

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/2016/001198

Appellant : Shri Harjeet Singh
399, Parmanad Colony, Delhi- 110009

Public Authority : The Sr. R. O (RTI) & CPIO
DDA, Vikas Sadan, INA New Delhi-110023

Date of Hearing : 05.10.2016
Date of Decision : 05.10.2016

Presence:

Appellant : Shri Harjeet Singh
CPIO : Shri D C Sharma, Asst. Director (OSB) & PIO

FACTS:

- I. Vide RTI application dated **06.01.2016**, the Appellant sought information on **3 issues**.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) was filed on **25.02.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Second Appeal filed on **03.05.2016**, 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 **06.01.2016**, sought information from the respondents on **3 issues**. Respondents, vide their response dated **13.01.2016**, **01.03.2016** & **01.04.2016**, allegedly **transferred** the appellant's RTI application, under **Section 6(3) of the RTI Act 2005**, from one branch to another sister branch of DDA for taking necessary action. However, failed to ask the concerned Public Authority for getting the required information by invoking **Section 5(4) of the RTI Act 2005**. Being aggrieved by the aforesaid response, FA was filed by the appellant on **25.02.2016** before the FAA, who **could not take up** the same for its disposal **for the reasons best known to him**.

2. In view of the above, it is legally inferred that the respondents have **mercilessly killed** the very object of the RTI Act 2005 for which it was legislated by the August Parliament of India

and the required information has still not been provided to the appellant on his RTI application dated **06.01.2016**. As such, PIO's responses dated **13.01.2016, 01.03.2016 & 01.04.2016**, deserve to be quashed and set aside. Therefore, these are hereby **quashed and set aside** being **not legally tenable**.

3. The Commissioner heard the submissions made by appellant as well as respondent at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated **06.01.2016**, respondent's response dated **13.01.2016, 01.03.2016 & 01.04.2016**, 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 feels that appellant's second appeal deserves to be allowed in toto. Therefore, it is **allowed in toto**. Further, the respondents are hereby directed to provide the **complete & categorical** information, **issue-wise**, to the appellant as per his RTI application, **in accordance with the provisions of RTI Act 2005**, 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.**

The Appeal is disposed of accordingly.

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

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

The Sr. R. O (RTI) & CPIO
DDA, Vikas Sadan, INA New Delhi-110023

Shri Harjeet Singh
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