

# CENTRAL INFORMATION COMMISSION

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

Files No. **CIC/LS/C/2012/000436/KY**    **CIC/LS/C/2012/900668/KY**    **CIC/LS/C/2012/900669/KY**  
**CIC/LS/C/2012/900670/KY**    **CIC/LS/C/2012/900671/KY**

Complainant : Mr. Pawan Kumar Jain  
Panna Bhawan, 2/1 Ansari Road  
Darya Ganj, New Delhi-110002

Public Authority : The CPIO सूचना  
Ministry of Textiles आयोग  
Udyog Bhawan, New Delhi

Date of Hearing : 19.09.2016

Date of Decision : 19.09.2016

## **Presence:**

Complainant : Absent

CPIO : Absent

## **A) FACTS of File No. CIC/LS/C/2012/000436/KY:**

- I. Vide RTI application dated **28.11.2011**, the Complainant sought information on **25 issues**.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) is not on record.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Complaint filed on **14.02.2012**, are contained in the Memorandum of Complaint.

## **B) FACTS of File No. CIC/LS/C/2012/900668/KY:**

- I. Vide RTI application dated **11.12.2011**, the Complainant sought information on **8 issues**.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) is not on record.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Complaint filed on **14.02.2012**, are contained in the Memorandum of Complaint.

**C) FACTS of File No. CIC/LS/C/2012/900669/KY:**

- I. Vide RTI application dated **28.11.2011**, the Complainant sought information on **8 issues**.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) is not on record.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Complaint filed on **14.02.2012**, are contained in the Memorandum of Complaint.

**D) FACTS of File No. CIC/LS/C/2012/900670/KY:**

- I. Vide RTI application dated **11.12.2011**, the Complainant sought information on **three issues**.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) is not on record.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Complaint filed on **14.02.2012**, are contained in the Memorandum of Complaint.

**E) FACTS of File No. CIC/LS/C/2012/900671/KY:**

- I. Vide RTI application dated **28.11.2011**, the Complainant sought information on **25 issues**.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) is not on record.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Complaint filed on **14.02.2012**, are contained in the Memorandum of Complaint.

**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 as per the contents of the prayer clauses, as embedded in the instant petitions, **these are cases of second appeals**. However, the Registry concerned, registered them **wrongly as the complaints for the reasons best known to them**. Thus, these are being dealt with as **second appeals** and not as complaints.

2. It would be seen here that the appellant, vide his RTI Applications dated **28.11.2011 (3 in nos.) & 11.12.2011 (2 in nos.)**, sought information from the respondents on the issues as contained therein. However, respondents **failed to furnish** any response to the appellant on his RTI applications dated **28.11.2011 (3 in nos.) & 11.12.2011 (2 in nos.)**.

3. Being aggrieved by the aforesaid **inaction**, appellant **miserably failed** to avail the **efficacious and alternate legal remedy** existed under the RTI Act 2005 i.e. to file First Appeal under **section 19(1) of the RTI Act 2005** before the Learned FAA but rather he filed a Second Appeals directly before this Commission **without exhausting the alternate remedy** mentioned above and available to him.
4. In view of the **position** above and in the **circumstances** of the case, the Commission feels that it would be **appropriate and even justified** to direct the appellant to avail the **efficacious and alternate legal remedy** available to him by filing the **first appeals**, before the learned FAA for its adjudication. Thus, **ordered accordingly**. The appellant is further granted a liberty to move second appeals before this Commission, in case, he is not satisfied with the decisions of the FAA on the FA.

With these observations the instant appeals are disposed of accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

The CPIO

Ministry of Textiles

Udyog Bhawan, New Delhi

Mr. Pawan Kumar Jain

Panna Bhawan, 2/1 Ansari Road

Darya Ganj, New Delhi-110002