

CENTRAL INFORMATION COMMISSION
August Kranti Bhawan, Bhikaji Cama Place,
New Delhi-110066

F. No. **CIC/YA/A/2016/000005**

Date of Hearing : **12.01.2017**
Date of Decision : **12.01.2017**
Appellant/Complainant : **Shri K Balasubramaniam, Tamil Nadu**
Respondent : CPIO, Nedungadu Commune
Panchayat, Government of U.T.
Puducherry, Puducherry
Through: Mr. Mansur, FAA
Information Commissioner : Shri Yashovardhan Azad

Relevant facts emerging from appeal:

RTI application filed on : 12.08.2015
PIO replied on : 14.09.2015
First Appeal filed on : 05.10.2015
First Appellate Order on : 06.11.2015
2nd Appeal/complaint received on : 18.12.2015

Information sought and background of the case:

The appellant vide RTI application dated 12.08.2015 sought information as under:

“Copy of the resolution passed by Nedungadu Commune Panchayat fixing present rates of Licence or permission Fees, Water charges for industries in Nedungadu Commune Panchayat, Karaikal.”

CPIO replied on 14.09.2015 furnishing copy of proceedings before the collector granting permission to the Commissioner Commune Panchayat, Nedungadu for seeking approval of the Govt. to revise the enhancement of Licence fees. The appellant preferred first appeal. FAA vide order dated 06.11.2015 disposed of appeal by upholding the reply of CPIO. Feeling aggrieved the appellant approached the Commission.

Relevant facts emerging during hearing:

Both parties appeared during the hearing and the appellant stated that while he had sought copy of the resolution, he has been provided with the proceeding held before the Collector, which is irrelevant in the context of his queries. Respondent replied stating that the appellant was granted opportunity to remain present during hearing before the FAA, but he chose not to appear. When enquired by the Commission as to why the information sought was not provided, the FAA responded that he would not be able to comment on the actions of the erstwhile FAA who had handled the file in 2015. However, he in his own capacity agreed that information should have been provided and agreed to provide the exact information stating that there has been no revision of rates at all in the recent past.

Decision:

After hearing parties and perusal of record, the Commission finds that exact information as sought had not been provided earlier. However, since no *malafide* was found and the current FAA agreed, the Commission directs that information as agreed by the FAA should be provided to the appellant within two hours today, with a copy marked to the Commission through email.

The appeal is disposed of.

(Yashovardhan Azad)
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(R.P.Grover)
Designated Officer

Copy to:-

CPIO: Nodal Officer, Nedungadu Commune Panchayat, Government of U.T. Puducherry, Nedungadu, Karaikal-609603 (Puducherry)	First Appellate Authority under RTI Director-(LA), Local Administration Department, Suffren Street, Puducherry- 605001.
K BALASUBRAMANIAM Advocate, No.-162/2, B-2, SRI SAI ENCLAVE, REDHILLS ROAD NORTH, VILLIVAKKAM, CHENNAI- 600049 (Tamil Nadu)	