

# 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/KY/A/2016/001142

Appellant : Shri Neeraj Saini  
R/o. A-539, Chirag Delhi  
New Delhi-110017

Public Authority : The Dy. Director (Bldg.) L&I & PIO  
DDA, Building Section, 1st Floor, C-1/104  
INA, Vikas Sadan, New Delhi-110023

Date of Hearing : 31.08.2016

Date of Decision : 31.08.2016

## Presence:

Appellant : Absent  
PIO : Absent

## FACTS:

- I. Vide RTI application dated **17.03.2016**, the appellant sought information on **5 issues**.
- II. PIO, vide its response dated **27.04.2016**, denied to provided the information being third party information.
- III. The First Appeal (FA) was filed on **18.05.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its Order dated **30.05.2016**, upheld the decision of PIO.
- V. Grounds for the Second Appeal filed on **26.06.2016**, 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 **17.03.2016**, sought information from the respondents on **5 issues**. Respondents, vide their response dated **27.04.2016**, allegedly denied the required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on **18.05.2016** before the FAA, who vide his order dated **30.05.2016**, 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 **27.04.2016**, **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 **30.05.2016**, 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 **17.03.2016**, respondent's response dated **27.04.2016**, FAA's order dated **30.05.2016**, 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) read with Section 11(1) 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 **27.04.2016** and FAA's order dated **30.05.2016** 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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