

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/2016/001219

Appellant : Shri A. K. Mishra
90/102, Iftikharabad, Latouche Road
Kanpur, Uttar Pradesh

Public Authority : The CPIO
Ministry of Social Justice & Empowerment
Artificial Limbs Manufacturing Corporation Of India,
G T Road, Mandhana, Kanpur, Uttar Pradesh-208007

Date of Hearing : 22.09.2016
Date of Decision : 22.09.2016

Presence:

Appellant : Absent
CPIO : Shri Mahabir Singh Kasana, Learned Advocate

FACTS:

- I. Vide RTI application dated **06.02.2016**, the Appellant sought information on **27 issues**.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) was filed on **14.03.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Second Appeal filed on **27.06.2016**, 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 **06.02.2016**, sought information from the respondents on **27 issues**. Respondents, vide their response dated **05.03.2016**, allegedly asked the appellant to deposit the requisite fee of ` 32/- for getting the required information, running into 16 pages, from the respondents. Being aggrieved by the aforesaid response, FA was filed by the appellant on **14.03.2016** 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.

2. The Commission posed a query to Shri Mahabir Singh Kasana, Learned Advocate, as to whether first appeal dated **14.03.2016** 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 Mahabir Singh Kasana, Learned Advocate, that First Appeal filed by the appellant could not be disposed of by the learned FAA.
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 **06.02.2016**, respondent's response dated **05.03.2016**, other material made available on record and also the grounds of memorandum of second appeal.
4. 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 **14.03.2016**, **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

The CPIO
Ministry of Social Justice & Empowerment
Artificial Limbs Manufacturing Corporation Of India,
G T Road, Mandhana, Kanpur, Uttar Pradesh-208007

Shri A. K. Mishra
90/102, Iftikharabad, Latouche Road
Kanpur, Uttar Pradesh