

CENTRAL INFORMATION COMMISSION

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

File No. CIC/RM/C/2014/000412/KY

Complainant : Shri Vijay Singh
#722, Ph-2, Ramdarbar
Chandigarh-160002

Public Authority : The PIO cum Assistant Registrar (Estt.)
Panjab University, Administrative Block
Sector-14, Chandigarh-160014

Date of Hearing : 09.09.2016

Date of Decision : 09.09.2016

Presence:

Complainant : Shri Vijay Singh
CPIO : Shri Satish Patil, AR (Estt.) & CPIO

FACTS:

- I. Vide RTI application dated **31.12.2013**, the appellant sought information on **5 issues**.
- II. CPIO, vide its response dated **29.01.2014**, has provided the part information to the Appellant and other are denied to provide the information u/s 11.
- III. The First Appeal (FA) was filed on **03.02.2014**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **11.03.2014**, upheld the decision of CPIO.
- V. Grounds for the Complaint filed on **15.03.2016**, are contained in the Memorandum of Complaint.

HEARING

Appellant as well as respondent appeared before the Commission personally and made the submissions at length.

DECISION

During hearing of the appeal, it is submitted by the appellant that his so called complaint may be treated as a second appeal. On this appellant has also given his handwritten letter dated 09.09.2016, requesting thereby that his complaint be treated as a second appeal & not complaint. Thus, it is being dealt with as second appeal and not as complaint. It is further submitted by Appellant, that he has not received the required information **against any issues except issue no. 1 of his RTI application dated**

31.12.2013. Therefore, he wants to press issues no. 2 to 5 of the RTI application dated **31.12.2013.**

2. It would be seen here that the appellant, vide his RTI Application dated 31.12.2013, sought information from the respondents on 5 issues. Respondents, vide their response dated 29.01.2014, allegedly provided the required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on 03.02.2014 before the FAA, who vide his order dated 11.03.2014, upheld the decision of CPIO. Hence, a Second Appeal before this Commission.
3. It is pertinent to mention here that the CPIO, vide his response dated **29.01.2014**, **denied** the required information, against issues no. 2, 3 & 5, to the appellant by taking a plea under **section 8(1) (j) read with Section 11(1) of the RTI Act 2005 being Third Party & Personal Information.** However, against issue no. 4, respondents have provided a **vague information** to the appellant. Further, learned FAA, vide his order dated **03.02.2014**, disposed of the FA by upholding the views of CPIO.
4. The Commissioner heard the submissions made by appellant as well as respondents at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated **31.12.2013**, respondent's response dated **29.01.2014**, FAA's order dated **11.03.2014**, other material made available on record and also the grounds of memorandum of second appeal.
5. The Commission is of the considered view that the appellant has been **deprived** by the respondents **deliberately** from having the benefits of the RTI Act 2005, **even after lapse of more than thirty two months period.** As such, the Commission feels that appellant's second appeal deserves to be **allowed partly** i.e. against **issue no. 4 only.** Therefore, it is **allowed accordingly.**
6. In view of the above, the respondents are hereby directed to provide the **complete & categorical** information, **against issue no. 4**, to the appellant as per his RTI application, **in accordance with the provisions of RTI Act 2005**, within 30 days from the date of receipt of this order under intimation to this Commission. **If need be, Section 5(4) of the RTI Act 2005 may also be invoked in the matter.**

The Appeal is disposed of accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

The PIO cum Assistant Registrar (Estt.)
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