

## 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/C/2016/000292

Appellant : Ms. S. Lilavathi  
No. 23, Bhartiyar Salai  
Ashok Nagar, Lawspet, Pondicherry-605008

Public Authority : The Dy. Secretary & CPIO  
M/o. Youth Affairs & Sports, Dept. of Youth Affairs,  
NSS Section, Shastri Bhawan, New Delhi  
The Directorate  
Directorate of NSS, New Delhi  
12/11, Jamnagar House, New Delhi

Date of Hearing : 28.09.2016

Date of Decision : 28.09.2016

### Presence:

Appellant : Ms. S. Lilavathi, **Heard Telephonically**  
CPIO : Shri C. Samuel, Regional Director & CPIO

### FACTS:

- I. Vide RTI application dated **18.04.2016**, the Appellant sought information on **14 issues**.
- II. CPIO, vide its response dated **11.07.2016 & 14.09.2016**, reportedly not provided the information to the Appellant.
- III. The First Appeal (FA) was filed on **23.06.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), order is not on record.
- V. Grounds for the Second Appeal filed on **22.07.2016**, are contained in the Memorandum of Appeal.

### HEARING

Appellant was heard telephonically (Phone No. 04132256917). Respondents appeared before the Commission **personally** and made the submissions at length.

## **DECISION**

At the outset, it is stated here that in the captioned petition, **no prayer clause** has been incorporated by the petitioner. Thus, it is not known to the Commission as to why petitioner has filed her petition before this Commission. In other words, no relief has been sought from the Commission vide her petition under reference. 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 convert the captioned petition into a second appeal. Therefore, it is converted into a **second appeal**. Thus, being deal accordingly.

2. It would be seen here that the appellant, vide her RTI Application dated 18.04.2016, sought information from the respondents on 14 issues. Respondents, vide their response dated 11.07.2016, allegedly provided the required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on 23.06.2016 before the FAA, who **could not take up** the same for its disposal **for the reasons best known to him**.
3. During hearing of the appeal, it is submitted by Ms. S. Lilavathi, Appellant, that she has received the respondent's response dated **14.09.2016 (at very belated stage)**, vide which respondents have provided the required information to her on her RTI application dated 18.04.2016.
4. On this, a query was posed by the Commission to Shri C. Samuel, Regional Director & CPIO, as to what was the **reason** for providing the required information to the appellant at such **belated stage** i.e. **after expiry of more than 148 days**, which is much beyond the **statutory period of 30 days** as provided under the provisions of RTI Act 2005. On this very aspect, Shri C. Samuel, Regional Director & CPIO, seems to be not in a position to respond the query posed by the Commission except **lame excuses** in this regard. Thus, it shows that officers of Ministry of Youth Affairs & Sports have been acting at their **whims and fancies** and not in accordance with the provisions of Law. As such, the respondents are hereby warned not to act at their whims & fancies but to act in accordance with the Law, **in future**, otherwise, the Commission would be **left with no option but to take necessary action** as per provisions of RTI Act 2005.
5. 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 her RTI application dated **18.04.2016**, respondent's response dated **11.07.2016 & 14.09.2016**, other material made available on record and also the grounds of memorandum of second appeal.

6. In view of the **position** above and in the **circumstances** of the case, the Commission is of the considered view that the respondents have provided the required information to the appellant in terms of **Section 2(f) of the RTI Act 2005**. In view of this, the Commission feels that the appellant's second appeal becomes **redundant** in this regard. Thus, the appellant's second appeal deserves to be **dismissed**. Therefore, it is **dismissed**.

The Appeal is dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)  
Deputy Secretary

The Dy. Secretary & CPIO  
M/o. Youth Affairs & Sports, Dept. of Youth Affairs,  
NSS Section, Shastri Bhawan, New Delhi

The Directorate  
Directorate of NSS, New Delhi  
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