

CENTRAL INFORMATION COMMISSION

Room No. – 308, 2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110066.
Website: cic.gov.in

File No. CIC/KY/C/2016/000296

Complainant : Shri Raja Ram Bhatt
Principal, Rajakiya Porva Madhya Vidhyalaya
Bapugram, Vikas Khand, Doiwala
Virbhadra, Dehradun-249202, Uttrakhand

Public Authority : The CPIO
M/o Chemical and Fertilizer
Indian Drugs & Pharmaceuticals Limited
Virbhadra, Rishikesh-249202, Uttarakhand

Date of Hearing : 07.10.2016

Date of Decision : 07.10.2016

Presence:

Complainant : Shri Raja Ram Bhatt
CPIO : Absent

FACTS:

- I. Vide RTI application dated **28.05.2016**, the Complainant sought information on **7 issues**.
- II. CPIO, vide its response dated **28.06.2016 & 06.07.2016**, has provided the information to the Complainant.
- III. The First Appeal (FA) was filed on **04.07.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), order is not on record.
- V. Grounds for the Complaint filed on **27.07.2016**, are contained in the Memorandum of Complaint.

HEARING

Complainant appeared before the Commission personally and made the submissions at length. **Respondent opted to be absent despite of our due notice to them.**

DECISION

It would be seen here that the complainant, vide his RTI Application dated **28.05.2016**, sought information from the respondents in the capacity of "*Principal of Rajakiya Porva Madhya Vidhyalaya, Bapugram, Dehradun*". Thus, it is to be seen here that complainant is seeking the information from the respondents as a Principal but not as an individual Indian.

2. Further, the Commission feels that it would be better and even justified to quote the relevant section of the RTI Act 2005, which deals with the issue, under reference i.e. **Section 3 of the RTI Act 2005**, which envisages as under:

*“Subject to the provisions of this Act, **all citizens** shall have the right to information.”*

3. In view of the above, it is abundantly clear that only **Indian Citizens and in individual capacity are legally entitled** to submit an application for getting the required information under the provisions of RTI Act 2005 and **non-others**. Thus, the Principal of Rajakiya Porva Madhya Vidhyalaya, Bapugram, Dehradun (may be of even foreigner) **dehors Section 3 read with Section 2(f) of the RTI Act 2005**.
4. The Commissioner heard the submissions made by Shri Raja Ram Bhatt, Complainant, at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the complainant in his RTI application dated **28.05.2016**, respondent's responses dated **28.06.2016 & 06.07.2016**, other material made available on record and also the grounds of memorandum of Complaint.
5. In view of the position above and in the **circumstances** of the case, the Commission is of the considered view that it would be appropriate even justified to dismiss the appellant's captioned Complaint, which is barred by **Section 3 of the RTI Act 2005 being not legally tenable**. Therefore, it is hereby **dismissed** accordingly.

The Appeal is dismissed accordingly.

Sd/-
(M.A. Khan Yusufi)
Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

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