

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/2016/001234

Appellant : Shri Deepak Kumar (Mahender)
Shop No. 67, Mall Road, Outram Line
GTB Ngr. Kingsway Camp, Delhi-110009

Public Authority : The Dy. Director (CL) & PIO
DDA, A-Block, Commercial Land Branch,
Vikas Sadan, INA, New Delhi-110023

Date of Hearing : 29.09.2016

Date of Decision : 29.09.2016

Presence:

Appellant : Shri Deepak Kumar (Mahender)
PIO : Absent

FACTS:

- I. Vide RTI application dated **31.03.2016**, the Appellant sought information on **sole issue**.
- II. PIO, response is not on record.
- III. The First Appeal (FA) was filed on **19.05.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), order is not on record.
- V. Grounds for the Second Appeal filed on **08.07.2016**, are contained in the Memorandum of Second Appeal.

HEARING

Appellant appeared before the Commission personally and made the submissions at length. **Respondent opted to be absent despite of our due notice to them.**

DECISION

It would be seen here that the appellant, vide his RTI Application dated **31.03.2016**, sought information from the respondents on **sole issue**. However, respondents **failed to furnish** any response to the appellant. Being aggrieved with the aforesaid PIO's **inaction**, appellant filed his FA on **19.05.2016** before 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 Commissioner heard the submissions made by appellant at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the

appellant in his RTI application dated **31.03.2016**, 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 five 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 it would be appropriate and even justified to allow the appellant's **second appeal in toto instead of remanding back to learned FAA for disposal of FA which is even more time consuming**. Therefore, it is allowed in toto.
4. In view of the above, 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** (if not already provided), 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 Dy. Director (CL) & PIO

DDA, A-Block, Commercial Land Branch,

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Shri Deepak Kumar (Mahender)

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