

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

CICOM/A/P/20/00052  
CICOM/R/P/20/00230

Name of the Appellant: **Shri B Parmeshwar**  
5-4-89, Bhawani Colony,  
Premavathi Peta, Rajendranagar,  
Hyderabad – 500030  
Telangana State

1.	Date of RTI application	14.04.2020
2.	Date of receipt of RTI application in RTI Cell of CIC	27.05.2020
3.	Date of reply of the RTI application	08.06.2020
4.	CPIO (s) who furnished reply	Sh. Krishan Avtar Talwar
5.	Date of First Appeal application	20.06.2020
6.	Date of First Appeal application received in the office of FAA	01.07.2020
7.	Date of Decision	27.07.2020

**Brief Facts of the case:-**

1. The Appellant has attached details of 147 2<sup>nd</sup> Appeals with his RTI Application and sought the following information: -

1. Please furnish the following information and records:
  - i. Indicate the basic Registration No. and date against each item of the list containing serial no. 1 to 147 of the statement attached herewith as from beginning period and I have already indicated the same in the said statement to the extent information has been provided by the Hon'ble Commission.
  - ii. Case file number of the Commission allotted for each of my pending 2<sup>nd</sup> Appeal (as per list attached) to each Information Commissioner.
  - iii. Name of the Information Commissioner to whom allotted by the Commission indicating date of allotment.
  - iv. Whether any date of hearing has been fixed up for all these pending 2<sup>nd</sup> Appeals from me.
  - v. If any 2<sup>nd</sup> Appeal is pending as on the date please indicate the name of officer and section from what date and what are the reasons/causes.
  - vi. Reasons for the long pending of each case of 2<sup>nd</sup> Appeal.
  - vii. Any other relative available information may also please be given against each item of my 2<sup>nd</sup> Appeal list attached herewith.
2. In case, the decision by the CIC towards any of my 2<sup>nd</sup> Appeals dates shown in the attached statement placed from page no. 1 to 38 i.e. Decision Number and date may please be indicated against each item of pending 2<sup>nd</sup> Appeal list which has been attached herewith in order to strike off from the pending list of my 2<sup>nd</sup> Appeals attached herewith.

**Reply of CPIO:-**

2. CPIO, Sh. Krishan Avtar Talwar has given the reply with assistance provided by Sh. R. P. Singh, CPIO, Dak Section under the provision of section 5 (4) of the RTI Act, 2005 vide letter dated 05.06.2020 for serial no. 1 to 23 in respect to Point No. (i) to (vii) against information sought by the Appellant from serial no. 1 to 147.

CPIO has further added that "there is no further information on the issues is available on record".

### Ground of First Appeal:-

3. Aggrieved with the reply of CPIO, the Appellant has filed First Appeal and stated that: - "I am not satisfied of the information given by CPIO of Dak Section of CIC at serial no. (i) to (vii) of his letter dated 05.06.2020". He has also stated that Sh. K. A. Talwar was supposed to furnish the information and records towards his RTI application dated 15.04.2020 as per the provision of section 6 and 4-1 (d) of RTI Act. He has further stated that CPIO did not touch the subject matter from serial No. 24 to 147 and it is complete failure on his part.

Appellant has also stated that he has received the reply on 15.06.2020 i.e. delayed by 31 days and requested that "kindly make arrangements for payments of penalty charges to me from concerned CPIO under provisions of section 20 (20 of the RTI Act, 2005)". Further he has also stated that he is eligible under the provision of the penalty charges of Rs. 76,00,000/- (calculation as per his 1<sup>st</sup> Appeal dated 20.06.2020) payable to the Appellant by CPIO and FAA of CIC.

### Decision with reasons:-

4. On perusal of the Appeal, RTI application and replies given by CPIO, Sh. Krishan Avtar Talwar, it is seen that the said RTI application was received on 27.05.2020 in the RTI Cell of the Commission and transferred to Sh. Krishan Avtar Talwar, CPIO, who has given the reply on 08.06.2020 which is within the time limit under the provisions of RTI Act, 2005.

The Appellant has sought information on 147 cases listed in the RTI application dated 15.04.2020, but Sh. Krishan Avtar Talwar, CPIO has given the reply for 23 cases only. In this regard CPIO, Sh. Krishan Avtar Talwar has submitted that he had received this RTI application through RTI-MIS containing only 23 communications and accordingly he has replied. Further, he has also informed that the CPIO (Dak Section), from whom assistance was sought, specifically mentioned about this fact in the opening Para as follows;

"(i) available information on the serial No. 1 to 23 (and not from 1 to 147 as has been referred to by the Appellant) as the RTI application so filed has queries from serial no. 1 to 23 is given in the table here under".

Hence, it is evident that Sh. Krishan Avtar Talwar had replied to the RTI as received by him.

The complete RTI application as forwarded by the Appellant is forwarded to Sh. Krishan Avtar Talwar and directed to provide the complete information to the Appellant as per provisions of the RTI Act, 2005 within fifteen days of receipt of this order.

The RTI Cell is advised to ensure that due diligence is followed while transferring the RTI application to the concerned CPIOs.

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 - 27<sup>th</sup> July, 2020.

RECEIVED

28 JUL 2020

D. No.

Initials

Copy to:-

1. CPIO, RTI Cell, CIC, New Delhi.
2. Sh. Krishan Avtar Talwar, CPIO & DR (CR-1), CIC, New Delhi.

(Meena Balimane Sharma)  
First Appellate Authority  
Tel: 26162290