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CENTRAL INFORMATION COMMISSION
Room No. – 308, 2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110066.
Website: cic.gov.in

File No. CIC/KY/A/2014/000212

Appellant : Shri Zakir Husain
Pachokhar, Jamaniyan
Ghazipur, Uttar Pradesh

Public Authority : The CPIO
Dept. of Revenue, M/o. Finance
North Block, New Delhi

Date of Hearing : 05.11.2014

Date of Decision : 05.11.2014

Presence:

Appellant : Absent
CPIO : Sh. T K Satpathy, Under Secretary & CPIO



FACTS:

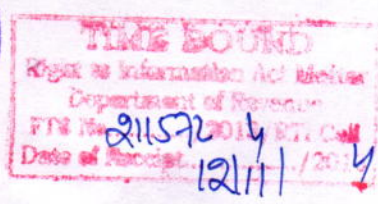
1. Vide RTI application dated 07.10.2011, the Appellant sought information on the 3 issues.
2. CPIO, vide his response dated 14.10.2011 & 19.01.2012, provided the required information to the appellant.
3. The First Appeal (FA) not on record.
4. First Appellate Authority (FAA), order is not on record.
5. Grounds for the Second Appeal filed on 08.11.2011, are contained in the Memorandum of Appeal.
6. **HEARING**

Appellant opted to be absent despite of our due notice to him. Respondents appeared before the Commission personally and made the submissions at length.

DECISION

It is to be seen here that the Appellant, vide his RTI Application dated 20.08.2010, sought information from the respondents on three issues. Respondents, vide their responses dated 14.10.2011 & 19.01.2012, provided the required information to the appellant. Further, appellant miserably failed to avail the efficacious and alternate legal remedy existed under the RTI Act 2005 i.e. to file First Appeal under section 19(1) of the RTI Act 2005 before the Learned FAA but rather he filed a Second Appeal directly before this Commission without exhausting the alternate remedy mentioned above and available to him.

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2. In view of the **position** above and in the **circumstances** of the case, the Commission feels that it would be **appropriate and even justified** to direct the appellant to avail the **efficacious and alternate legal remedy** available to him by filing the **first appeal**, before the learned FAA for its adjudication. Thus, ordered accordingly. The appellant is further granted a liberty to move a second appeal before this Commission, in case, he is not satisfied with the decision of the FAA on the FA.

The Appeal is disposed of accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(K. L. Das)

Deputy Registrar

The CPIO

Dept. of Revenue, M/o. Finance

North Block, New Delhi

Shri Zakir Husain

Pachokhar, Jamaniyan

Ghazipur, Uttar Pradesh

