

Central Information Commission
Baba Gang Nath Marg,
Munirka, New Delhi – 110 067

CIC/AA/A/2020/61
CICOM/A/P/20/00028
CICOM/R/P/2020/00044

Name of the Appellant: Shri A. C. Shanmugam
60-Purasaiwakkam High Road,
Float- 2B. Nav Nidhan complex.
Chennai – 600 007.

1.	Date of RTI application	13.01.2020
2.	Date of reply of the RTI application	17.02.2020
4.	CPIO (s) who furnished reply	Sh. K. L. Das, CPIO & Dy. Registrar, IC-BJ.
3.	1 st Appeal Date	14.02.2020
5.	Date of Decision	03.03.2020

Brief Facts of the case:-

1. The appellant, through his RTI application asked for following information:
“Please furnish me the status of my Second Appeal dated 17-11-2018 filed before the Hon’ble Commissioner Mr. Bimal Julka.”

Reply of CPIO:-

2. In response to the RTI application Sh. K. L. Das, CPIO & Dy. Registrar, IC-BJ, provided following information to the appellant:

“Your second appeal was heard on 26.07.2018 and decided on 27.07.2018 with the direction to the Pr. CCIT, Chennai to have the RTI application re-examined by an officer not below the rank of a Joint Secretary and submit his report on the information sought by the appellant within a period of 30 days from the date of receipt of order under intimation to the Commission.

In compliance of the Commission’s direction, Shri R. Ramesh, Income Tax Officer (Hqrs.) (Coord.) has sent compliance report to the Commission on 11.09.2018 and you have also acknowledged the same in your letter dated 17.11.2018. The comments of the CPIO has also been sought on your aforesaid letter (copy enclosed). The CPIO has been requested to send a copy of the same to you also.”

Ground of First Appeal:-

3. Aggrieved with the reply sent by the CPIO, the appellant filed 1st appeal before the Commission alleging that “The CPIO has not furnished the information within 30 days period

of time as prescribed in the Act. I hereby request the Appellate Authority to issue appropriate direction to the CPIO to furnish the information sought for in the RTI petition.”

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Decision with reasons:-

4. On perusal of the Appeal, RTI application and CPIO's reply it is observed that the appellant is seeking status of his Second Appeal dated 17.11.2018, which was delivered on 20.11.2018 to the Commission, whereas the CPIO in his reply has informed the status of the Second Appeal of the appellant, which was decided earlier by the Commission vide its decision dated 27.08.2018. Hence, the undersigned is of opinion that the desired information has not been supplied to the appellant.

In light of the above, the CPIO is hereby directed to send a fresh reply to the appellant regarding the status of appellant's second appeal dated 17.11.2018, if any, which was delivered on 20.11.2018 to the Commission, within 14 days after receipt of this order.

Further, it is also observed that the RTI application dated 13.01.2020 of the appellant was registered in the RTI Cell, CIC on 20.01.2020 and reply was sent vide letter dated 17.02.2020. Hence, the reply has been given to the appellant well within the time as prescribed under the Act.

5. The appeal is being disposed of accordingly.

6. 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 – 110 067 against this order within 90 days.

Dated: March 03, 2020.

NP Balimane
03/03/2020
(Smt. Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

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1. CPIO, RTI Cell, CIC, New Delhi.
 2. Sh. K. L. Das, CPIO & Dy. Registrar, IC-BJ, CIC, New Delhi.

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