

Central Information Commission
Baba Gang Nath Marg,
Munirka, New Delhi -110067.

CIC/AAJA/2019/07
CICOM/A/2019/00006
CICOM/R/2018/01200

Name of the appellant : Shri A.R. Shah,
D/203, Ashwalekha Complex,
Besides Desai Park Society,
Vastrapur Railway Station Road,
Ahmedabad – 380 051.

1.	Date of RTI application	13.12.2018
2.	Date of reply of the RTI application	31.12.2018
3.	CPIO(s) who furnished reply	DR to CR-II
4.	1 st Appeal Date	05.01.2019 received through email.
5.	Diary date of 1 st Appeal in the office of FAA	04.01.2019
6.	Date of Decision	10.01.2019

Decision with reasons:-

As per appeal, appellant is aggrieved with the response of CPIO on Point 5 of the RTI application.

2. On point 5, appellant has sought following information:-

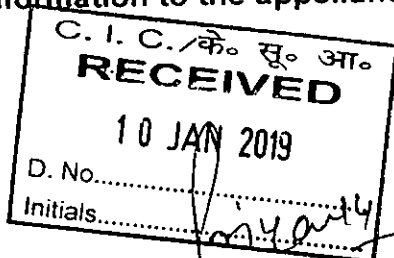
"Kindly provide me the information about Hon'ble Commissions Power to recover Penalty and ensure Compliance of its own Order against audacious and recalcitrant CPIO/Deemed CPIO as per the Act."

3. Shri S.C. Sharma, DR to CR-II & CPIO informed that *"No such information is available on record."*

4. In this regard, appellant stated in the appeal that this reply is false and absurd because it insinuates that Hon'ble Commission has no power to enforce compliance of its own orders and it is left to the mercy of CPIO of Public Authority which cannot be the intention of legislation.

5. From the above, it is observed that reply furnished by the CPIO is inappropriate. Direction is accordingly given to Shri S.C. Sharma, DR to CR-II & CPIO to seek assistance from the concerned officer/section u/s 5(4) and provide appropriate information to the appellant within 2 weeks from the date of receipt of the order.

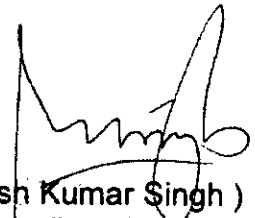
P.T.O.



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6. The appeal is, therefore, disposed of.
7. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi-110067 against this order within 90 days.

Dated the 10th January 2019.



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

Copy to:-

1. Shri TBJs Rajappa, CPIO, RTI Cell, CIC, New Delhi.
2. Shri S.C. Sharma, CPIO, CIC, New Delhi.

Amr
10/1/19

CIC
10/1/19