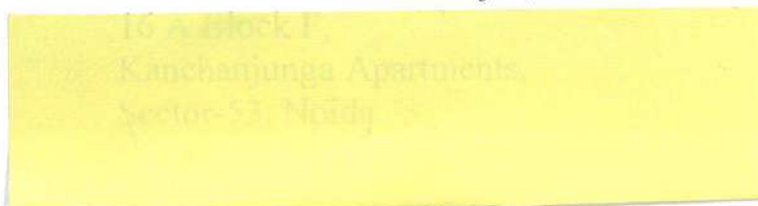


CENTRAL INFORMATION COMMISSION
BABAGANGNATH MARG,
MUNIRKA, NEW DELHI – 110067

CICOM/A/E/25/00137
CICOM/R/E/25/00464/1

Appellant: Shri Siddhartha Mukherjee,



| | | |
|---|--------------------------------------|--------------------------------|
| 1 | Date of RTI Application | 23/05/2025 |
| 2 | Date of reply of the RTI application | 13/06/2025 |
| 3 | CPIO(s) who furnished reply | Shri Chandan Kumar, SO (Admn.) |
| 4 | Date of First Appeal application | 17/06/2025 |
| 5 | Date of First Appeal receipt | 17/06/2025 |
| 6 | Date of Decision | 09/07/2025 |

Brief description of the case:

Through the first appeal, the appellant has sought to confirm in writing whether in the recent past the Commission had received a complaint of judicial impropriety against its Chief Information Commissioner, Shri Heeralal Samaria and if so, certified copy of the action taken report in the matter be provided.

Reply of CPIO:

The required reply has already been given by the CPIO (Section Officer – Admn. Section) vide letter No. 2025/CIC/Admn. / RTI dated 13.06.2025 in which the CPIO has informed the applicant that the information sought is not clear.

Grounds of First Appeal:

Aggrieved with the reply of CPIO, the Appellant has filed First Appeal reiterating his request to provide the requested information in the RTI application.

Decision of FAA:

Upon receipt of electronic First Appeal requesting therein to provide personal hearing to the applicant, the First Appellate Authority considered request and scheduled personal hearing of the applicant through video conferencing on 09.07.2025 at 1100 hrs. A communication to this effect was made to all concerned through electronic/ physical mode. Instead of appearing before FAA through video conferencing the appellant approached physically in the Commission's office without due permission. However, on the request of the appellant, the FAA allowed the appellant to appear physically as an exception keeping in view the old age of appellant.

While FAA granted physical personal hearing to the appellant, appellant submitted a written submission dated 09.07.2025 reiterating his RTI application request. The written submission was allowed to be taken on record by the FAA (copy enclosed).

After perusal of the First Appeal, RTI application and reply of the CPIO, it has been observed that the information given by the CPIO with respect to Admn. Section is not appropriate and a vague reply has been given. Therefore, CPIO (Admn.) CIC is directed to revisit the information and provide pointwise relevant information within 10 days.

A copy of submission dated 09.07.2025 as referred to above is also forwarded to FAA/ Registrar for information and necessary action.

The appeal is being disposed of accordingly.

If the appellant is not satisfied with this order/decision, a second appeal under Section 19(3) of the Act may lie within 90 days of the receipt of this order to the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi – 110067.

Dated: 09.07.2025

First Appellate Officer & Joint Secretary (Admn.)

Copy to:

- 1) FAA/ Registrar, CIC - for information and necessary action please.
- 2) DS to CR (Section) – for necessary action please.
- 3) Central Public Information Officer, RTI Cell, Central Information Commission, New Delhi.
- 4) Section Officer – (Admn.), Central Information Commission, New Delhi.



