

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

Decision No. CIC/SG/C/2009/000602/3941
File No. CIC/SG/C/2009/000602

COMPLAINT REMANDED TO : **First Appellate Authority**
New Delhi Municipal Council
Municipal Housing Branch
Palika Kendra
New Delhi

Complainant : **Mr. Arun Kumar**
149, Gulmohar Enclave
New Delhi-110049

Public Information Officer : **The Public Information Officer**
New Delhi Municipal Council
Municipal Housing Branch
Palika Kendra
New Delhi

Decision:

The complainant had filed an application with the PIO on 29/12/2008 asking for certain information. He received a reply 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.

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

Shailesh Gandhi
Information Commissioner
30 June, 2009

Encl: Copy of the Complaint.

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