

CENTRAL INFORMATION COMMISSION
Club Building, Opposite Ber Sarai Market,
Old JNU Campus, New Delhi - 110067.
Tel: +91-11-26161796

Decision No. CIC/SG/C/2010/000109/6699
Complaint No. CIC/SG/C/2010/000109

Complaint Remanded To : First Appellate Authority
All India Council For Technical Education
Tagore Hostel -2, Shamla Hills,
Bhopla-462002, MP.

Complainant : Mr. Shiv Kumar Prasad
C/o Kanti Singh
Mohanpur, Punaichak,
Near Devi Asthan, Patna,
Bihar – 800023.

Public Information Officer : PIO & RO
All India Council For Technical Education
Tagore Hostel -2, Shamla Hills,
Bhopla-462002, MP.

Decision:

The complainant had filed an application with the PIO on 23/09/2009 asking for certain information. He received a reply dated 30/09/2009 from the PIO, which he found unsatisfactory. The complainant has therefore filed a complaint with the Commission under Section 18 of the RTI Act, 2005. The complainant has not used the alternate and efficacious remedy of First Appeal available under Section 19 (1) of the RTI Act. Consequently, the First Appellate Authority has not had the chance to review the PIO's decision as envisaged under the RTI Act.

Therefore, the matter is remanded to the First Appellate Authority with a direction to decide the matter in accordance with the provisions of the RTI Act, after giving all concerned parties an opportunity to be heard.

The Complaint is disposed off.

Notice of this decision be given free of cost to the parties.

Shailesh Gandhi
Information Commissioner
04/02/2010

Encl: Copy of RTI Application dated 23/09/2009.
Copy of PIO's reply dated 30/09/2009

(For any further correspondence in this matter, please quote the file no. mentioned above) (GJ)