

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/2016/001161

Appellant : Shri Shyam Sunder Singh
S/o. Shri Om Prakash Singh
Vill+Post-Sindhua, PS.-Rampur Karkhana
Dist-Devriya, Uttar Pradesh

Public Authority : उपनिदेशक (श.त.)& केंद्रीय जनसूचना अधिकारी
उपभोक्ता मामले, खाद्या एव सार्वजनिक वितरण मंत्रालय
खाद्या एव सार्वजनिक वितरण विभाग, (शर्करा और वनस्पति तेल
निदेशालय), कृषि भवन, नई दिल्ली-११०००१

Date of Hearing : 21.09.2016
Date of Decision : 21.09.2016

Presence:

Appellant : Absent
CPIO : Shri Suresh Chandra, Dy. Director

FACTS:

- I. Vide RTI application dated **01.04.2016**, the Appellant sought information on **10 issues**.
- II. CPIO, vide its response dated **09.05.2016**, has provided the part information to the Appellant.
- III. The First Appeal (FA) was filed on **16.05.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Second Appeal filed on **30.06.2016**, are contained in the Memorandum of Second Appeal.

HEARING

Appellant opted to be absent despite of our due notice to him. Respondents appeared before the Commission personally and made the submissions at length.

DECISION

It would be seen here that the appellant, vide his RTI Application dated **01.04.2016**, sought information from the respondents on **10 issues**. Respondents, vide their response dated **09.05.2016**, allegedly provided the part required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on **16.05.2016** before

the FAA, who **could not take up** the same for its disposal **for the reasons best known to him**. Hence, a Second Appeal before this Commission.

2. The Commission posed a query to Shri Suresh Chandra, Dy. Director, as to whether first appeal dated **16.05.2016** filed by the appellant under **section 19(1) of the RTI Act 2005** before the Learned FAA was disposed of or still pending. On this very aspect, it is admitted by Shri Suresh Chandra, Dy. Director, that First Appeal filed by the appellant could not be disposed of by the learned FAA. However, he could not explain the reasons for non disposal of the First Appeal dated **16.05.2016** .
3. The Commissioner heard the submissions made by respondents at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated **01.04.2016**, respondent's response dated **09.05.2016**, other material made available on record and also the grounds of memorandum of second appeal.
4. By virtue of **position** above and in the **circumstances** of the case, the Commission is of the considered view that it is a fit case to be **remanded back** to learned FAA with a direction to dispose of the Appellant's FA filed on **16.05.2016** , **in accordance with the provisions of RTI Act 2005**, and after giving an opportunity to the appellant of being heard, **within 30 days** from the date of receipt of this order under intimation to the Commission. As such, the case is **remanded back**.

The Appeal is disposed of accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

उपनिदेशक (श.त.)& केंद्रीय जनसूचना अधिकारी

उपभोक्ता मामले, खाद्या एव सार्वजनिक वितरण मंत्रालय

खाद्या एव सार्वजनिक वितरण विभाग,

(शर्करा और वनस्पति तेल निदेशालय), कृषि भवन, नई दिल्ली-११०००९

Shri Shyam Sunder Singh

S/o. Shri Om Prakash Singh

Vill+Post-Sindhua, PS.-Rampur Karkhana

Dist-Devriya, Uttar Pradesh