

Munirka, New Delhi - 110 067

CICOM/A/E/20/00033

**Name of the Appellant:**

1.	Date of RTI application	11.02.2020
2.	Date of reply of the RTI application	27.02.2020
4.	CPIO (s) who furnished reply	Sh. A. K. Assija, Dy. Registrar, IC-VN.
3.	1 <sup>st</sup> Appeal Date	02.03.2020
5.	Date of Decision	09.03.2020

### **Brief Facts of the case:-**

1. The appellant, through his RTI application asked for following information:

"Please supply the certified copy of complete file in Decision No: CIC/ICARH/A/2018/170437/02693 in the appeal filed by Sh. Bernard Vivian Fernandes."

**Reply of CP10:-**

2. In response to the RTI application Sh. A. K. Assija, Dy. Registrar, IC-VN, informed the appellant that:

"It is informed you that the above file does not pertain to you and the same pertains to the third party namely Bernard Vivian Fernandes. The said file contains personal information of the Third Party, the disclosure of which is exempt under Section 8(1)(j) of the RTI Act. As such, the complete file of the case cannot be provided to you. However, a certified copy of the order issued by the Commission in the file, which is a public document, available on the Website of the Central Information Commission, is enclosed."

**Ground of First Appeal:-**

3. Aggrieved with the reply sent by the CPIO, the appellant filed 1<sup>st</sup> appeal before the Commission by stating that:

"The information is denied quoting it to be third party information. Further it is mentioned that it contains personal information. The CPIO is required to follow procedure provided under RTI Act to deal with third party information. Further he could supply information by culling the personal information. In view of the above, please direct CPIO to supply complete information."

C. I. C. / के. सु. आ. Direct CPIC  
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**Decision with reasons:-**

4. On perusal of the Appeal, RTI application and CPIO's reply, it is observed that while denying the information, desired by the appellant, the CPIO has not followed the proper procedure, as mentioned in Section 11(1) of RTI Act, 2005.

In light of the above, Sh. A. K. Assija, Dy. Registrar, IC-VN is hereby directed to follow the provisions of RTI, 2005, specially Section 11 and dispose the RTI application of the appellant accordingly within 40 days after receipt of this order.

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 09, 2020.**

*Meena Balimane*  
09/3/2020  
(Smt. Meena Balimane Sharma)

**First Appellate Authority**

**Tel: 26162290**

**Copy to:-**

*AM*  
*u/3rd*  
1. CPIO, RTI Cell, CIC, New Delhi.

2. Sh. A. K. Assija, Dy. Registrar, IC-VN, CIC, New Delhi.

*Assija*  
11/3/20

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