

CENTRAL INFORMATION COMMISSION

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

File No. CIC/KY/A/2016/001057

Appellant : Shri Rajendra Prabhakar Gore
Bldg. E7, Flat No. 604, Laketown
Co-operative Hsg. Society, Bibwewadi
Pune-411037

Public Authority : The CPIO
M/o Corporate Affairs
The ICAI, Pune Chapter, Laxminagar Commercial Complex,
Phase-II, Shahu College Road, Parvati, Pune-411009

Date of Hearing : 05.09.2016
Date of Decision : 05.09.2016

Presence:

Appellant : Absent
CPIO : Absent

FACTS:

- I. Vide RTI application dated **26.03.2016**, the appellant sought information on **8 issues**.
- II. CPIO, vide its response dated **07.05.2016**, denied the information u/s 8 (1) (j).
- III. The First Appeal (FA) was filed on **04.05.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **14.05.2016**, upheld the decision of CPIO.
- V. Grounds for the Second Appeal filed on **12.06.2016**, are contained in the Memorandum of Second Appeal.

HEARING

Appellant as well as respondent opted to be absent despite of our due notice to them.

DECISION

It would be seen here that the appellant, vide his RTI Application dated **26.03.2016**, sought information from the respondents on **8 issues**. Respondents, vide their response dated **07.05.2016**, allegedly denied the required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on **04.05.2016** before the FAA, who vide his order dated **14.05.2016**, upheld the decision of CPIO. Hence, a Second Appeal before this Commission.

2. It is pertinent to mention here that the CPIO, vide his response dated **07.05.2016**, **denied** the required information to the appellant by taking a plea under **section 8(1) (j) read with Section 11(1) of the RTI Act 2005**. Further, learned FAA, vide his order dated **14.05.2016**, disposed of the FA by upholding the views of CPIO.
3. The Commissioner **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated **26.03.2016**, respondent's response dated **07.05.2016**, FAA's order dated **14.05.2016**, other material made available on record and also the grounds of memorandum of second appeal.
4. In view of the **position** above and in the **circumstances** of the case, the Commission is of the considered view that the plea taken by CPIO under **section 8(1) (j) of the RTI Act 2005** appears to be **justified** in the eyes of Law. As such, there is **no legal infirmity** either in CPIO's response or FAA's order. Therefore, the CPIO's response dated **07.05.2016** and FAA's order dated **14.05.2016** are hereby **upheld** being **legally tenable**. In view of this, the appellant's second appeal deserves to be **dismissed**. Therefore, it is **dismissed**.

The Appeal is dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)
Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

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