

CENTRAL INFORMATION COMMISSION

(Room No.315, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110 066)

Prof. M. Sridhar Acharyulu (Madabhushi Sridhar)

Central Information Commissioner

CIC/CC/C/2015/000213-SA

Vijay Prakash Gupta v. PIO, Dwarka Court

Important Dates and time taken:

RTI: 30.09.2014	FAO: 23.12.2014	Complaint: 16.03.2015
Closed.	Hearing: 23.09.2016	Decided on:

Parties Present:

1. Appellant: Mr. J. Mittal Rao represents complainant.

Public authority: Ms. S. K. Sikka and Mr. Sanjay Kumar

FACTS:

2. Complainant had sought to know whether the First Appellate Authority, Dwarka District Courts, New Delhi can compel an appellant to come for his personal appearance in order to adjudicate an appeal filed under section 19 (1) of RTI Act, whether it is lawful for the FAA to issue notice through Ld. District and Session Judge/Ld. Chief Judicial Magistrate to an appellant residing in another state, directing for the personal appearance of the appellant in order to adjudicate an appeal filed by him under section 19 (1) of the RTI Act etc. Complainant filed First Appeal claiming non-furnishing of information.

3. FAA disposed of the appeal stating that the PIO has taken the plea that the information has been duly supplied to the appellant despite the fact that he has never sent any self addressed and duly stamped envelope nor he has ever submitted postal charges as per Rules 2008, notified by Hon'ble High Court of Delhi Vide no. 162 and 163/Rules/DHC dated 06.05.2009. In appeal, the appellant has stated that he is aggrieved by no decision/deemed denial of information by the CPIO. He stated that he had perused the reply furnished by

PIO to the appellant vide letter dated 29.10.2014. It was revealed that PIO had furnished query wise reply to the appellant. Therefore, he was satisfied that PIO had sent the reply as per the law. Hence, there is no merit in the appeal and the same is dismissed. Complainant approached the Commission.

Decision :

3. Respondent Officer stated that the Complainant is an accused in FIR No. 131/12, which is at the stage of argument of charge. He also stated that the information as available with them has been furnished to the Complainant, who is trying to seek clarification which they cannot do under RTI Act. The PIO offered inspection of records to the complainant. The Commission, therefore, directs respondent authority to facilitate inspection to the Complainant and provide certified copies of documents selected by him, within 10 days from the date of receipt of this Order. Hence, disposed of.

Sd/-

(M. Sridhar Acharyulu)
Central Information Commissioner

Authenticated true copy

(Dinesh Kumar)
Deputy Registrar

Addresses of the parties:

1. The CPIO under RTI,
Dwarka Court Complex,
Administration Branch, Sector-10,
Dwarka, New Delhi.
2. Shri Vijay Prakash Gupta,
No. 59/1, 3rd Floor, 1st N'Block,
Rajajinagar, Bangalore,
Karnataka-560010.