

CENTRAL INFORMATION COMMISSION

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

File No. CIC/SH/C/2014/000640/KY

Appellant : Shri Ved Prakash
Chamber No. 232, 2nd Floor,
Lawyers Chambers, Rohini Court, Rohini, New Delhi-110085

Public Authority : The CPIO
M/o. Youth Affairs & Sports
C-Wing, Shastri Bhawan, Dr. Rajendra
Prasad Road, New Delhi-110001
The CPIO
School Games Federation of India (SCFI)
Compus Radha Ballabh Inter College, Shahganj, Agra-282010

Date of Hearing : 23.08.2016
Date of Decision : 23.08.2016

Presence:

Appellant : Shri Ved Prakash
CPIO : Shri Tarun Pareek, Section Officer and Kanhiya Gurjar, F O (SCFI)

FACTS:

- I. Vide RTI application dated **25.08.2014**, the appellant sought information on **5 issues**.
- II. CPIO, vide its response dated **28.08.2014 & 04.12.2014**, reportedly not provided the information to the Appellant.
- III. The First Appeal (FA) is not on record.
- IV. First Appellate Authority (FAA) order is not on record.
- V. Grounds for the Second Appeal filed on **NIL**, are contained in the Memorandum of Appeal.

HEARING

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

DECISION

During hearing of the case, no submissions were made by the appellant with regard penal action but he has constantly been requesting for getting the required information from the respondents. In view of this, the Commission feels that it would be appropriate and even

justified to convert the captioned complaint into a second appeal. Therefore, it is converted into a **second appeal**. Thus, being deal accordingly.

2. It is pertinent to mention here that the appellant, vide his RTI Application dated **25.08.2014**, has sought information from the respondents on **5 issues**. Respondents vide their response dated **28.08.2014, 04.12.2014, transferred** the appellant's RTI application to the concerned Public Authority for taking necessary action. Further, another CPIO vide his response dated **17.08.2016**, not provided the information to the appellant. Being aggrieved by the aforesaid response, Complaint was filed by the complainant on **NIL**, before this Commission.
3. On careful perusal of the nature of issues as raised by the appellant in his RTI application dated **25.08.2014** and respondent's response dated **17.08.2016**, it is revealed to the Commission that the respondents have provided the **vague & incorrect** information to the appellant. As such, CPIO's response dated **17.08.2016**, deserves to be **quashed and set aside**. Therefore, it is hereby quashed and set aside being **not legally tenable**.
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 **25.08.2014**, respondent's responses dated **28.08.2014, 04.12.2014 & 17.08.2016**, 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 twenty three months period**. Thus, the respondents **have defeated the very purpose** of the RTI Act 2005 for which it was legislated by Parliament of India. As such, the Commission feels that appellant's second appeal deserves to be allowed in toto. Therefore, it is **allowed in toto**.
6. In view of the above, the respondents are hereby directed to provide the **complete & categorical** information, **issue-wise**, 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 complaint is dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

The CPIO
M/o. Youth Affairs & Sports
C-Wing, Shastri Bhawan, Dr. Rajendra
Prasad Road, New Delhi-110001

The CPIO
School Games Federation of India
Compus Radha Ballabh Inter College, Shahganj, Agra-282010

Shri Ved Prakash
Chamber No. 232, 2nd Floor,
Lawyers Chambers, Rohini Court, Rohini
New Delhi-110085

