

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/2016/001201

Appellant : Shri Manoj Kumar Mishra
S/o. Sh. Surendra Mohan Mishra
Vill+Post-Gogri, Dist. Khagariya
Bihar-851202

Public Authority : The CPIO
CAG, Indian Audit & Accounts Department,
O/o. the Accountant General (Audit) Bihar,
Birchand Patel Marg, Patna-800001

Date of Hearing : 30.09.2016
Date of Decision : 30.09.2016

Presence:

Appellant : Absent
CPIO : Shri Abdul Mannan, Sr. Audit Officer

FACTS:

- I. Vide RTI application dated **06.03.2016**, the Appellant sought information on **two issues**.
- II. CPIO, vide its response dated **18.03.2016**, has provided the information to the Appellant.
- III. The First Appeal (FA) was filed on **29.03.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **25.04.2016**, has provided the information to the Appellant.
- V. Grounds for the Second Appeal filed on **05.07.2016**, 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

It is pertinent to mention here that the appellant, vide his RTI Application dated **06.03.2016**, sought information from the respondents on two issues. Respondents, vide their response dated **18.03.2016**, denied the required information, against **issue no. 1**, to the appellant by taking a plea under **section 8(1) (c) of the RTI Act 2005**. However, against **issue no. 2**, provided the required information to the appellant. Being aggrieved by

the aforesaid response, FA was filed by the appellant on **29.03.2016** before the FAA, who vide his order dated **25.04.2016**, disposed of the FA by upholding the views of CPIO.

2. 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 **26.08.2015**, respondent's response dated **18.03.2016**, FAA's order dated **25.04.2016**, other material made available on record and also the grounds of memorandum of second appeal.
3. In view of the **position** above and in the **circumstances** of the case, the Commission is of the considered view that the respondents have provided the required information to the appellant in terms of **Section 2(f) of the RTI Act 2005**. In view of this, the Commission feels that the appellant's second appeal becomes **redundant** in this regard. Thus, the appellant's second appeal deserves to be **dismissed**. Therefore, it is **dismissed**.
4. Apart from above, the appellant's second appeal is also a **non-pressed**, despite of our due notice to him.

The Appeal is dismissed accordingly.

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

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

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