

**Central Information Commission, New Delhi**  
**File No. CIC/SH/A/2016/000091**  
**Right to Information Act-2005-Under Section (19)**

**Date of hearing** : 23rd January 2017

**Date of decision** : 23rd January 2017

**Name of the Appellant** : SHRI SHIV KUMAR  
S/O. SHRI RAM DAS, 'C' DAL,  
H. NO- 24/286, TYPE-I 25 P.A.C. CHHAWNI,  
GORA BAZAR, RAIBAREILLY,  
UP-229001

**Name of the Public Authority/Respondent** : CENTRAL PUBLIC INFORMATION OFFICER,  
GAIL INDIA LIMITED  
PO-PATA, DISTT-AURAIYA,  
UP-206241

**RTI Application filed on** : 21/02/2015

**CPIO replied on** : 20/03/2015

**First Appeal filed on** : 07/04/2015

**First Appellate Authority order on** : —

**2<sup>nd</sup> Appeal received on** : 10/08/2015

The Appellant was present at the NIC Studio, Raibareilly.

On behalf of the Respondents, Shri H. C. Lohumi, Chief Manager (RTI) was present in person.

**Information Commissioner** : Shri Sharat Sabharwal

**Information sought**

This matter concerns an RTI application filed by the Appellant, seeking information on nine points regarding action taken on letters dated 1.7.2014, 26.9.2014 and 15.11.2014 of the Sanitation and Housekeeping staff, whether any fee was required to

be paid by the staff for issuance of gate pass, withdrawal of their Provident fund, duties of EIC and Welfare Officer.

### **The CPIO reply**

The CPIO provided information on point Nos. 8 & 9 and expressed his inability to provide the information on point Nos. 1 to 7, stating that the details of the letters of the Sanitation and Housekeeping staff were not provided by the Appellant.

### **Grounds of the First Appeal**

Not satisfied with the CPIO's reply.

### **Order of the First Appellate Authority**

No order passed.

### **Grounds of the Second Appeal**

Complete information not provided.

### **Relevant facts emerging during the Hearing, Discussion and Decision**

The Appellant stated that the information sought at points No. 1 to 7 of his RTI application has not been provided. The representative of the Respondents acknowledged that the Respondents did receive the three communications, in respect of which information was sought by the Appellant regarding action taken on the same. However, he seemed to suggest that these letters were unsigned and were not clear.

2. We have considered the submissions of both the parties and direct the CPIO to provide the information concerning the action taken on the above three communications, as available on the records of the Respondents, in response to points

No. 1 and 2 of the RTI application. The CPIO is also directed to provide to the Appellant the norms of the Respondents, if any, in response to point No. 3 of the RTI Application. The CPIO should provide the above information, free of charge, within twenty days of the receipt of this order, under intimation to the Commission. As regards points No. 4 to 7, we note that the information sought therein is in the nature of seeking the opinion of / explanation from the CPIO. Therefore, in our view, these queries do not fall within the ambit of information as defined in Section 2 (f) of the RTI Act.

3. With the above directions and observations, the appeal is disposed of.

4. Copies of this order be given free of cost to the parties.

Sd/-  
**(Sharat Sabharwal)**  
**Information Commissioner**

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

**(Vijay Bhalla)**  
**Deputy Registrar**