

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/2016/001256

Appellant : Shri Gaurav
House No. 300, South Soti Ganj
Behind Gurudwara, Meerut, Uttar Pradesh-250001

Public Authority : The CPIO
Ministry of Science and Technology
CSIR-Central Institute of Medicinal & Aromatic Plants,
Council of Scientific & Industrial Research, PO-CIMAP,
Lucknow-226015

Date of Hearing : 06.10.2016
Date of Decision : 06.10.2016

Presence:

Appellant : Absent
CPIO : Shri O. P. Dhawan, Chief Scientist & CPIO

FACTS:

- I. Vide RTI application dated **21.04.2016**, the Appellant sought information on **2 issues**.
- II. CPIO, vide its response dated **23.05.2016**, reportedly provided the information to the Appellant.
- III. The First Appeal (FA) was filed on **31.05.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **24.06.2016**, denied to provide the information u/s 8 (1) (e & h).
- V. Grounds for the Second Appeal filed on **30.06.2016**, 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 is pertinent to mention here that the appellant, vide his RTI Application dated **21.04.2016**, sought information from the respondents on **2 issues**. Respondents, vide their response dated **23.05.2016**, informed the appellant by stating that information, as sought for, is **NIL**. Being aggrieved by the aforesaid response, FA was filed by the appellant on **31.05.2016** before the FAA, who vide his order dated **24.06.2016**, **denied** the required

information to the appellant by taking a plea under **section 8(1) (e) & 8(1) (h) of the RTI Act 2005**.

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 **21.04.2016**, respondent's response dated **23.05.2016**, FAA's order dated **24.06.2016**, other material made available on record and also the grounds of memorandum of second appeal.
3. In view of the **position** above and in the **circumstances** of the case, the Commission is of the considered view that the plea taken by Learned FAA under **section 8(1) (e) & 8(1) (h) of the RTI Act 2005** appears to be **justified** in the eyes of Law. As such, there is **no legal flaw** in FAA's order. Therefore, learned FAA's order dated **24.06.2016** is hereby **upheld** being **legally tenable**. In view of this, the appellant's second appeal deserves to be **dismissed**. Therefore, it is **dismissed**.
4. Apart from above, the appellant's second appeal is also a **non-pressed**, despite of our due notice to him.

The Appeal is dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)
Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

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