

CENTRAL INFORMATION COMMISSION

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File No : CIC/RM/A/2014/002670

In the matter of:

Shri Avinash Chandra Agarwal
S/o Shri Brij Mohan,
Resident of Bungalow no.-8,
L.P.Compound,
Sadar bazar, Jhansi, U.P.

...Appellant

Vs.

Central Public information Officer
M/o Defence,
Station Headquarters,
Jhansi, Pin-900225,
C/o 56 APO
&

Central Public information Officer
M/o Defence,
Defence Estate Office, E-7/844,
Arera Colony, Bhopal Circle,
Bhopal, MP

..Respondents

Dates

RTI application	:	10.10.2013
CPIO reply	:	11.11.2013
First Appeal	:	23.01.2014,
FAA Order	:	06.02.2014
Second Appeal	:	26.05.2014
Date of hearing	:	01.09.2016

Information sought:

The appellant had sought details relating to number of residential army buildings which were demolished and converted into parks, commercial sites, and details relating to several plots.

Grounds for Second Appeal

The CPIO did not provide the desired information.

Order

Appellant : **Representative of Appellant, Shri Varun Mohan Advocate**

Respondent : **CPIO, Col. Sanjay Bahl alongwith Shri Pawan Gupta, SDO. (Jhansi and Bhopal)**

During the hearing it was seen that the RTI application was transferred to the CPIO, Bhopal under the RTI Act. The CPIO, Bhopal submitted that he had given reply on point nos 6, 8 and 9 on 30th August, 2016 to the appellant but the appellant submitted that he had not received any reply in connection with his abovementioned RTI application.

The CPIO, Jhansi was asked why the stand u/s 8(1)(a) of the RTI Act had been taken by him regarding the conversion of buildings into quarters for married army personnel. The CPIO submitted that the said information if provided to the appellant can have a serious security implication as the adversary can have authentic information about the strength of officers in the army station area.

The appellant submitted that the then CPIO, Bhopal should be penalised for not providing the information in almost three years.

The CPIO Jhansi's contention that Sec 8 (1) (a) is applicable in respect of Para 3 of the RTI application, is not tenable as linking the said information with the security aspect of the station area is farfetched.

The respondent CPIO, Bhopal as well as CPIO Jhansi are directed to provide complete information to the appellant with proof of despatch within seven days of the receipt of the order.

The CPIO may note that non-compliance of this order may lead to penal action u/s 20(1) of the RTI Act against the respondent CPIO.

The appeal is disposed of accordingly.

Amitava Bhattacharyya]
Information Commissioner

Authenticated true copy

(A.K.Talapatra)
Dy. Registrar

