

CENTRAL INFORMATION COMMISSION

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

File No. CIC/YA/C/2015/000182/KY

Appellant : Ms. Simran Pal
Motimai Dharamshala, Haridwar Road
Rishikesh, Dist.-Dehradun, Uttrakhand
PIN-249201

Public Authority : The CPIO
M/o. Science and Technology
Dept. of Science and Technology
CDN & RTI Cell, Technology Bhawan
New Mehroli Road, New Delhi-110016

Date of Hearing : 23.08.2016

Date of Decision : 23.08.2016

Presence:

Appellant : Absent
CPIO : Dr. S N Babu, Scientist C & ACPIO and
Shri P K Dutta, Under Secretary

FACTS:

- I. Vide RTI application dated **06.11.2014**, the Appellant sought information on sole issue.
- II. CPIO, vide its response dated **20.11.2014**, reportedly not provided the information to the Appellant.
- III. The First Appeal (FA) was filed on **01.12.2014**, as desired information not provided.
- IV. First Appellate Authority (FAA) order is not on record.
- V. Grounds for the Second Appeal filed on **16.03.2015**, are contained in the Memorandum of Appeal.

HEARING

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

DECISION

At the outset, it is stated here that as per the contents of the so called complaint, **it is a case of second appeal.** However, the Central Registry registered it **wrongly as a complaint for the reasons best known to them.** Thus, it is being dealt with as **second appeal** and not as complaint.

2. It would be seen here that the Appellant, vide her RTI Application dated **06.11.2014**, sought information from the respondents on **sole issue**. Respondents vide their response dated **20.11.2014 & 11.08.2016 (though at very belated stage)**, provided the required information to the Appellant. Being aggrieved by the aforesaid response, FA was filed by the Appellant on **01.12.2014** before the FAA, who **could not take up** the same for its disposal **for the reasons best known to him**. Hence, appellant has filed her Second Appeal dated **16.03.2015** before the Commission.
3. The Commissioner heard the submissions made by respondents at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated **06.11.2014**, respondent's response dated **20.11.2014**, other material made available on record including appellant's written submissions dated **19.08.2016** and also the grounds of memorandum of second appeal.
4. The Commission is of the considered view that it is a fit case to be **remanded back** to learned FAA with a direction to dispose of the Appellant's FA filed on **01.12.2014**, **in accordance with the provisions of RTI Act 2005**, within 30 days from the date of receipt of this order under intimation to the Commission. As such, the case is **remanded back**.

The complaint is dismissed accordingly.

Sd/-
(M.A. Khan Yusufi)
Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

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