

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/CC/A/2014/001973

Dated 20.07.2017

Appellant : Shri Sanjeev Kumar
3922, Sector-22-D, Chandigarh

Respondent : The Central Public Information Officer (CPIO),
Government College of Art, Chandigarh

Date of Hearing : 20.07.2017

Relevant dates emerging from the appeal:

RTI application : 05.09.2014
CPIO's reply : 05.09.2014
First Appeal : 05.09.2014, 26.09.2014
FAA's Order : 26.11.2014
Second Appeal : 05.11.2014

ORDER

1. The appellant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Government College of Art, Chandigarh, seeking the CCTV footage of the cameras installed at the entrance of the building, in the corridor and in the staff parking (Camera Nos. 7, 9 and 10) of the Government College of Art, Chandigarh.

2. The appellant filed a second appeal before the Commission on the grounds that he was not satisfied with the reply of the CPIO wherein his request for information was turned down by declaring that his request was not found to be tenable under the purview of the expression "life and liberty of the person" in

absence of any substantive evidence testifying the same. The appellant is also aggrieved with the non-disposal of his first appeal by the First Appellate Authority (FAA). The appellant requested the Commission to direct the CPIO to provide the information sought for.

Hearing:

3. The appellant, Shri Sanjeev Kumar and the respondent, Shri Deepak Kainth, Superintendent and CPIO, Government College of Art, Chandigarh attended the hearing through video conferencing.

4. The appellant submitted that the copy of the DVD allegedly containing the CCTV footage of the cameras installed at the entrance, in the corridor and in the staff parking of the Government College of Art, Chandigarh, furnished by the respondent organization was defective and therefore, he was denied the information sought for by the respondent organization.

5. The respondent submitted that as per the available records, it is not disputed that the CCTV cameras installed at the entrance, in the corridor and in the staff parking were not in a working condition. The respondent further submitted that the CCTV footage as sought for by the appellant was recorded in a DVD format and was supplied to the appellant on vide 17.10.2014. Besides, the DVD provided to the appellant was in a working condition and the recording therein was clear and complete. The respondent also stated that the FAA vide Order dated 26.11.2014 had, while disposing the first appeal, recorded an observation that in absence of the appellants' submission regarding the exact defect in the DVD supplied to him, it was not feasible to determine as to which part of the CCTV footage was unclear or incomplete.

Decision:

6. The Commission, after hearing the submissions of both the parties and perusing the records, notes that as per the appellant, the DVD which was provided to him by the respondent was defective. However, the respondent claims

that the DVD provided to the appellant, was fully operational. The Commission, therefore, directs the CPIO, Government College of Art, Chandigarh to ensure that the DVD, containing the CCTV footage of the cameras installed at the entrance, in the corridor and in the staff parking of the Government College of Art, Chandigarh, which is to be provided to the appellant, is operational and the recording therein is clear. The Commission also directs the CPIO, Government College of Art, Chandigarh, to furnish a copy of the DVD, duly tested, to the appellant, within a period of four weeks from the date of receipt of a copy of this Order.

7. With the above observations, the appeal is disposed of.
8. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(S.S. Rohilla)
Designated Officer