

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/2016/001168

Complainant : Shri V.K Jain
8th Floor, TG1, Orchid Gardens
Suncity, Sector- 54, Gurgaon- 122011

Public Authority : The CPIO
M/o Corporate Affairs
The ICAI, ICAI Bhawan, Indraprastha Marg
Post Box no. 7100, New Delhi- 110002

Date of Hearing : 05.10.2016
Date of Decision : 05.10.2016

Presence:

Complainant : Absent
CPIO : Shri Dinesh Kumar Mishra, Asst. Secretary & CPIO

FACTS:

- I. Vide RTI application dated **14.07.2015**, the Complainant sought information on **4 issues**.
- II. CPIO, vide its responses dated **11.08.2015 & 08.10.2015**, reportedly not provided the information to the Complainant.
- III. The First Appeal (FA) was filed on **08.06.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **08.07.2016**, upheld the decision of CPIO.
- V. Grounds for the Complaint filed on **18.07.2016**, are contained in the Memorandum of Complaint.

HEARING

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

DECISION

At the outset, it is stated here that as per the contents of the prayer clause as embedded in the instant petition, **it is a case of Complaint**. However, **Central Registry** has **wrongly registered it as a Second Appeal** for the reasons best known to them. Thus, it is being dealt with as **complaint** and not as second appeal.

2. It would be seen here that the Complainant, vide his RTI Application dated **14.07.2015**, sought information from the respondents on 4 issues. Respondents vide their responses dated **11.08.2015 & 08.10.2015**, provided the required information to the complainant. Being aggrieved by the aforesaid response, FA was filed by the complainant on **08.06.2016** before the FAA, who vide his order dated **08.07.2016**, upheld the decision of CPIO. Hence, complainant has filed his complaint dated **18.07.2016** before the Commission.
3. Apart from above, it is to be seen here that despite of our **due notice**, Complainant failed to appear **either in person** or through someone, duly authorized by him before the Commission to press his case. However, the Commission feels that complainant must have appeared, in such situations, to press his complaint before the Commission, after all, it is his case to be pursued specifically but complainant is absent **deliberately**, despite of our due notice. Thus, it shows the intention of the complainant that he is not interested, **at all**, in pursuing his own case before the Commission.
4. In view of the above, the Commission feels that **no fruitful purpose** would be served by proceeding **in such cases**. Thus, the Commission is of the considered view that it would be **appropriate and even justified** to **dismiss** the case. Therefore, it is hereby **dismissed**.

The complaint is dismissed accordingly.

Sd/-
(M.A. Khan Yusufi)
Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

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