

Central Information Commission
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066.

CIC/AAJA/2017/143
CICOM/A/2017/00137
CICOM/R/2017/00250

Name of the appellant : Shri Aseem Takyar,
144, Ph-1, Udyog Vihar,
Gurgaon – 122 016.

1.	Date of RTI application	08.03.2017
2.	Date of reply of the RTI application	06.04.2017
3.	CPIO(s) who furnished reply	SO & CPIO (Legal Cell)
4.	1 st Appeal Date	12.04.2017
5.	Diary No. of 1 st Appeal of the Dak Section	125711
6.	Diary date of the Dak Section	19.04.2017
7.	Diary date of 1 st Appeal in the office of FAA	20.04.2017
8.	Date of Decision	20.04.2017

Brief fact of the case:-

1. In the RTI application, the appellant has sought following information:-
"1. Provide information, as to what is the present status to implement Hon'ble Delhi Court Order Dated 25.09.2014, passed in the W.P.(C) 3816 of 2011, and provide details about number of hearings take place after order Dated 25.09.2014. (Copy enclosed)."
2. Shri Kishore Kumar Pukhral, SO & CPIO, Legal Cell vide letter dated 06.04.2017 has informed the appellant that "Information not held in this office".

Decision with reasons:-

3. From the perusal of the appeal and case file, it is observed that Hon'ble High of Delhi vide above mentioned order dated 25.09.2014 set aside the order dated 27.02.2011 of the Commission and remanded the matter to the CIC to consider it afresh and pass a speaking order after hearing the petitioner on the question whether the petitioner (DIAL) is a public authority within the meaning of section 2(h) of the Act. So the statement of the CPIO that the information not held in this office is not appropriate. Direction is accordingly given to Shri Kishore Kumar Pukhral, SO & CPIO, Legal Cell to re-visit the matter and provide suitable information to the appellant within 3 weeks from the date of receipt of the order. If required, take the assistance of the concerned registry/section/officer.

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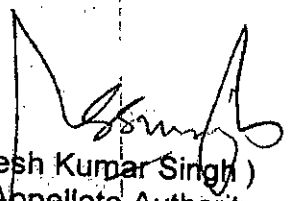
P.T.O.

4. As regards reply received after 30 days, it is to mention that the CPIO has furnished the information on 06.04.2017 i.e. before the completion of 30 days. However, the CPIO is advised to take note of it and furnish information in response to any RTI application well in time, in future.


5. The appeal is, therefore, disposed off.

6. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the CIC in Room No.185, Ground Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 against this order within 90 days.

Dated the 20th April, 2017


(Rakesh Kumar Singh)
Additional Secretary & First Appellate Authority
Tel: 26162290

Copy to:-

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1. The CPIO, RTI Cell, CIC, New Delhi.
 2. Shri Kishore Kumar Pukhral, SO & CPIO, Legal Cell, CIC, New Delhi.
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21-4-17