■ Written Submission for First Appeal Hearing

Before: Joint Secretary – Law & Administration, Central Information Commission

Date of Hearing: 09/07/2025 at 11:00 AM

Appellant: Siddhartha Mukherjee

RTI Application No.: CICOM/R/E/25/00464

Date of written submission: 07/07/2025

1. Background and Context

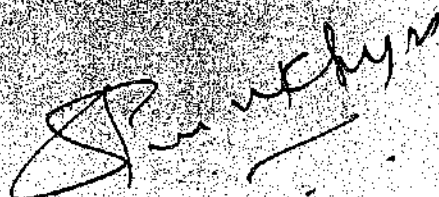
- The RTI application dated 23/05/2025 sought certified records and clarifications regarding postponement of hearings, bench allocations, and internal CIC protocols.
- The information requested directly pertained to second appeal cases pending before the CIC and concurrent judicial proceedings before the Hon'ble Delhi High Court (WP(C) 4310/2025).
- The responses received from multiple CPIOs were **contradictory and evasive**. Notably, one reply redacted my identity and declared the request "unclear," despite a clearly drafted application and attached supporting documentation.

2. Substantive Irregularities Highlighted in RTI Replies

- CIC's response dated 28/05/2025 admits that multiple points are "not available on record," without producing any affidavit for having carried out search for the information which raises serious concerns about the Commission's record management and transparency.
- The reply further advised inspection of records only between 3:00–4:00 PM on working days, effectively **delaying access** to timely information despite urgency arising from judicial proceedings.
- CIRCULAR dated 22/07/2016 (annexed in the uploaded file) stipulates chronological scheduling of hearings but allows exceptions—this supports my inquiry into arbitrary rescheduling and non-transparent prioritization.

3. Procedural Deviations by CIC

- Assignment of the appeal to a regular CIC officer (Joint Secretary – Law) rather than contractual staff suggests institutional acknowledgment of procedural complexity, yet no effort has been made to resolve core inconsistencies in RTI replies.
- **Insistence on Video Conference appearance**—without justification and contrary to my specific request for in-person hearing—undermines my ability to articulate



procedural grievances, especially when the documents under scrutiny concern high-level institutional conduct.

4. Prayer and Relief Sought

- That the Hon'ble Appellate Authority take cognizance of **conflicting replies, procedural lapses, and the apparent opacity** in allocation and scheduling of appeals.
- That my request for **in-person appearance** be respectfully reconsidered in view of the gravity of the matter and its implications for judicial proceedings underway.
- That a **consolidated, unambiguous, and certified response** be issued in line with Section 7(1) of the RTI Act, accompanied by reasons for record unavailability and postponement decisions.

5. Concealment of Information Regarding Judicial Impropriety Allegations

- As part of the RTI Application, I specifically sought confirmation as to whether the Commission had received any complaint pertaining to **judicial impropriety involving the Chief Information Commissioner Shri Heeralal Samaria**, and if so, requested a certified copy of the action taken report. This was important as I had specifically requested the Chief Information Commissioner's recusal as the complaint under consideration involved the same parties i.e. HPCL during hearing into my cases involving HPCL but he not only refused to recuse himself but went on to pass mechanical one sided orders into my cases which are presently under challenged before Delhi High Court.
- Despite the sensitivity and gravity of this query, **both designated CPIOs failed to offer any response whatsoever**. Such silence on an issue of institutional accountability is **disturbing and deeply contrary to the very ethos of transparency** that the CIC is mandated to uphold.
- It is beyond reasonable comprehension that the apex RTI body—tasked with safeguarding the public's right to information—would **willfully ignore a direct and specific query** related to allegations against its highest office bearer, thereby raising legitimate concerns about deliberate suppression of relevant facts.
- The Commission's silence in this matter evokes serious apprehension under the principle of "**nemo iudex in causa sua**"—no one should be a judge in their own cause. When questions of impropriety arise against its own highest functionary, the CIC must demonstrate heightened objectivity and procedural integrity, not institutional evasion.


[SIDDHARTHA MUKHERJEE]

APPELLANT

Date : 09/07/2025

Place: NOIDA