

CENTRAL INFORMATION COMMISSION

Room No. – 308, 2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110066.
Website: cic.gov.in

Files No. CIC/KY/A/2016/001193

CIC/KY/A/2016/001199

Appellant : Shri Pushpender
C-2/247, Shri Niketan Kunj
Sec-17, Rohini, Delhi-110089

Public Authority : The PIO/AD(LIG) H
DDA, LIG Housing, 2nd Floor, D-Block
Vikas Sadan, INA, New Delhi-110023

Date of Hearing : 22.09.2016
Date of Decision : 22.09.2016

Presence:

Appellant : Absent
PIO : Shri Parmod Kumar, AD (LIG)H/PIO

FACTS:

- I. Vide RTI application dated **21.03.2016**, the Appellant sought information on **sole issue**.
- II. PIO, vide its response dated **29.04.2016**, denied to provided the information being third party information.
- 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 **02.07.2016**, 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

At the outset, it is stated here that the Central Registry has **wrongly opened** two files bearing no. **CIC/KY/A/2016/001193** and **CIC/KY/A/2016/001199**, dealing with the **same subject**. Thus, in view of this, these two cases are being dealt together.

2. It would be seen here that the appellant, vide his RTI Application dated **21.03.2016**, sought information from the respondents on **sole issue**. Respondents, vide their response dated **29.04.2016 & 01.07.2016**, allegedly denied the 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.

3. The Commission posed a query to Shri Parmod Kumar, AD (LIG)H/PIO, 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 Parmod Kumar, AD (LIG)H/PIO, 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**.
4. 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 **21.03.2016**, respondent's response dated **29.04.2016 & 01.07.2016**, other material made available on record and also the grounds of memorandum of second appeal.
5. 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

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