

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/2016/001177

Appellant : Shri S.K. Sethi
House No. 8, Road No. 6
GF (R/P) East Punjabi Bagh
New Delhi-110026

Public Authority : The US & CPIO
Minister of Science & Technology
Council of Scientific & Industrial Research
Anusandhan Bhawan, 2 Rafi Marg, New Delhi

Date of Hearing : 03.10.2016
Date of Decision : 03.10.2016

Presence:

Appellant : Shri S K Sethi and Shri Dinesh Sethi, Son of the Appellant
CPIO : Absent

FACTS:

- I. Vide RTI application dated **23.03.2016**, the Appellant sought information on **4 issues**.
- II. CPIO, vide its response dated **27.04.2016**, has provided the part information to the Appellant.
- III. The First Appeal (FA) was filed on **26.04.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **17.05.2016**, directed CPIO to provide the information to the Appellant.
- V. Grounds for the Second Appeal filed on **08.05.2016**, are contained in the Memorandum of Second Appeal.

HEARING

Appellant appeared before the Commission personally and made the submissions at length. **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 **23.03.2016**, sought information from the respondents on **4 issues**. Respondents, vide their response dated **27.04.2016**, allegedly provided the part required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on **26.04.2016** before

the FAA, who vide his order dated **17.05.2016**, directed the CPIO to provide the required information to the Appellant.

2. However on careful perusal of the case file, there appears that the directions of FAA, as contained in his order in First Appeal, was **not complied** with, at all, by the respondents concerned.
3. The Commissioner heard the submissions made by appellant at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated **23.03.2016**, respondent's response dated **27.04.2016**, FAA's order dated **17.05.2016**, 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 there is **no legal flaw** in the order of FAA. As such, the same is hereby **upheld** being **legally tenable**. In view of this, the respondents are hereby directed to comply with the order of FAA dated **17.05.2016**, **in its letter and spirit**, within 30 days from the date of receipt of this order under intimation to this Commission. **If need be, Section 5(4) of the RTI Act 2005 may also be invoked in the matter.** With these observations, the appellant's second appeal is hereby disposed of.

The Appeal is disposed of accordingly.

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

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

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