

Central Information Commission, New Delhi
File No.CIC/SM/A/2013/000366
Right to Information Act-2005-Under Section (19)

Date of hearing : 05/08/2013

Date of decision : 05/08/2013

Name of the Appellant : **Sh. S Joseph Balasundar,**
S/o Late S. Somasundaram, 13/20,
Elumalai Street, Bharathi Nagar,
Nesapakkam, Chennai - 600 078

Name of the Public Authority : **Central Public Information Officer,**
Union Public Service Commission,
(Sang Lok Seva Ayog) Dholpur House,
Shahjahan Road, New Delhi

The Appellant was present.

On behalf of the Respondent, the following were present:-

- (i) Shri Arun Gaur, Deputy Secretary,
- (ii) Shri Inderjeet, Under Secretary

Chief Information Commissioner : **Shri Satyananda Mishra**

2. We heard both the parties.

3. Referring to the dialogue between him and one of the members of an interview board before which the Appellant had appeared on 29 May 2012, the Appellant had claimed that the said member had differed from him on the applicability of a certain Supreme Court order in a particular case and, instead, had cited some other Supreme Court order. The Appellant wanted a copy of the order to which the said member of the interview board had referred. The CPIO

had informed him that the desired information was not available and could not be provided and also that the proceedings of the interview board were not recorded or compiled. Not satisfied with this reply, he had preferred an appeal. The Appellate Authority had rejected his appeal as devoid of merit as he believed, like the CPIO, that the desired information was not available in the UPSC.

4. The Appellant insisted during the hearing that he should be provided with a copy of that Supreme Court order to which a particular member of the interview board had referred. On the other hand, the respondent reiterated that the UPSC had no record of what transpired during the interview and had no idea about which Supreme Court order was cited by the member. He submitted that the UPSC did not, in any case, have any Supreme Court order to share with the Appellant.

5. We have carefully considered the facts of the case and the submissions made before us. The RTI request is clearly not information within the meaning of section 2(f) read with section 2(j) of the Right to Information (RTI) Act. Information is defined as a material record and the right to information has been defined as a right to access only that information which is available with the public authority. In this case, the Appellant has not specified exactly what information he wants except giving a vague reference to some Supreme Court order cited by some member of an interview board. Since the UPSC does not maintain or have a record of the interview, the CPIO can never find out what exactly the member had said and, in any case, the UPSC is not the repository of the Supreme Court orders; for that, the Appellant would have to either visit

the Supreme Court website or consult a legal expert.

6. We completely agree with the findings of the Appellate Authority that the appeal is without any merit. It is disposed off accordingly.

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

(Satyananda Mishra)
Chief 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