

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/2016/001205

Appellant : Shri R.K Gautam
R/o House No. 3054, Gali Mandir Wali
Roshanara Road, Delhi-110007

Public Authority : The Dy. Director (A.I) & CPIO
M/o Urban Development, Directorate of
Printing, B' Wing, Nirman Bhawan, Maulana Azad Road,
New Delhi-11018

Date of Hearing : 05.10.2016
Date of Decision : 05.10.2016

Presence:

Appellant : Absent
CPIO : Ms. Nidhi Garg, Dy. Director & CPIO

FACTS:

- I. Vide RTI application dated **09.02.2015**, the Appellant sought information on **6 issues**.
- II. CPIO, vide its response dated **13.03.2015**, has provided the part information to the Appellant and information denied to provide on point no 1 to 4 u/s 2 (f).
- III. The First Appeal (FA) was filed on **31.03.2015**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide his order dated **13.05.2015**, directed the CPIO to provide the required information to the appellant.
- V. Grounds for the Second Appeal filed on **09.01.2016**, 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 would be seen here that the appellant, vide his RTI Application dated **09.02.2015**, sought information from the respondents on **6 issues**. Respondents, vide their response dated **13.03.2015**, allegedly not provided the required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on **31.03.2015** before the FAA, who vide his order dated **13.05.2015**, 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 respondents at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated **09.02.2015**, respondent's response dated **13.03.2015**, FAA's order dated **13.05.2015**, 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 **13.05.2015**, **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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