

**Ministry of Electronics and Information Technology  
Indian Computer Emergency Response Team (CERT-In),  
Electronics Niketan, CGO Complex, New Delhi – 110003  
Tel. 011-24368558**

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1. Name and Address of Appellant: **Mr Vihar Durve,  
573/1, Pavan Vihar, Near Sai Pump,  
J.M. Road, Pune - 411004**
  2. Date of receipt of First Appeal u/s 19(1) of RTI Act by the First Appellate Authority: 14/05/2018
  3. Due date for disposal of First Appeal, u/s 19(6) of RTI Act: 13/06/2018
  4. Date of FAA's order : 29/05/2018.
  5. Date of actual dispatch of FAA's order : 29/05/2018.
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**Order by First Appellate Authority under RTI Act**

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The appeal was received in this office on 14/05/2018 by post through APIO (Senior Postmaster, Pune City H.O., Pune 411002). The appellant, vide letter dated 10/05/2018 has appealed against the information provided u/s 7(1) of the RTI Act by CPIO vide Letter No. 2(38)/2017-CERT-In, dated 03/05/2018.

The appellant vide his RTI application dated 23/03/2018 had sought year wise information from 2014 to 2018 about total number of complaints received from citizens against Facebook and action taken thereon; the name & designation of the officer supposed to take action; time period to take action against Facebook. The appellant has further sought copy of all records correspondence, deliberations, meeting, discussions, etc. made with Facebook and replies for the same received from Facebook. The appellant has also sought to provide weblink of above RTI as well as uploading its reply on RTI website.

The CPIO, vide Letter No. 2(38)/2017-CERT-In, dated 03/05/2018, had informed that there is nil information from CERT-In, as the information sought by the applicant is in respect of the statistical data about the complaints from citizens against Facebook, which does not fall into the purview of CERT-In, since such complaints come under the category of cyber-crimes under IT Act and the same are handled by the cyber cells of the state police. The information given by CPIO is correct, since CERT-In does not handle such complaints and accordingly, does not have any records of the same. Such records should be available with 'Crime and Criminal Tracking Network & Systems (CCTNS)' / 'National Crime Records Bureau (NCRB)' under Ministry of Home Affairs (MHA). So, the CPIO is hereby directed to transfer the application to the CPIO, Ministry of Home Affairs within five working days of this order. Also, for copies of Act, Rules & Regulations, Office Memorandums, Notifications, Circulars, etc. related to websites hosting social media, CPIO is hereby directed to transfer the application to CPIO, Cyber Laws Division, Ministry of Electronics & Information Technology within five working days of this order.

**Order in r/o Appeal Point 1:**

The CPIO was directed to provide the information sought by the applicant in Appeal Point 1, that is, the copy of correspondence, e-mail, records discussion etc. made by Mr Ravi Shankar Prasad, Hon'ble Minister for Electronics & Information Technology. In this regard, CPIO has stated that the information sought in appeal is fresh information and the same was not sought earlier in the RTI. In this regard, the applicant is directed to submit fresh RTI to seek this information.

**Order in r/o Appeal Point 2:**

The CPIO was directed to provide the information sought by the applicant in Appeal Point 2, i.e., regarding uploading of RTI applications and their replies on the website of Public Authority, i.e. Ministry of Electronics & Information Technology and on [www.rti.gov.in](http://www.rti.gov.in). In this regard, the CPIO has stated that uploading of physically received RTI Applications on the aforesaid two websites is the responsibility of the

RTI Cell / Nodal Officer of the ministry and the same is pending with them. If, RTI Application would have been submitted on-line by the applicant or entered in RTI-MIS by RTI Cell, then the same would have been automatically replied by CPIO on RTI-MIS. Due to this reason, the weblink for the RTI Application and its reply was not available and the same could not be provided.

For resolving the aforesaid issue, RTI Cell, MEITY is directed to enter all the physically received RTI Applications into the RTI-MIS as well as MEITY website, so that in future such a problem does not arise.

From the above, it is concluded that the information provided by the CPIO is justified; therefore First Appeal by the Applicant stands disposed. In case the appellant is not satisfied with this order, he may file his second appeal u/s 19(3) of RTI Act within 90 days of the receipt of this order before the Central Information Commission, CIC Bhawan, Baba Gang Nath Marg, Old JNU Campus, New Delhi – 110067.

**(Omveer Singh)**  
**First Appellate Authority & Director / Scientist 'F'**  
**CERT-In**  
**Ministry of Electronics & Information Technology**  
**Electronics Niketan, CGO Complex, New Delhi 110003**  
**Date of Order: 29/05/2018.**  
Office Stamp

**Copy to:**

1. **Mr. Vihar Durve,**  
**573/1, Pavan Vihar, Near Sai Pump,**  
**J.M. Road, Pune – 411004**
2. **Mr. Ajay Lakra** : **For necessary compliance.**  
**CPIO & Scientist 'E' / Addl. Director**  
**CERT-In**  
**Ministry of Electronics & Information Technology (MEITY)**  
**Electronics Niketan, CGO Complex, New Delhi 110003**
3. **Nodal Officer, MEITY, New Delhi 110003**
4. **DD, RTI Cell, MEITY, New Delhi 110003** : **To upload RTI Application & its reply on**  
**RTI-MS and MEITY website.**

**(Omveer Singh)**  
**First Appellate Authority & Director / Scientist 'F'**  
**CERT-In, New Delhi**