

# 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/2015/000199/KY**

**CIC/SH/C/2015/000237/KY**

Appellant : Shri Baldev Singh Rawat  
M-54, MIG Phase-I, Shivlok Colony  
Haridwar, Uttrakhand

Public Authority : The CPIO  
M/o Heavy Industries and Public Enterprises  
Bharat Heavy Electrical Limited (BHEL)  
Heavy Electrical Equipment Plant, Ranipur, Haridwar-249403

Date of Hearing : 09.09.2016  
Date of Decision : 09.09.2016

## **Presence:**

Appellant : Absent  
CPIO : Absent

## **A) FACTS of File no. CIC/SH/C/2015/000199/KY:**

- I. Vide RTI application dated **29.09.2014**, the appellant sought information on **3 issues**.
- II. CPIO, vide its response dated **19.12.2014**, has provided the part information to the Appellant.
- III. The First Appeal (FA) was filed on **20.12.2014**, as desired information not provided.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Second Appeal filed on **28.03.2015**, are contained in the Memorandum of Appeal.

## **B) FACTS of File no. CIC/SH/C/2015/000237KY:**

- I. Vide RTI application dated **27.11.2014**, the appellant sought information on **3 issues**.
- II. CPIO, vide its response dated **19.12.2014**, has provided the part information to the Appellant.
- III. The First Appeal (FA) was filed on **20.12.2014**, as desired information not provided.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Second Appeal filed on **28.03.2015**, are contained in the Memorandum of Appeal.

## HEARING

Appellant as well as respondent opted to be absent despite of our due notice to them.

## DECISION

At the outset, it is stated here that the Central Registry has **wrongly opened** two files bearing no. **CIC/SH/C/2015/000199/KY** and **CIC/SH/C/2015/000237/KY**, dealing with the **same subject**. Thus, in view of this, both cases are being dealt together. It is further stated here that as per the contents of the prayer clause, as embedded in the instant petition, **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 his RTI Application dated **29.09.2014 & 27.11.2014**, sought information from the respondents on **3 issues**. Respondents, vide their response dated **19.12.2014**, allegedly not provided the required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on **20.12.2014** before the FAA, who **could not take up** the same for its disposal **for the reasons best known to him**.
3. The Commissioner **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI applications dated **29.09.2014 & 27.11.2014**, respondent's response dated **19.12.2014**, other material made available on record 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 **20.12.2014**, **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 appeals are disposed of accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

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