

CENTRAL INFORMATION COMMISSION

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

File No. CIC/MP/A/2016/001352/KY

Appellant : Shri Rakesh Kumar
S/o. Shri Barho Ram
Q-41, KrishanVihar, Near Hanuman Mandir
Puth Kalan, Delhi-110086

Public Authority : The CPIO
O/o. the Dte. Gen. of Audit (Central Expenditure),
AGCR Building, Indraprastha Estate, New Delhi-110002

Date of Hearing : 27.09.2016
Date of Decision : 27.09.2016

Presence:

Appellant : Shri Rakesh Kumar
CPIO : Shri Vijay Kothari, Director & CPIO

FACTS:

- I. Vide RTI application dated **23.04.2015**, the Appellant sought information on **3 issues**.
- II. CPIO, vide its response dated **28.05.2015**, allegedly not provided the required information to the appellant.
- III. The First Appeal (FA) was filed on **23.06.2015**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **16.07.2015**, upheld the decision of CPIO.
- V. Grounds for the Second Appeal filed on **19.05.2016**, are contained in the Memorandum of Second Appeal.

HEARING

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 **23.04.2015**, sought information from the respondents on **3 issues**. Respondents, vide their response dated **28.05.2015**, allegedly not provided the required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on **23.06.2015** before the FAA, who vide his order dated **16.07.2015**, upheld the decision of CPIO. Hence, a Second Appeal before this Commission.

2. It is pertinent to mention here that the CPIO, vide his response dated **28.05.2015**, asked the appellant to deposit the requisite fee of ` 438/- for getting the required information, running into 219 pages, from the respondents. However, appellant could not turn up in this regard.
3. 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 **23.04.2015**, respondent's response dated **28.05.2015**, FAA's order dated **16.07.2015** other material made available on record and also the grounds of memorandum of second appeal.
4. In view of the position above and in the circumstances of the case, the Commission feels that it would be appropriate and even justified to accord one more opportunity to the appellant for getting the required information from the respondents after depositing the requisite fee of ` 438/- as requested by the respondents vide their letter dated **28.05.2015**. Thus the appellant is hereby directed accordingly.
5. Further, the respondents are also 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**, subject to the payment of the requisite fee, within 30 days from the date of receipt of payment of requisite fee, 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 CPIO

O/o. the Dte. Gen. of Audit (Central Expenditure),

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