

**CENTRAL INFORMATION COMMISSION**

2<sup>nd</sup> Floor, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi-110066

**Decision No. CIC/RM/C/2014/000568/SB**

**Dated 02.02.2017**

**Complainant** : Shri Sohanlal A. Bhandari,  
A-6/15,35, Blue Gratto CHS,  
LIC Colony, Borivali(W),  
Mumbai-400 103.

**Respondent** : Central Public Information Officer,  
Mazagaon Dock Limited,  
Dockyard Road, Mazagaon,  
Mumbai-400 010.

**Date of Hearing** : 02.02.2017

**Relevant dates emerging from the appeal:**

RTI application filed on : 03.01.2014

CPIO's reply : 13.03.2014

Complaintfiled on : 23.02.2014

**ORDER**

1. Shri Sohanlal A. Bhandarifiled an application dated 03.01.2014 under the Right to Information Act, 2005 (RTI Act) before theCentral Public Information Officer (CPIO),Mazagaon Dock Ltd, Mumbai seeking information onrefund of Earnest Money Deposits (EMDs) submitted by M/s Industrial X-Rays & Allied Radiographers Pvt. Ltd, Mumbai.

2. The complainantfiled a complaint dated 23.02.2014 before theMaharashtra State Information Commission on the grounds that the CPIO informed him that the EMDs have been settled. The complainant states that the CPIO has provided incomplete/incorrect/misleading information and the desired information i.e. the steps taken to settle the EMDs have still not been

---

provided. Maharashtra State Information Commission forwarded the second appeal to the Central Information Commission (CIC).

**Hearing:**

3. The appellant Shri Sohanlal A. Bhandari was not present despite notice. The respondent Shri S.S. Kadam, DGM (HR), Mazagaon Dock Limited was present in person.

4. The respondent submitted that the information sought was provided to the complainant vide letter dated 13.03.2014. The respondent further submitted that the entire amount of EMD has also been settled on 06.08.2014. Hence, no further information remains to be provided to the complainant.

**Decision:**

5. The Commission, after hearing the submissions of the respondent and perusing the records, observes that due information has been provided to the complainant by the respondent. The Commission further observes that since the information sought was provided to the complainant, it cannot be said that the information was malafidely withheld by the respondent. Hence, in the absence of any malafide intention, it would not be appropriate to initiate any action for imposition of penalty on the CPIO.

6. With the above observations, the complaint is disposed of.

7. Copy of the decision be provided free of cost to the parties.

**(Sudhir Bhargava)**  
**Information Commissioner**

**Authenticated true copy**

**(V.K. Sharma)**  
**Designated Officer**