

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/2016/001262**

Appellant : Shri Charan Singh Dahiya
C/o. G-160, 1st Floor, Dilshad Colony
Delhi-110095

Public Authority : The PIO & Dy. Director (IL)
DDA, A-Block, 2/210, VikasSadon
INA, New Delhi-110023

The Dy. Director (OSB)
DDA, A-Block, 2/202, 2nd Floor,
VikasSadon, INA, New Delhi-110023

Date of Hearing : 29.09.2016

Date of Decision : 29.09.2016

Presence:

Appellant : Shri Mahesh Pandey, Authorized by the Appellant
PIO : Shri Tejpal Singh, Dy. Director & PIO

FACTS:

- I. Vide RTI application dated **29.01.2016**, the Appellant sought information on **6 issues**.
- II. PIO, vide its response dated **03.02.2016, 12.05.2016, 29.07.2016 & 01.08.2016**, reportedly provided the part information to the Appellant.
- III. The First Appeal (FA) was filed on **29.03.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **19.11.2016**, transferred to Concern FAA.
- V. Grounds for the Second Appeal filed on **08.07.2016**, are contained in the Memorandum of Second Appeal.

HEARING

Shri Mahesh Pandey, on behalf of 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 **29.01.2016**, sought information from the respondents on **6 issues**. Respondents, vide their response dated **03.02.2016, 12.05.2016, 29.07.2016 & 01.08.2016**, allegedly provided the part required information to the appellant. Being aggrieved by the aforesaid response, FA was

filed by the appellant on **29.03.2016** before the FAA, who vide his order dated **19.11.2016**, transferred the same to the concerned FAA for taking necessary action. Hence, a Second Appeal before this Commission.

2. It is pertinent to mention here that the CPIO, vide his responses dated **03.02.2016**, **12.05.2016**, **transferred** the appellant's RTI application to the concerned Public Authority for taking necessary action. Further, another CPIO vide his responses dated **29.07.2016** & **01.08.2016**, provided the some required information to the appellant.
3. On careful perusal of the nature of issues as raised by the appellant in his RTI application dated **29.01.2016** and respondent's response dated **01.08.2016** & **29.07.2016**, it is revealed to the Commission that the respondents have provided the required information against **issues no. 1 to 3 & 6**. However, respondents have provided the **vague & incorrect** information, against **issues no. 4 & 5**, to the appellant.
4. The Commissioner heard the submissions made by appellant as well as respondents at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated **29.01.2016**, respondent's response dated **03.02.2016**, **12.05.2016**, **29.07.2016** & **01.08.2016**, FAA's order dated **19.11.2016**, other material made available on record and also the grounds of memorandum of second appeal.
5. 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 eight 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 partly** i.e. against **issues no. 4 & 5**. Therefore, it is **allowed accordingly**.
6. In view of the above, the respondents are hereby directed to provide the **complete & categorical** information, **against issues no. 4 & 5**, 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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