

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/2016/001224

Appellant : Shri Ratan Singh Solanki
S/o. Late RoshanLal
WZ-913, Dada Dev Road, Badiyal
Palam, New Delhi-110045

Public Authority : The Executive Engineer (P) & PIO
DDA, Civil Circle-13, Manglapuri
New Delhi-110045
The Dy. Director (Residential)& CPIO
DDA, VikasSadan, INA
New Delhi-110023

Date of Hearing : 03.10.2016

Date of Decision : 03.10.2016

Presence:

Appellant : Shri Ratan Singh Solanki
CPIO : Shri P K Bhasker, Executive Engineer (P) & PIO

FACTS:

- I. Vide RTI application dated **10.02.2016**, the Appellant sought information on **2 issues**.
- II. CPIO, vide its response dated **22.02.2016**, reportedly not provided the information to the Appellant.
- III. The First Appeal (FA) was filed on **21.03.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **06.04.2016**, upheld the decision of CPIO.
- V. Grounds for the Second Appeal filed on **13.06.2016**, 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 would be seen here that the appellant, vide his RTI Application dated **10.02.2016**, sought information from the respondents on **2 issues**. Respondents, vide their response

dated **22.02.2016**, allegedly **transferred** the appellant's RTI application to the concerned Public Authority for taking necessary action. Being aggrieved by the aforesaid response, FA was filed by the appellant on **21.03.2016** before the FAA, who vide his order dated **06.04.2016**, also transferred the same to the concerned FAA for necessary action. Thus, it is legally inferred that neither appellant's RTI application dated **10.02.2016** was responded by the respondents nor FA dated **21.03.2016** was disposed of by learned FAA.

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 **10.02.2016**, respondent's response dated **22.02.2016**, FAA's order dated **06.04.2016**, other material made available on record and also the grounds of memorandum of second appeal.
3. The Commission is of the considered view that the appellant has been **deprived** by the respondents **deliberately** from having the benefits of the RTI Act 2005, **even after lapse of more than six months period**. Thus, the respondents **have defeated the very purpose** of the RTI Act 2005 for which it was legislated by Parliament of India. As such, the Commission feels that appellant's second appeal deserves to be allowed in toto. Therefore, it is **allowed in toto**.
4. In view of the above, the respondent i.e. Shri P. K. Bhasker, Executive Engineer (P) & PIO, DDA, is 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

Shri P K Bhasker

Executive Engineer (P) & PIO

DDA, Civil Circle-13, Manglapuri

New Delhi-110045

The Dy. Director (Residential) & CPIO
DDA, Vikas Sadan, INA
New Delhi-110023

Shri Ratan Singh Solanki
S/o Late Roshan Lal
WZ-913, Dada Dev Road, Badiyal
Palam, New Delhi-110045

