

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

CICOM/A/P/20/00077
CICOM/R/P/20/00167

Name of the Appellant: Shri Pradceep Bajaj
A-45, Naraina Industrial Area,
Phase-II, Delhi – 110 028

1.	Date of RTI application	05.03.2020
2.	Date of reply of the RTI application	15.05.2020
3.	CPIO (s) who furnished reply	Sh. R. P. Grover, CPIO & DR to IC-YS
4.	Date of First Appeal application	31.08.2020
5.	Date of receipt of First Appeal application in office of the FAA	09.09.2020
6.	Date of Decision	24.09.2020

1. Brief Facts of the case:-

The Appellant, through his RTI Application, giving reference of his twelve Second Appeals, which were heard by the Commission on 25.02.2020, asked for following information:

“Certified true copy of all the Attendance Sheets dated 25.02.2020, consisting of attendance of appellant/respondent/s etc. duly signed and stamped.”

2. Reply of CPIO.

In response to the above RTI Application the CPIO, Shri R. P. Grover, DR to IC-YS, provided following information to the Appellant

“Certified copy of the attendance sheet (two pages) for hearing dated 25.02.2020 is enclosed after redacting the Mobile numbers of the respondent being personal information.”

3. Ground of First Appeal:

Aggrieved with the reply sent by the CPIO, the Appellant has filed First Appeal on following grounds:

- a) That Shri R. P. Grover-CPIO & Designated Officer (DO) IC-YS, Central Information Commission (CIC), Room No. 415, 4th Floor, CIC Bhawan, Baba Gang Nath Marg,

Munirka, New Delhi-110 067, has not supplied judicial mind while sending the reply, because it was the responsibility of the CPIO & DO IC-YS to supply the copies of information, in writing, as per the laid-down provision under Section 7(1) of RTI Act, 2005.

- b) That Shri R. P. Grover, CPIO & DO IC-YS, CIC Munirka, New Delhi-67, has not applied judicial mind because he (CPIO) & DO IC-YS of CIC) has neither supplied the photocopy nor 'Certified True' copy of Attendance Sheet of file No. CIC/SDMCE/A/2018/107812 as already asked specifically in the said application.
- c) That Shri R. P. Grover, CPIO & DO IC-YS, CIC Munirka, New Delhi-67, has not applied judicial mind because he (CPIO & DO IC-YS of CIC) has just supplied the photocopy of both sheets (page nos. 6 to 7) but not made them as "Certified True"/signed/stamped, which, in turn, is a violation of the laid-down provision under Section 2(j)(ii) of RTI Act, 2005.
- d) That Shri R. P. Grover, CPIO & DO IC-YS, CIC Munirka, New Delhi-67, has not applied judicial mind while replying, because he (CPIO & DO to IC-YS of CIC) has supplied the "Tampered" documents, i.e. 'Attendances Sheet' dated 25.02.2020 thereby *suo-motu* deleting the Contact/Mobile nos. of 'Third Party' namely Sardar Mukhtiar Singh as well as all the other CPIO/PICs appeared on the date of hearing.

Whereas, the same were to be expedited as 'per ditto' copy of the Original document/s as categorically stated in the laid-down provision under Section 2(J)(ii) of RTI Act, 2005.

4. Decision with reasons:

On perusal of the Appeal, RTI application and the reply sent by the CPIO, it is observed that the CPIO has supplied the photo copies of Attendance Sheets in two pages to the Appellant, concealing the mobile numbers of the respondents and third party, considering them their personal information. It is important to note that the right of an applicant of taking notes, extracts or certified copies of documents or records under the provision, contained in Section 2(j)(ii), is subject to the restrictions imposed by Section 8(1)(j) of RTI Act, 2005, which prevents the CPIO from disclosing the personal information of a person to other. Hence, the decision of the CPIO of concealing the mobile numbers of respondents and third party is as per the provision of the RTI Act, 2005.

Further, it is observed that File No. CIC/SDMCE/A/2018/107812 has not been mentioned clearly in the copies of Attendance Sheets, as have been provided by the CPIO. Therefore, the CPIO Sh. R. P. Grover, DR to IC-YS is directed to provide information as asked for by the Appellant under provision of RTI Act, 2005 endorsing the same as "being provided under the RTI Act, 2005" within 15 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 – 24th September, 2020.

Meena Balimane
24/09/2020
(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Copy to:-

- ✓ 1. Sh. Ram Kumar, CPIO, RTI Cell, CIC, New Delhi.
2. Sh. R. P. Grover, CPIO & DR to IC(YS), CIC, New Delhi.

Pl. file

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