

CENTRAL INFORMATION COMMISSION
Complaint No CIC/WB/C/2007/00629 dated 18.11.2007
Right to Information Act 2005-Section 18

Complainant: Dr. Gyan Prakash

Respondent: High Court of Delhi, New Delhi.

Decision

The Commission has received a complaint (described as an appeal) from Dr. Gyan Prakash of Indira Nagar, Lucknow praying as follows:-

“Payment to be made in debenture No.- 21579 amount Rs. 10,000/- invested by us on 31st day of January, 1997 LNo.- 00002063 to 00002064 and calculation is still awaited. A reply from ARBITRATOR approved by Hon’ble High Court is awaited- up to what the claim will be paid to us.”

The original application seeking action taken on award of payment by an official liquidator was submitted to CPIO High Court of Delhi on 3.05.'07 and assigned Dy no 85/07. On receiving a response on 5.6.'07 from APIO asking for details of information sought Dr. Gyan Prakash resubmitted an application on 24.7.'07 with a receipt of Rs 50/- to which he seems to have received a reply dated 6.8.'07, no copy of which is on the file, but which is described in Dr. Gyan Prakash's complaint before us as being *“unsatisfactory and of threatening behaviour.”* He has however, not taken recourse to a 1st appeal allowed to him u/s 19 (1) of the RTI Act

Because the 1st appellate authority has not addressed the questions of appellant, which are of direct concern to his public authority, the Commission has decided to remand this appeal to First Appellate Authority & Addl. Secretary, Shri Kalam Singh, Registrar, High Court of Delhi, Delhi to dispose of the appeal of Dr. Gyan Prakash 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 Gyan Prakash 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)
16.02.2009

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
16.02.2009