

CENTRAL INFORMATION COMMISSION
Complaint No CIC/WB/C/2008/00008 dated 14.01.2008
Right to Information Act 2005-Section 18 (1) (e)

Complainant: Shri Rajiv Verma

Respondent: Ministry of Home Affairs (MHA), New Delhi.

Decision

The Commission has received a Complaint u/s 18(1) of the Act from Shri Rajiv Verma of Tis Hazari Courts, Delhi praying as follows:-

“In view of the facts stated hereinbefore it is requested before your good self authority that the CPIO may kindly be directed to furnish true, correct and complete information as requested by the applicant vide application dated 13.08.2007 (submitted on 16.08.2007) and necessary action may also be taken against the concerned CPIO.”

That question seeking information on whether a particular type of Revolver falls under the category of prohibited Arms or not including copies of the relevant Section/Circular/Order against the reply to be provided and other related information was originally moved through an application of 13.08.2007. In his response of 12.09.2007 CPIO & Deputy Secretary Shri S. K. Malhotra has provided a para-wise response to Shri Verma. Shri Verma has moved a complaint before us alleging that the information provided is incomplete. He has not however moved an appeal before first appellate authority under sub-section 1 of Sec. 19 of the RTI Act 2005.

Because the 1st appellate authority has not addressed the questions of appellant, which are of direct concern to his public authority, and because appellant has pleaded no ground for making a direct complaint to us u/s 18, or apprehension of malafide on the part of the MHA the Commission has decided to remand this appeal to First Appellate Authority Shri L. C. Goyal, Joint Secretary (Internal Security), Ministry of Home Affairs, North Block, New Delhi to dispose of

the appeal of Shri Verma within ten working days from the date of receipt of this decision, under intimation to Shri Pankaj Shreyaskar, Jt Registrar, Central Information Commission. If not satisfied with the information provided on his 1st appeal, appellant Shri Verma will be free to move a 2nd appeal before us as per Sec 19 (3).

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

(Wajahat Habibullah)
Chief Information Commissioner)
29.06.2009

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(PK Shreyaskar)
Jt. Registrar
29.06.2009