

CENTRAL INFORMATION COMMISSION

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

File No. CIC/LS/C/2012/000899/KY

Complainant : Shri Vikas Negi
Chamber No. 125A, Patiala House Court
New Delhi

Public Authority : The CPIO
M/o Textiles, National Textile Corporation Limited
Core-IV, Scope Complex, 7 Lodi Road
New Delhi-110003

Date of Hearing : 26.09.2016
Date of Decision : 26.09.2016

Presence:

Complainant : Absent
CPIO : Shri Vinay Kumar, Asst. Manager & APIO

FACTS:

- I. Vide RTI application dated **18.02.2012**, the Complainant sought information on **2 issues**.
- II. CPIO, vide his response dated **01.08.2012**, allegedly provided the required information to the complainant.
- III. The First Appeal (FA) is not on record.
- IV. First Appellate Authority (FAA), order is not on record.
- V. Grounds for the Complaint filed on **21.05.2012**, are contained in the Memorandum of Complaint.

HEARING

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

DECISION

It would be seen here that the Complainant, vide his RTI Application dated **18.02.2012**, sought information from the respondents in the capacity of "*Managing Partner, For Verdict Law Office, Advocates & Solicitors, Chamber No. 125-A, Patiala House Court, New Delhi-110001*". Thus, it is to be seen here that Complainant is seeking the information from the respondents as *Managing Partner, For Verdict Law Office*, 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 *Managing Partner, For Verdict Law Office, Advocates & Solicitors, Chamber No. 125-A, Patiala House Court, New Delhi-110001* (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 Complainant as well as respondents at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the Complainant in her RTI application dated **18.02.2012**, respondent's response dated **01.08.2012**, 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 Complainant'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 Complaint is disposed of accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

The CPIO

M/o Textiles, National Textile Corporation Limited

Core-IV, Scope Complex, 7 Lodi Road

New Delhi-110003

Shri Vikas Negi

Chamber No. 125A, Patiala House Court

New Delhi