

# CENTRAL INFORMATION COMMISSION

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

File No. CIC/SH/C/2014/000108/KY

Complainant : Shri Dhinakaran A  
2nd Street, Emmanuel Nagar  
Thuvakudimalai, Tricy-620022, Tamilnadu

Public Authority : The CPIO  
M/o. Heavy Industry & Public Enterprises  
Department of Public Enterprises, BHEL,  
Human Resource Department, Ranipet-632406

Date of Hearing : 10.11.2016  
Date of Decision : 10.11.2016

## **Presence:**

Complainant : Absent  
CPIO : Shri S. Sridhar, DGM & CPIO

## **FACTS:**

- I. Vide RTI application is not on record.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) is not on record.
- IV. First Appellate Authority (FAA), order is not on record.
- V. Grounds for the Complaint filed on **03.06.2011**, are contained in the Memorandum of Complaint.

## **HEARING**

**Complainant opted to be absent despite of our due notice to him.** Respondents appeared before the Commission personally and made the submissions at length.

## **DECISION**

At the outset, it is stated here that **as per Rule 8 i.e. RTI Rule 2012** framed under the provisions of RTI Act 2005, it is mandatory on the part of complainant to annex certain copy of documents, which reads as under:

- i) a copy of the application submitted to the Central Public Information Officer
- ii) a copy of the reply received, if any, from the Central Public Information Officer;
- iii) a copy of the appeal made to the First Appellate Authority
- iv) a copy of the Order received, if any, from the First Appellate Authority
- v) copies of other documents relied upon by the appellant and referred to in his appeal
- vi) an index of the documents referred to in the appeal

However, Complainant failed to annex the necessary papers at the time of filing of Complaint dated **03.06.2011** before this Commission i.e. RTI application, respondent's response etc. for the reasons best known to him.

2. By virtue of position above, there appears that Complainant **failed to comply the rules** above, as he has not annexed the necessary documents at the time of filing of his Complaint dated **03.06.2011** before this Commission i.e. RTI application, respondent's response etc. for the reasons best known to him. Thus, the Commission finds that there was complete violation of Rule 8 of RTI Rule 2012 framed under the provisions of RTI Act 2005.
3. In view of the position above and in the **circumstances** of the case, the Commission feels that the instant Complaint is **not legally maintainable** in the eyes of Law. As such, it **would be appropriate and even justified** not to proceed further in such cases, where even **necessary papers are not enclosed** by the Complainant with his Complaint. As such, the Commission is of the considered view that it is a fit case to be **dismissed**. Therefore, it is hereby **dismissed**.
4. Apart from above, the Commission also thinks that complainant must have appeared, in person or through some one, in such situations, to press his complaint before the Commission, after all, it is his case to be pursued strongly. However, the complainant is absent **deliberately**, to press his complaint, despite of our due notice. Thus, it shows the intention of the complainant that he is not interested, **at all**, in pursuing his own case before the Commission.

The Complaint is dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

The CPIO

M/o. Heavy Industry & Public Enterprises

Department of Public Enterprises, BHEL,

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