

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/2016/001164**

Appellant : Shri P. S. Agrawal
S/o. Shri Late D. P. Agrawal
H. No. 553, The C.S.I.O Emp. Coop.
H/B Society Ltd., 1st Sec-49A, Chandigarh-160047

Public Authority : The Assistant Registrar cum CPIO
Chandigarh Cooperative Societies
1st Floor, Govt. Press Building, Sec-18 UT Chandigarh-160018

Date of Hearing : 21.09.2016
Date of Decision : 21.09.2016

Presence:

Appellant : Absent
CPIO : Shri Malkiat Singh, ARCS cum CPIO

FACTS:

- I. Vide RTI application dated **22.01.2016**, the Appellant sought information on **11 issues**.
- II. CPIO, vide its response dated **26.02.2016, 29.03.2016 & 12.04.2016**, has provided the information.
- III. The First Appeal (FA) was filed on **29.02.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **05.04.2016**, allowed for the inspection.
- V. Grounds for the Second Appeal filed on **29.06.2016**, 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 **22.01.2016**, sought information from the respondents on **11 issues**. Respondents, vide their response dated **26.02.2016, 29.03.2016 & 12.04.2016**, allegedly provided the required information to the appellant and also requested the appellant to have the inspection of the relevant records. Being aggrieved by the aforesaid response, FA was filed by the appellant on

29.02.2016 before the FAA, who vide his order dated **05.04.2016**, allowed the inspection to the appellant. Hence, a Second Appeal before this Commission.

2. It is pertinent to mention here that learned FAA, vide his order dated **05.04.2016**, disposed of the FA by allowing the appellant to have the inspection of the relevant records and pin point the required documents of which the photocopies are needed. Incompliance of this, CPIO vide his subsequent reminders dated 12.04.2016 & 10.05.2016, requested the appellant to have the inspection of the records. However, appellant could not turn up in this regard for the reasons best known to him. Further, the Commission feels that there is **no legal flaw** in the order of FAA. As such, the same is hereby **upheld** being **legally tenable**.
3. 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 issue** raised by the appellant in his RTI application dated **16.08.2014**, respondent's response dated **26.09.2014**, FAA's order dated **13.03.2015**, other material made available on record including respondent's written submissions dated **19.09.2016** and also the grounds of memorandum of second appeal.
4. In view of the position above and the circumstances of the case, the Commission feels that it would be **appropriate even justified** to accord another opportunity to the appellant for inspection of the relevant records. Therefore, the appellant is hereby directed to carry out the inspection of the relevant record **on any mutually convenient date and time** to be fixed on phone with prior intimation and pin point the desired documents during inspection. Further, respondents are also directed to provide the photocopies of the relevant record, (if pointed out), **free of cost upto 20 in numbers** and beyond this, as per relevant rules.
5. The formalities above are to be completed **within 30 days** from the date of receipt of this order under intimation to this Commission. With these observations, the appellant's captioned second appeal is hereby closed.

The Appeal is disposed of accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

The Assistant Registrar cum CPIO
Chandigarh Cooperative Societies
1st Floor, Govt. Press Building, Sec-18 UT Chandigarh-160018

Shri P. S. Agrawal
S/o. Shri Late D. P. Agrawal
H. No. 553, The C.S.I.O Emp. Coop.
H/B Society Ltd., 1st Sec-49A, Chandigarh-160047

