

Central Information Commission

Baba Gang Nath Marg,
Munirka, New Delhi -110067.

File No. CIC/AA/A/2019/322

CICOM/A/2019/60233

CICOM/R/2019/50945

Name of the appellant: Shri Jasbir Singh Arora
85, GF, Jeewan Nagar,
Bala Sahib Road,
New Delhi - 110014.

1.	Date of RTI application	30.11.2019 (Online)
2.	Date of reply of the RTI application	12.12.2019
3.	CPIO(s) who furnished reply	Sh. H.P. Sen, CPIO
4.	1 st Appeal Date	17.12.2019 (online)
5.	Date of Decision	09.01.2020

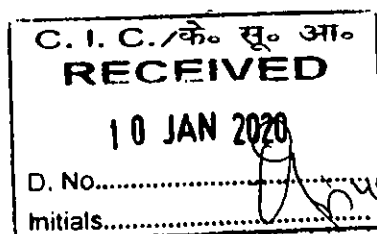
Brief facts of the case:-

a. In the RTI application, appellant has sought the information :-

"Kindly provide me the certified copy of the order/decision of the file attached herewith."

2. CPIO replied the RTI applicant as under: -

"With reference to your above RTI applications it may be mentioned that the copy of the order/documents, if available in the CIC website, is not required to be provided to the information seeker. In this regard CIC, in the matter of Shri Ram Singh vs. CIC dated 19.09.2016, observed that "The RTI Act mandates every public authority to provide as much information to the public including through internet so that the public have minimum resort to the use of the RTI Act to obtain information. Further, ~~once information~~ ^{initials} has been provided in public domain and on website then the information is no longer held by or under the control of any public authority and hence, is no longer accessible as 'right to information'. In view of the above, the certified copy of the CIC Decision is not required to be provided.



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3. RTI applicant filled First Appeal as under :-

"CPIO has mentioned a decision of date 19.09.2016 of CIC in case of one Shri Ram Singh which has been searched by appellant on CIC website and is not at all available. Hence CPIO is required to present this particular decision on day of hearing. Even otherwise, the decision is for general information/records and not for the decisions/orders of quasi judicial bodies like CIC, as before the judiciary the certified copy of such decisions are required to be submitted and hence certified copy of decisions was requested for under RTI Act 2005. Any way please find two attachments as Annexure A and Annexure B and from the details as available in these documents it is amply clear that CIC is expected to provide the certified copies of its orders/decisions and hence CPIO may be ordered accordingly. Moreover most of CPIOs of this Commission in the recent past had provided the certified copies of orders/decisions of CIC and it is not clear why this CPIO is now taking such a foolish stand".

4. CPIO, Sh. H.P. Sen replied vide letter No. CICOM/R/2019/50945 dated 29.12.2019 mentioning that :-

"With reference to hearing notice issued vide No.CIC/AA/A/2019/322 dated 24.12.2019 in the case of Jasbir Singh Arora vs CIC, it may be mentioned that Shri Jasbir Singh Arora, through a RTI request, wanted a certified copy of the CIC Decision dated 18.12.2018. He had also attached a copy of the said order. Shri Arora was not a party to the case.

(a). In reply to his RTI Application, the undersigned as CPIO, by quoting an earlier CIC decision, had intimated the Appellant that the copy of the order/document, if available in the CIC website, was not required to be provided to the information seeker. In this connection, a copy of CIC's decision, in the case of Shri Ram Singh vs CPIO, CIC dated 19.09.2016 is enclosed. In this regard, the Commission relies upon the decision of the Hon'ble High Court of Delhi dated 1/6/2012 (WPC 11271/2009 Registrar of Companies & Ors vs. Dharemendra Kumar Garg & Ors).

(b). Shri J.S. Arora in his First Appeal has stated that CIC is expected to provide the certified copies of its orders/decisions and hence CPIO may be ordered accordingly. Keeping in view the spirit of RTI Act, it is true that Shri J.S. Arora has been provided certified copies on some earlier occasion but such

30.12.2019

request cannot be acceded to always. Therefore, the undersigned has no option but to deny such request under section 7(9) of the RTI Act.

(c). It is pertinent to mention that Shri Jasbir Singh Arora is a habitual/repeated RTI applicant and attending to his RTI applications become impediment in discharging official duties of the undersigned.

Hearing of Appeal

5. Both, Shri T.B.S.J.Rajappa and Shri H.P. Sen, CPIO were present. For disposal of the appeal, appellant has been contacted over Mobile No. 8826449896 provided by appellant in Appeal application and heard the matter on 06.01.2020.

Decision

6. On perusal of the Appeal, CPIO's reply and hearing, it is observed that certified copies on earlier occasion has been to provided by CPIO, Sh. H.P. Sen . Hence, CPIO is directed to provide certified copies in this matter also.
FAA, in the matter.
7. The appeal is being disposed of accordingly.

8. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi-110067 against this order within 90 days.

Dated the 9th January, 2020.



(Y. K. Singhal)

First Appellate Authority

Tel: 26162290

Copy to:-

✓ 7. CPIO, RTI Cell, CIC, New Delhi.

10/1/20 ✓ 8. Sh. H.P.Sen, CPIO, CIC, New Delhi.

