

CENTRAL INFORMATION COMMISSION
August Kranti Bhawan, Bhikaji Cama Place,
New Delhi-110066

F. No. CIC/SA/A/2016/001761

Date of Hearing : **29.08.2017**
Date of Decision : **25.09.2017**
Appellant/Complainant : **Devanand Chauhan**
Respondent : **PIO/Supdt. State Election Com.
Delhi & Chandigarh**
Information Commissioner : **Shri Yashovardhan Azad**

Relevant facts emerging from appeal:

RTI application filed on : 26.02.2016
PIO replied on : 15.03.2016
First Appeal filed on : 01.04.2016
First Appellate Order on : 31.05.2016
2nd Appeal/complaint received on : 23.06.2016

Information sought and background of the case:

Vide RTI application dated 26.02.2016, the appellant sought copy of Affidavit/Nomination filed by the contesting candidate Shri Shyam Lal for ward No.42, Peeragarhi from BJP Party in General Election of MCD, 2007. PIO vide letter dated 15.03.2016 informed the appellant that records of elections are destroyed after 6 months of an election in terms of provisions of rules 87,88 of DMC (conduct of Elections) Rule 2012. Being dissatisfied, the appellant filed an appeal. The FAA vide order dated 31.05.2016 upheld the decision of PIO. Feeling aggrieved, the appellant approached the Commission.

Relevant facts emerging during hearing:

The Appellant is absent despite notice. The respondent is present and heard. The respondent states that the record sought by the Appellant was not available and the same was duly intimated to the Appellant. The views of the Appellant could not be ascertained.

Decision:

After hearing the respondent and perusal of record, the Commission finds the reply of PIO in order as the information sought pertains to year 2007 and nonexistent on the day of receipt of RTI Application. No ground to entertain the present appeal is made out.

The Appeal is disposed of.

(Yashovardhan Azad)
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(R.P.Grover)
Designated Officer

Copy to:-
