reply of the CPIO (concerned) and the First Appeal filed by the Appellant has been perused and I have also gone through the relevant provisions of Section 8(1)(j) of the RTI Act, 2005 which is as under:

*“information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information.”*

5. From the above quoted provisions of the RTI Act, 2005, CPIO has to use his own wisdom to come to a conclusion whether the sought for information relates to personal information, the disclosure of which has no

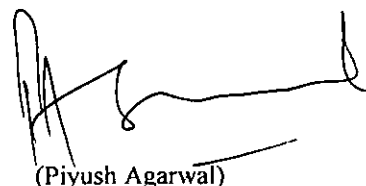


relationship to any public activity or interest or which would cause unwarranted invasion of privacy of the individual unless he is satisfied that larger public interest justifies the disclosure of such information.

6. In the instant case, the CPIO has not clarified as to how he has come to a conclusion that the sought for information is a third party information and is exempt under Section 8(1)(j) of the RTI Act, 2005.

7. Sh. A.K. Assija, the concerned CPIO is therefore directed to revisit his earlier reply and deal the matter appropriately as per provisions of the RTI Act, 2005 within a period of two months from the date of receipt of this order.

Sh. Deepak Kumar Mawandia 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

17/09/2019

To:

Sh. Deepak Kumar Mawandia  
South Dhadka, Tapsi Baba Mandir  
Near Bypass More, Asansol - 713302  
M. No. 9986107773



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Copy to:

1. Sh. A.K. Assija  
DR to IC (VN) & concerned CPIO  
Central Information Commission

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

