

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

CIC/AA/A/2020/  
CICOM/A/E/20/00058  
CICOM/R/E/20/00253/1

Name of the Appellant: Shri Varun Krishna  
213 Gobind Appts  
B-2 Vasundhara Enclave  
Delhi – 110096.

1.	Date of RTI application	21.04.2020
2.	Date of reply of the RTI application	11.05.2020
4.	CPIO (s) who furnished reply	Shri S.C. Sharma CPIO
3.	1 <sup>st</sup> Appeal Date	12.05.2020
5	Date of Decision	21.05.2020

**Brief Facts of the case:-**

1. The Appellant, through his RTI application, has asked for following information/certified copies pertaining to work allocation dated 18.03.2020 in CIC:

1. List of cases of Department of Economic Affairs which are still pending in the registry of IC Shri Suresh Chandra & which are yet to be transferred to the registry of IC Shri Neeraj Kumar Gupta as on current date.
2. List of cases of Indian Railways which are still pending in the registry of IC Shri Neeraj Kumar Gupta & which yet are to be transferred to the registry of IC Dr. Amita Pandove as on current date.
3. List of cases of India Security Press/SPMCIL which are still pending in the registry of IC Shri Bimal Julka & which are yet to be transferred to the registry of IC Shri Neeraj Kumar Gupta as on current date. Kindly email E-copy of file number CIC/ISPNR/C/2018/619837 to Email krishna.varun@gmail.com or provide the hard copy in case Ecopy is not available.
4. Name and designation of the official accountable for late transfer as per S.No.1, S.No. 2, and S.No. 3, Grounds available in records for such delay along with expected date by which the same will be transferred.
5. List of cases from S.No. 1, S.No. 2, and S.No. 3 which are still pending to be transferred to the concerned registry as on date of disposal of this RTI along with grounds available in records for delay of each.
6. List of non-compliance cases pending in the registry of IC Shri Neeraj Kumar Gupta.

**Reply of CPIO:-**

2. CPIO Sh. S. C. Sharma provided a pointwise information to the Appellant vide his letter dated 11-05-2020, in which following information against point No. 2, 5 and 6, were provided:

1. Point No. 2, List may be seen on CIC site (MIS report), 'cic.gov.in'.
2. Point No. 5, Due to lock-down and skeleton staff available some work is pending and efforts are being made to do it as soon as possible.
3. Point No. 6: 124 cases.

### **Ground of First Appeal:-**

3. Aggrieved with the reply, given against point No. 2, 5 and 6, the Appellant has filed First Appeal on following ground:

1. The PIO has deliberately, knowingly and with the mala-fide intentions obstructing information for my RTI queries for S.No. 2, 5 & 6.
2. S.No. 2, S.No. 5 and S.No. 6: list of cases to be provided as I am willing to submit fee as per RTI rules.

Further, the Appellant has asked for following relief in his first appeal petition:

1. Kindly issue the necessary directions to provide point-wise reply without any further delay free of cost u.s. 7 (6). If no information exists then the same should be provided on an affidavit.
2. Personal hearing in the interest of natural justice must be provided and comments of PIO must be provided in advance of hearing date.

### **Decision with reasons:-**

4. On perusal of the Appeal, RTI application and reply given by the CPIO, it is observed that replies given against Point No. 2, 5 and 6 are factual in nature. It is worth mentioning here that as per the decision given by Hon'ble Delhi High Court in the matter of *Registrar of Companies & Ors. vs. Dharmendra Kumar Garg & Ors.* [W.P.(C) 11271/2009] dated 01.06.2012, 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 has been provided in public domain and on the website, the information is no longer held by or under the control of any public authority and hence, is no longer accessible under 'right to information'. Thus, the action of the CPIO is in consonance with the RTI Act.

In light of the above, no intervention is required on behalf of the FAA in this matter.

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 –21<sup>st</sup> May, 2020.**

*M. Balimane*  
21/5/2020  
(Meena Balimane Sharma)  
First Appellate Authority  
Tel: 26162290

### **Copy to:-**

1. CPIO, RTI Cell, CIC, New Delhi.
2. Sh. S.C.Sharma, CPIO, DO to IC (NG), New Delhi.