

# 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/2014/000578/KY**

Complainant : Shri Vitthal Tayade  
8/402,Amratdham, Near Yogidham  
Murbad Road, Kalyan (W), Dist. Thane,  
Maharashtra-421301

Public Authority : The CPIO  
Nehru Yuva Kendra Thane  
M/o. Youth Affairs & Sports, O/o. Dist. Youth Co-ordinator-Thane,  
106, SomyaLaxmanPark, Cooperative H Soc. Ltd., Surry Nagar ,  
Gate No. 1, Vitawa, Thane (E), Pin-400605

Date of Hearing : 23.08.2016  
Date of Decision : 23.08.2016

## **Presence:**

Complainant : Shri Vitthal Tayade, **Heard Telephonically**  
CPIO : Shri B K Godase, DYC

## **FACTS:**

- I. Vide RTI application dated **29.09.2014**, the appellant sought information **6 issues**.
- II. CPIO, vide its response dated **16.10.2014**, **11.08.2015**, has provided the information to the Appellant.
- III. The First Appeal (FA) was filed on **27.10.2014**, as desired information not provided.
- IV. First Appellate Authority (FAA), order is not on record.
- V. This Complaint is not filed before Central Information Commission.

## **HEARING**

Complainant was heard telephonically (Phone No. 04712302205). Respondents appeared before the Commission personally and made the submissions at length.

## **DECISION**

At the outset, it is stated here that Complainant has filed his First Appeal dated **27.10.2014** before First Appellate Authority of Nehru Yuva Kendra Sanghathan for its adjudication and a copy of the same was marked to the Registrar of this Commission, which was inadvertently registered as a Complaint by the Central Registry of this Commission.

2. It is pertinent to mention here that complainant failed to file any second appeal u/s 19(3) or a petition u/s 18 read with section 20 of the RTI Act 2005 for taking any cognizance by this Commission. However, as indicated above, he simply filed FA before FAA and copy thereof endorsed to this Commission with no prayer. Thus, it may be legally inferred that petition filed only a FA before learned FAA of the department concerned for its disposal and copy thereof was endorsed to us for the name sake only. In view of this, the Commission feels that appellant/complainant failed to follow the exact procedure as contained in the RTI Act 2005 for the purpose of filing a petition before this Commission, which is mandatory on the part of appellant/ complainant.
3. Further, it is pertinent to mention here that as per Rule 8 i.e. RTI Rule 2012 framed under the provisions of RTI Act 2005, it is mandatory on the part of petitioner to annex certain copy of documents, which reads as under:
- i) a copy of the application submitted to the Central Public Information Officer
  - ii) a copy of the reply received, if any, from the Central Public Information Officer;
  - iii) a copy of the appeal made to the First Appellate Authority
  - iv) a copy of the Order received, if any, from the First Appellate Authority
  - v) copies of other documents relied upon by the appellant and referred to in his appeal
  - vi) an index of the documents referred to in the appeal
4. In view of the **position** above and in the **circumstances** of the case, the Commission feels that it **would not be appropriate and even justified** not to proceed further in such cases, where even **necessary papers are not enclosed** by the complainant with his complaint. As such, the Commission is of the considered view that it is a fit case to be **dismissed**. Therefore, it is hereby **dismissed**.

The complaint is dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

The CPIO

Nehru Yuva Kendra Thane

M/o Youth Affairs & Sports,

O/o. Dist. Youth Co-ordinator-Thane,

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