

Central Information Commission

Deep Shikha Singh vs Indian Army on 8 May, 2021

Author: Vanaja N Sarna

CENTRAL INFORMATION COMMISSION

Baba Gangnath Marg
,
- 110067
Munirka, New Delhi-110067

File no.: - CIC/IARMY/A/2019/127558

In the matter of:
Deep Shikha Singh

... Appellant

VS

Central Public Information Officer,
RTI Cell, ADGMT (AE)
G- 6, D-1 Wing, Sena Bhawan Gate No-04,
New Delhi - 110011

... Respondent

RTI application filed on : 12/02/2019 CPIO replied on : Not on record First appeal filed on : 11/03/2019 First Appellate Authority order : Not on record Second Appeal Filed on : 31/05/2019 Date of Hearing : 06/05/2021 Date of Decision : 06/05/2021 The following were present:

Appellant: Not present Respondent: Lt. Col. Kamal Kapoor, Col. Ganesh Nagarajan and CPIO, present over phone Information Sought:

The appellant has sought the following information:

1. Provide copies of directions/orders, relevant Acts / rules/ noting sheets with regard to DSR PARA 395 and 396.
2. Rules relating to Indian Official Secrets Act
3. Provide copy of the Acts/rules / note sheets relating to Army Act Section 42(e), 52(b), 63, 40(c) and 63(a).
4. And other related information.

Grounds for Second Appeal The CPIO did not provide the desired information.

Submissions made by Appellant and Respondent during Hearing: The appellant could not be contacted as the mobile number available in the file was not functioning. The notice of hearing sent to the applicant was returned undelivered with the remarks "insufficient address".

The CPIO vide written submissions dated 04.05.2021 submitted that the information sought by the appellant is vague and hypothetical in nature and the same was disposed of u/s 2(f) of the RTI Act

vide letter dated 06.03.2019. He further submitted that the first appeal was also disposed of by the FAA on 18.04.2019. He submitted that the same was complied with on 29.04.2019. The CPIO submitted that the appellant is asking for amplification of law and the same cannot be done under the RTI Act.

Observations:

The Commission observes that a specific point-wise reply should be given specifying where the information is available. In case it is not available the same should be informed. The information sought denied u/s 2(f) was not justified.

Decision:

In view of the above observations, the CPIO is directed to provide a revised reply as discussed above, within 10 days from the date of receipt of the order.

The appeal is disposed of accordingly.

Vanaja N. Sarna (.)
Information Commissioner ()

Authenticated true copy
()
A.K. Assija (..)
Dy. Registrar (-)
011- 26182594 / / Date