OFFICE OF THE ADM (SOUTH)/ FIRST APPELLATE AUTHORITY (RTI)
REVENUE DEPARTMENT : GNCTD : DISTRICT - SOUTH
M.B. ROAD : SAKET : NEW DELHI

Appellant	:	Manoj Suri
Respondent	:	SPIO/SR (V-A)
Under Section	:	19(1) RTI, Act, 2005

No. 1039/FAA/South/2016/ 4196-98 Dated: 25/04/16

ORDER

This order shall dispose-off the present appeal filed by Sh. Manoj Suri R/o 53-B, Above Axis Bank ATM, Main Market, Savitri Nagar, New Delhi – 110 062, on 31/03/2016 under the provisions of the Right to Information Act, 2005.

Notice for hearing was issued to the concerned. The matter was taken up for hearing on 12.04.2016, wherein, there was no representation on behalf of the appellant and the respondent SPIO was represented by Ms. Anju Mehta, UDC. The documents placed on record were perused. The appeal in the present case has been filed due to non-satisfaction on the reply provided by the respondent SPIO vide letter dated 21.02.2016. The representative of the respondent SPIO pleaded that an appropriate reply was provided to the applicant and they seek directions in the matter, if any.

I, have considered the contentions of both the parties & records placed before me. The contents of the case record show that the applicant in the present case had sought information vide his application dated 04.02.2016 that ***'What stamp duty is to be paid for the registration of sale certificate issued by Bank under SARFAESI Act, 2002 ?"***, which was duly replied by the respondent SPIO thereby informing that "***the information sought is not covered u/s 2 (f) of the RTI Act, 2005***". **Section 2 (f) of the Right to Information Act, 2005 defines the term 'information'. In catena of judgements/order's the Hon'ble Central Informaiton Commission & other Higher Forums/Courts have held that "the words 'opinions' and 'advices' do not mean or imply that the public authority is obliged to formulate and give its opinion or advice on the issues of interest to the applicant. Nothing which is intangible such as interpretations, opinions, advices, explanations, reasons can be said to be included in the defintion of information is section 2(f) of the RTI Act, 2005". Besides, the definition of information cannot include within its fold answers to the questions as to why, what or how of any matter, which would be the same thing as asking for reason or justification for a particular thing.**

Hence, in view of the above discussion, it is held that the stand/reply of the respondent SPIO in the present case is appropriate and in the spirit of the provisions of the Right to Information Act, 2005. **The appeal is therefore dismissed being devoid of merits**.

The Appellant shall be at liberty to approach the Central Information Commission, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066, if he is not satisfied with the present order.

Issued under my hand and seal on this 21st April, 2016.

(RICHA)
ADM(South)/FAA

To,

1). Sh. Manoj Suri R/o 53-B, Above Axis Bank ATM, Main Market, Savitri Nagar, New Delhi
2). The SPIO/SR (V-A), GNCTD.
3). The Programmer (NIC) O/o DM (South), with the direction to upload this order on the website of District – South.