

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

CIC/AA/A/20/77  
CICOM/A/E/20/00042  
CICOM/R/E/20/00152

Name of the Appellant: Miss Seema Rai  
301, Windsor Place,  
Vinayak Nagar Hafeezpet  
Hyderabad – 500049.

1.	Date of RTI application	27.02.2020
2.	Date of reply of the RTI application	03.03.2020
3.	CPIO(s) who furnished reply	Sh. T. B. J. S. Rajappa
4.	1 <sup>st</sup> Appeal Date	14.03.2020
8.	Date of Decision	20.03.2020

**Brief Facts of the case:-**

1. The appellant, through her RTI application sought the following information:-  
“1) Share certified copies of current status, execution status and judgements/orders passed for below cases : a) Misc. Civil - 10/2017 (Uncontested-DISPOSED, Order date : 17/04/2018, CNR No. - UPVR060002252017, Civil Judge Junior Division, Varanasi, UP) b) Criminal Appeal - 81/2018 (Contested-DISPOSED, two orders passed on Order date : 24/09/2018, CNR No. - UPVR010032392018, ADJ-5, District Court, Varanasi, UP) c) Criminal Misc. - 06/2018 (Contested-DISMISSED, Order date : 01/10/2018, CNR No. - UPVR010073892018, ADJ-5, District Court, Varanasi, UP) d) Original Suit - 1091/2016 (Order date :13/05/2019, CNR No. - UPVR060025622016, Civil Judge Junior Division, Varanasi, UP) e) Misc. Civil Appeal - 82/2019 (Contested-DISPOSED, Order date : 31/07/2019, CNR No. - UPVR010043062019, District & Session Judge, Varanasi, UP) 2) Share all certified copies as per Section 2(j)(ii) & Section 2(j)(iv) of the RTI Act 2005 via registered post to my postal address and through email by electronic mode too at: seema.raai@gmail.com from authentic official email ID of RTI department. 3) Share the inspection authority details that can help with the inspection and verification of the certified documents/records and passed orders by concerned authorities under Section 2(j)(i) of the RTI Act 2005”

**Reply of CPIO:-**

2. In response to the RTI application Sh. T. B. J. S. Rajappa, CPIO (RTI cell) provided following information to the appellant:

“The information sought for in your RTI application is not available in Central Information Commission. You may approach the concerned authority for the desired information.

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:2:

Central Information Commission is the Second appellate authority under the RTI Act, 2005 in respect of RTI matters involving public authorities under the Central Government of UT's. This is a State matter and the jurisdiction of State information Commission and Central Information Commission are distinct & separate."

**Ground of First Appeal:-**

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

"CPIO did not provided the desired information and refused access to information requested. It is expected that a CPIO to be well aware of RTI Act 2005. Rather than an excuse in his response, CPIO should have transferred the RTI request to the appropriate public authority under Section 6(3) of the RTI Act 2005."

**Decision with reasons:-**

4. (a) On perusal of the Appeal, RTI application and CPIO's reply, it is observed that, as the appellant has sought the information related to a State Public Authority which in not covered under jurisdiction of Central Information Commission, the information provided by CPIO is correct. However in purview of objectives of RTI Act, 2005 this RTI application should have been transferred to concerned Public Authority under Section 6 (3) of the RTI Act. Therefore, Sh. T. B. J. S. Rajappa, CPIO, RTI Cell is being directed to transfer the physical copy of the RTI application to concerned Public Authority as per provision of RTI Act within 5 days of receipt of this order.

(b) As per Section 19(3) of RTI Act 2005, please note that the State Information Commission deals with second appeals with respect to RTI application filed before SPIO and Appellate Authority of State public authorities. Hence, you may kindly like to refer the matter to SPIO/Appellate authority/State Information Commission suitably.

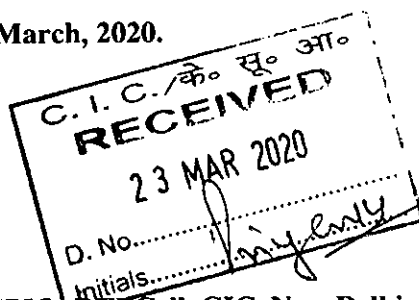
5. The appeal is being disposed of accordingly.

6. However, 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: 20<sup>th</sup> March, 2020.**

Copy to:-

1. CPIO, RTI Cell, CIC, New Delhi.



*Meena*  
20/3/2020  
(Meena Balimane Sharma)  
First Appellate Authority  
Tel: 26162290

*Ok*

*23/3/20*