

CENTRAL INFORMATION COMMISSION

Room No. – 308, 2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110066.
Website: cic.gov.in

File No. CIC/SH/C/2015/000040/KY

Complainant : Shri Gurpreet Pal Singh
6-E, Mata Sundri Place
D.D.U Marg, New Delhi-110002

Public Authority : The CPIO
Ministry of Youth Affairs and Sports
All India Chess Federation
Adm. Office: Hall No. 70, Jawaharlala Nehru Stadium,
Chennai-600003

Date of Hearing : 29.08.2016
Date of Decision : 29.08.2016

Presence:

Complainant : Shri Gurpreet Pal Singh
CPIO : Sh CG Sathya Narayanan, Appellate Authority, **Heard
Telephonically**

FACTS:

- I. Vide RTI application dated **14.07.2014**, the appellant sought information on **4 issues**.
- II. CPIO, vide its response dated **18.08.2014**, has provided the part information to the Appellant.
- III. The First Appeal (FA) was filed on **29.08.2014**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **21.10.2014**, upheld the decision of CPIO.
- V. Grounds for the Complaint filed on **18.01.2015**, are contained in the Memorandum of Complaint.

HEARING

Complainant appeared before the Commission personally & Respondent was heard telephonically (Phone No. 044-25382121) and made the submissions at length.

DECISION

1. During hearing of the case, it is submitted by Shri Gurpreet Pal Singh, Complainant, that he has received the required information **against all issues except issue no. 1 of his RTI application dated 14.07.2014**. Therefore, he wants to press only issue no. 1 of the RTI application dated **14.07.2014**.
2. It would be seen here that the complainant, vide his RTI Application dated **14.07.2014**, sought information from the respondents on 4 issues as contained therein. Respondents vide their response dated **18.08.2014**, denied the required information to the complainant by taking a plea under Section 8 (1) (j) of the RTI Act 2005. Being aggrieved by the aforesaid response, FA was filed by the complainant on **29.08.2014** before the FAA, who vide his order dated **21.10.2014**, upheld the decision of CPIO. Hence, complainant has filed his complaint dated **18.01.2015** before the Commission.
3. During hearing of the case, it is submitted by Shri Gurpreet Pal Singh, Complainant, that respondents have wrongly invoked section 8 (1) (j) of the RTI Act 2005 for denying the required information to him. He further relied upon various Hon. High Courts judgments. The Commission has perused the case-laws submitted by Shri Gurpreet Pal Singh and feels that these are not relevant to the case in hand.
4. It is pertinent to mention here that **most important criterion among the other criteria** mentioned under **Section 18(1) (a) to (e) of the RTI Act 2005**, appears to be that complainant must be given **incomplete, misleading and false information**. However, the other criteria seems to be, refusal of access, not given response, charging unreasonable fee and even refusal of accepting the application for information etc. etc.
5. It is further stated here that, as per **Section 18 (2) of the RTI Act 2005**, in the **complaint cases**, it is **mandatory** on the part of Hon'ble Commission **to be satisfied first** that there are **reasonable grounds** for getting the matter inquired from the O/o respondents before proceeding under **Section 18 read with 20 of the RTI Act 2005** and the main satisfaction of the Hon'ble Commission seems to be the fulfillment of either criteria as mentioned under **Section 18(1) (a) to (e) of the RTI Act 2005**.
6. The Commission heard the submissions made by complainant as well as respondents at length. The Commission also perused the case-file **thoroughly**; specifically, **nature of issues** raised by the complainant in his RTI application dated

14.07.2014, respondent's response dated **18.08.2014**, FAA's order dated **21.10.2014** and also the contents of complaint.

7. In view of the **position** above and in the **circumstances** of the case, the Commission feels, **not satisfied**, under section 18(2) of the RTI Act 2005, that there are **reasonable grounds** for getting the matter inquired simply because the complaint, under reference, **miserably failed to qualify** the criteria as mentioned under **Section 18(1) of the RTI Act 2005**. As such, the Commission is of the considered view that complainant's complaint devoids of merit and deserves to be **dismissed** forthwith. Therefore, it is hereby **dismissed**.

The Appeal is dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

The CPIO

Ministry of Youth Affairs and Sports

All India Chess Federation

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