

# 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/VS/A/2013/002259/KY**

Appellant : Shri V. Venkata Subramanian  
C/o. HBFF Staff Quarters  
NO. 64-65, SatguruRamsinghji Marg  
Kirti Nagar, New Delhi-110015

Public Authority : The CPIO  
Ministry of Consumer Affairs  
Hindustan Vegetable Oils Corporation Ltd.,  
65-65, Ram Singh Marg, Kirti Nagar, New Delhi-110015

Date of Hearing : 26.09.2016  
Date of Decision : 26.09.2016

## Presence:

Appellant : Absent  
CPIO : Sh. S C Sharma, OSD & FAA and Sh. R S Goel, Dy. Manager & CPIO

## FACTS:

- I. Vide RTI application dated **21.08.2013**, the appellant sought information on **6 issues**.
- II. CPIO, vide its response dated **26.09.2013**, denied to provided the information u/s 7 (9) & 8 (1) (h).
- III. The First Appeal (FA) was filed on **01.10.2013**, as desired information not provided.
- IV. First Appellate Authority (FAA), order is not on record.
- V. Grounds for the Second Appeal filed on **07.11.2013**, are contained in the Memorandum of Second Appeal.

## HEARING

**Appellant opted to be absent despite of our due notice to him.** Respondents 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 **21.08.2013**, sought information from the respondents on **six issues**. Respondents, vide their response dated **26.09.2013**, allegedly denied the required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on **01.10.2013** before the FAA, who **could not take up** the same for its disposal **for the reasons best known to him**. Hence, a Second Appeal before this Commission.

2. It is pertinent to mention here that the CPIO, vide his response dated **26.09.2013**, **denied** the required information to the appellant by taking a plea under **Section 8(1) (h) and Section 7(9) of the RTI Act 2005**. Further, learned FAA **could not take up** the appellant's FA dated **01.10.2013** same for its disposal **for the reasons best known to him**.
3. The Commissioner heard the submissions made by respondents at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated **21.08.2013**, respondent's response dated **26.09.2013**, other material made available on record and also the grounds of memorandum of second appeal.
4. By virtue of **position** above and in the **circumstances** of the case, the Commission is of the considered view that it is a fit case to be **remanded back** to learned FAA with a direction to dispose of the Appellant's FA filed on **01.10.2013**, **in accordance with the provisions of RTI Act 2005**, and after giving an opportunity to the appellant of being heard, **within 30 days** from the date of receipt of this order under intimation to the Commission. As such, the case is **remanded back**.
5. The appellant is further granted a **liberty** to move a second appeal, under **section 19(3) of the RTI Act 2005**, before this Commission, in case, he is not satisfied with the decision of the FAA on the FA. With these observations, the appellant's second appeal is hereby disposed of.

The Appeal is disposed of accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

The CPIO

Ministry of Consumer Affairs

Hindustan Vegetable Oils Corporation Ltd.,

65-65, Ram Singh Marg, Kirti Nagar, New Delhi-110015

Shri V. Venkata Subramanian

C/o. HBFF Staff Quarters

NO. 64-65, Satguru Ramsinghji Marg

Kirti Nagar, New Delhi-110015