

CENTRAL INFORMATION COMMISSION

Club building, Opposite Ber Sarai Market, Old JNU Campus, New Delhi- 110067.

Tel: 011 - 26182593/26182594

Email: registrycab@gmail.com

File No : CIC/CC/C/2014/000069-AB

In the matter of:

Mr. Rakesh Bansal
42 saraswati vihar, Raipur Road,
Dehradun-248001

...Complainant

Vs.

CPIO,
M/o Defence
AWHO, SOUTH HUTMENTS,
KASHMIR HOUSE, RAJAJI MARG,
NEW DELHI - 110011

...Respondent

Dates

Complaint : 27.08.2014

Date of Decision : 13.10.2016

Facts:

The applicant had sought information from AWHO.

Decision:

On perusal of record, it is seen that the complaint was filed against Army Welfare Housing Organisation.

The Hon'ble Delhi High Court vide its decision dated 19th Nov 2014 in LPA No. 867/2013 in the matter of AWHO vs Adjutant Generals Branch & ors has held as under:

"18. We therefore set aside the judgment of the learned single judge and allow the appeal and hold that the appellant is not a public authority within the meaning of Section 2(h) of the RTI Act."

There is no dispute in the fact that AWHO is not a public authority. Hence, it is not covered under the ambit of RTI Act, 2005.

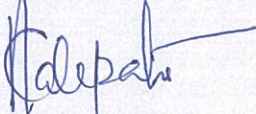
The applicant has no legally enforceable right under the RTI Act as the respondent is not a public authority and is therefore under no obligation to reply to the RTI applicant.

The complaint has no merit and is accordingly dismissed.



**[Amitava Bhattacharyya]
Information Commissioner**

Authenticated true copy



**(A.K. Talapatra)
Dy. Registrar**