

Central Information Commission

Mr. Deepak Sehgal vs Kendriya Vidyalaya Sangthan on 15 February, 2010

CENTRAL INFORMATION COMMISSION Club Building, Opposite Ber Sarai Market, Old JNU Campus, New Delhi - 110067.

Tel: +91-11-26161796 Decision No. CIC/SG/C/2010/000149/6823 Complaint No. CIC/SG/C/2010/000149 Complaint Remanded To : First Appellate Authority Kendriya Vidyalaya Sangthan 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi - 110602.

Complainant : Mr. Deepak Sehgal H. No. 17/16, Air Force Station, Brar Square, Delhi Cantt. 110010.

Public Information Officer : Central Public Information Officer & Asstt. Commissioner (Admin.) Kendriya Vidyalaya Sangthan 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi - 110602.

Decision:

The complainant had filed an application with the PIO on 04/09/2009 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 15/02/2010 Encl: Copy of RTI Application dated 04/09/2009.

Copy of PIO's reply dated 30/09/2009 (For any further correspondence in this matter, please quote the file no. mentioned above) (GJ)