

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/2016/001237

Appellant : Shri Bishan Swarup Raizada
7, State Bank Colony, Janakpuri Maris Road
Aligarh, Uttar Pradesh-202001

Public Authority : The CPIO
M/o Consumer Affairs,
Food Corporation India Limited
16-20 Barakhamba Lane
New Delhi-110001

The CPIO
Food Corporation of India
A-2A/2B, Tulsi Marg, Sector 24, GautamBuddh Nagar, Noida, Uttar
Pradesh -201301

Date of Hearing : 22.09.2016
Date of Decision : 22.09.2016

Presence:

Appellant : Absent
CPIO : Shri Ramesh Chand, AGM

FACTS:

- I. Vide RTI application dated **24.12.2015**, the Appellant sought information on **2 issues**.
- II. CPIO, vide its response dated **21.01.2016**, reportedly not provided the information to the Appellant.
- III. The First Appeal (FA) was filed on **01.03.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Second Appeal filed on **31.05.2016**, 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 **24.12.2015**, sought information from the respondents on **2 issues**. Respondents, vide their response dated **21.01.2016**, 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 **01.03.2016** 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 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 **24.12.2015**, respondent's response dated **21.01.2016**, 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 272 days 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**, 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

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