

Details of Appeal/Decision of First Appellate Authority for the period February 2016 to March 2016 under RTI Act 2005:

Sl. No.	ID No. and Name of the appellant	Ground of Appeal	Decision of First Appellate Authority/remarks
1.	ITPO/PIC/Appeal/02/12/2016 Shri Rajiv Bhoolchand Jain New Delhi	<p>The DPIO has not answered the queries in totality and has been given a vague answer (How can NSCI provide free parking on NDMC land), and hence, this APPEAL. Moreover, by stating that complimentary passes are provided to NSCI, is this not accepting quid-pro-quo arrangement.</p> <p>This is a clear case of Deemed Refusal as per the RTI Act. Kindly expedite proper responses on my queries. Any further delay would construed as a deliberate attempt to withhold information and action as per the provision of the Right to Information Act will be initiated against the concerned”.</p>	<p>The First Appellate Authority, ITPO after having perused the RTI Application, information furnished by DPIO, ITPO and first Appeal of the applicant/appellant ruled that the applicant may be provided following information:</p> <p>Every year ITPO requests NSCI for their cooperation by way of free of cost parking for parking of vehicles of Press representatives during IITFs. This year (2015) also ITPO had requested NSCI to provide space behind NSCI located at Purana Qila Road for parking on complimentary basis vide letter dated July 28th 2015.</p> <p>In the reply of this letter, NSCI had accepted request and agreed to provide parking space in the back lawn area of NSCI at Purana Qila Road from 14th – 27th November, 2015 (except 19th November, 2015) vide letter dated October 26th 2015. The parking space was provided to ITPO in the NSCI’s back lawn area; not in the NDMC parking area.</p> <p>The complimentary passes to NSCI used to be provided on their request like ITPO receives many requests for providing complimentary passes from various other organizations and there is no quid-pro-quo arrangement for parking.”</p>
2.	ITPO/PIC/Appeal/02/13/2016 Shri Banarasi Ram Delhi	<p>Finance Divn. of ITPO is defaulter causes that heavy revenue loss to ITPO. Therefore, not willing to clear the audit para – every para is related of recovery of revenue. If Finance & Accounts Divn. of ITPO is not interested to clear, matter may be referred to CAG. First Appellate Authority is hereby requested to look into the matter for needful action.”</p>	<p>The First Appellate Authority, ITPO after having perused the RTI Application, information furnished by DPIO, ITPO and first Appeal of the applicant/appellant observed that the appellant instead of specifying the year-wise Audit Report/ Audit Para, as requested by PIO, preferred 1st Appeal, seeking initiation of action in the matter. As per provision u/s 2(f) of the RTI Act, the initiation of action is not covered under the ambit of ‘information’. The information which exists in the material form can be provided. Moreover, the information sought is not available in the compiled form and PIO is not supposed to compile the information. FAA, ITPO, ruled that available information retrieved by the Division concerned (as Annexure I) may be provided/ furnished to the applicant. For other points, applicant may specify the year of Audit Para / Report, to enable ITPO to locate and retrieve the same.</p>