

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/YA/A/2014/002049/SB

Dated 26.09.2016

Appellant : Shri K.S. Budhiraja,
66-A, B.U & V,
Shalimar Bagh,
Delhi-110088.

Respondent : Central Public Information Officer,
Central Information Commission,
2nd Floor, B-Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110 066.

Date of Hearing : 26.09.2016

Relevant dates emerging from the appeal:

RTI application filed on : 18.03.2014

CPIO's reply : 03.06.2014

First appeal filed on : 09.06.2014

FAA's order : No order

Second appeal filed on : 06.08.2014

ORDER

1. Shri K.S. Budhiraja filed an application dated 18.03.2014 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Information Commission (CIC) seeking information on four points including (1) whether Decision Nos. CIC/SG/A/2012/000890/18902 Appeal No. CIC/SG/A/2012/000890, CIC/SG/A/2012/000606/18405 Appeal No. CIC/SG/A/2012/000606,

CIC/SG/A/2012/000831/18849 Appeal No. CIC/SG/A/2012/000831 have attained finality or superseded by other decision of CIC/challenged in court and have been modified, and (2) if the above decisions have attained finality, are they binding on any CPIO of Public Authorities and he has to take cognizance of these decisions while taking decision in similar matters for his/her own department.

2. The appellant filed a second appeal dated 06.08.2014 before the Commission on the grounds that the information has not been provided to him by the CPIO mentioning that information sought is not available with the Registry of the Information Commissioner, Shri Sharat Sabharwal and that the First Appellate Authority (FAA) did not respond to his appeal. The appellant requested the Commission to direct the concerned CPIO to provide the information sought by him.

Hearing:

3. The appellant Shri K.S. Budhiraja was not present despite notice. The respondent Shri A.K. Sharma, CPIO, CIC was present in person.

4. The respondent submitted that the appellant was informed vide letter dated 03.06.2014 that information sought by him is not available with the registry of IC (SH). The respondent further submitted that the information sought in point no. 2, 3 and 4 are in the nature of queries and do not fall under the definition of information as per Section 2(f) of the RTI Act, 2005.

Decision:

5. The Commission, after hearing the respondent, observes that vide point no. 1 of the RTI application, the appellant seeks information as to whether certain decisions of the Commission have been superseded or challenged in a Court. The Commission observes that such an information ought to be

available with the CIC. The Commission, therefore, directs the respondent to provide the information sought on point no. 1 of the RTI Application of the appellant within a period of four weeks from the date of receipt of a copy of this order.

6. With the above observations, the appeal is disposed of.
7. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer