



CENTRAL INFORMATION COMMISSION
Baba Gang Nath Marg, Munirka,
New Delhi – 110 067

Sh. B. B. Srivastava

....Appellant

VERSUS

Central Information Commission

.....Respondent

Case No :

1. CIC/AA/A/2019/241
2. CICOM/A/2019/00179
3. CICOM/R/2019/00554.

Brief facts:

1. Sh. Parnendu Prakash, Appellant sought the following information vide his RTI application dated 08/07/2019:

- i. Whether any communication was received in Commission from the Commissioner, NDMC and/or from the Chief Engineer, City-SP Zone and if so, copies of the same be supplied.
- ii. In case of non-compliance of Commission's order what action has been/or will be taken against NDMC?
- iii. Detail of the non-compliance procedure, Commission promised to ensure?
- iv. Commission is empowered by RTI Act Section 19(8) to penalize NDMC for non-compliance.
- v. Advise what the Appellant now do? Can he prefer petition before the Chief Information Commissioner?

2. Sh. R.P. Grover, DO IC (YS) and CPIO vide his letter dated 16/08/2019 replied to the RTI application and mentioned that in the RTI application, reference number of the appeal of the Applicant decided by the Commission has not been given, thus delay in reply to the RTI Application. The CPIO has further provided point wise reply to the RTI application as under:

- i. No communication has been received in the Commission in response to the decision in appeal no. CIC/NDMCL/A/2017/143108 decided on 24.12.2018.
- ii. Action, if any, is pending at present.
- iii. You may file the non-compliance petition given the detail of the non-compliance.
- iv. No information is requested.
- v. Any advice is not covered under the RTI Act..

3. The Appellant, being dissatisfied with the reply sent by the CPIO, filed a First Appeal dated 30/08/2019 before the First Appellate Authority and made further submissions.

Decision:

1. On perusal of the RTI application, reply of the CPIOs and the First Appeal filed by the Appellant in this matter, it has been observed that a proper reply has been sent by Sh. R.P. Grover, concerned CPIO and therefore I am of the view that no further intervention of the First Appellate Authority is required in the matter.



2. Hence, the Appeal is dismissed being devoid of merits.

Sh. B.B. Srivastava is further informed if he is not satisfied with the order of the undersigned, he is free to file a Second Appeal under Section 19 (1) of the RTI Act, 2005 before the Hon'ble Information Commissioner Sh. Divya Prakash Sinha at the above mentioned address within a period of 90 days from the date of receipt of this order.

(Piyush Agarwal)
Registrar & First Appellate Authority
17/10/2019



To:

Sh. B.B. Srivastava
A-279, Surya Nagar
Distt. Ghaziabad (U.P.O)
Pin-201011

Copy To:

1. Sh. R.P. Grover
DO to IC (YS) & CPIO
Central Information Commission

2. Sh. T.B.J.S. Rajappa
Nodal CPIO (RTI Cell)
Central Information Commission

