

# CENTRAL INFORMATION COMMISSION

Room No. – 308, 2<sup>nd</sup> Floor, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi – 110066.  
Website: cic.gov.in

File No. CIC/KY/A/2016/001266

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, Vikas Sadan  
INA, New Delhi-110023

The Dy. Director (OSB)  
DDA, A-Block, 2/202, 2nd Floor,  
VikasSadan, 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. CPIO, vide its response dated **03.02.2016**, **25.04.2016**, **27.04.2016**, **12.05.2016**, **18.05.2016**, reportedly not provided the information to the Appellant.
- III. The First Appeal (FA) was filed on **29.03.2016**, **03.05.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **19.04.2016**, transferred FA 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 responses dated **03.02.2016**, **25.04.2016**, **27.04.2016**, **12.05.2016**, **18.05.2016**, 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 **29.03.2016, 03.05.2016** before the FAA, who vide his order dated **19.04.2016**, transferred the same to the concerned FAA for taking necessary action. Hence, a Second Appeal before this Commission.

2. Further, it is to be seen here that respondents vide their responses dated **03.02.2016, 25.04.2016, 27.04.2016, 12.05.2016, 18.05.2016**, have transferred the appellant's RTI application, under **Section 6(3) of the RTI Act 2005**, from one Branch to another sister Branch of DDA. However, failed to ask the concerned Branch for getting the required information by invoking **Section 5(4) of the RTI Act 2005**.
3. The Commissioner heard the submissions made by Shri Mahesh Pandey, on behalf of 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, 25.04.2016, 27.04.2016, 12.05.2016, 18.05.2016**, FAA's order dated **19.04.2016**, other material made available on record and also the grounds of memorandum of second appeal.
4. 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 the August 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**.
5. 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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