

# 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/2016/001176

Appellant : Shri Ajay Gautam  
26/127A, SidharthGali No. 10  
Vishwas Nagar, Shahdara, Delhi-110032

Public Authority : The Dy. L&DO/ CPIO  
M/o. Urban Development, Land and Development Office,  
A-Wing, 6th Floor, Maulana Azad Road, NirmanBhawna,  
New Delhi-110011

Date of Hearing : 06.10.2016  
Date of Decision : 06.10.2016

## Presence:

Appellant : Shri Ajay Gautam  
CPIO : Shri Satish Kumar, Section Officer

## FACTS:

- I. Vide RTI application dated **16.03.2016**, the Appellant sought information on **4 issues**.
- II. CPIO, vide its response dated **21.04.2016**, reportedly provided the required information to the appellant.
- III. The First Appeal (FA) was filed on **26.05.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide his order dated **05.08.2016**, upheld the views of CPIO.
- V. Grounds for the Second Appeal filed on **05.06.2016**, are contained in the Memorandum of Second Appeal.

## HEARING

Appellant as well as respondent appeared before the Commission personally and made the submissions at length.

## DECISION

It is pertinent to mention here that the appellant, vide his RTI Application dated **16.03.2016**, sought information from the respondents on **4 issues**. Respondents, vide their response dated **21.04.2016**, provided the required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on **26.05.2016** before the FAA, who vide his order dated **05.08.2016**, disposed of the FA by upholding the views of CPIO.

2. During hearing of the appeal, it is submitted by the appellant that he has neither received the CPIO's response dated **21.04.2016** nor FAA's order dated **05.08.2016**. At this, in the interest of work and to keep the very object of RTI Act 2005, under the directions of Hon. Commissioner copy of CPIO's response dated **21.04.2016** and FAA's order dated **05.08.2016** was handed over to Shri Ajay Gautam and he has received the same and appended his signature on office copy thereof accordingly and failed to show any sort of objection. Thus, it is legally inferred that he is fully satisfy with the reply.
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 issues** raised by the appellant in his RTI application dated **16.03.2016**, respondent's response dated **21.04.2016**, FAA's order dated **05.08.2016**, 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 there is **no legal flaw** either in CPIO's response or FAA's order. Therefore, the CPIO's response dated **21.04.2016** and FAA's order dated **05.08.2016** 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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