

**CENTRAL INFORMATION COMMISSION**  
August Kranti Bhawan, Bhikaji Cama Place,  
New Delhi-110066

F.No.CIC/SA/A/2013/002641-YA

Date of Hearing : 30.01.2015

Date of Decision : 30.01.2015

Appellant : Shri N. B. Deshmukh  
Thane

Respondent : Shri P.M. Desai, representing CPIO  
Air India Ltd.  
Mumbai

**Information Commissioner : Shri Yashovardhan Azad**

**Relevant facts emerging from appeal:**

RTI application filed on : 15.03.2013

PIO replied on : 23.04.2013

First Appeal filed on : 14.05.2013

First Appellate Authority (FAA) order on : No order passed

Second Appeal received on : 22.10.2013

**Information sought:**

Appellant sought final selection list with the bifurcation of marks of those who appeared for written, physical and interview with reference to HRD/PAC/(UG)/22 dated 16.09.1998.

**Relevant facts emerging during hearing:**

Both the parties are present and heard through video conference.

Appellant sought the above information by filing an RTI application dated 15.03.2013. PIO vide letter dated denied the information u/s 8 of the RTI Act, 2005. Having received no reply from the FAA, appellant filed second appeal before the Commission.

Appellant submitted that no information has been provided to him. PIO in a blanket manner denied the information u/s 8 without mentioning any specific provision of Section 8 to deny the same and requested to provide the information to him. On a query by the Commission under which provision they denied the information to the appellant, the respondent Shri P.M. Desai submitted that he is not aware of the facts of the case as it was being dealt by Shri Ravi Shinde, General Manager (Personnel), Western Region, Mumbai, who is the CPIO concerned.

**Decision:**

After hearing both the parties and on perusal of record, the Commission with concern notes that the CPIO initially denied the information in a routine way without mentioning any specific provision under section 8 of the RTI Act. The Commission directs the PIO to revisit the RTI application of the appellant and provide the appropriate reply as per provisions of the RTI Act within two weeks of receipt of this order under intimation to the Commission.

The CPIO is cautioned not to deal with RTI applications in a casual manner and to take due cognizance of the provisions of the RTI Act. The Commission also finds that the FAA did not dispose of the first appeal filed by the appellant. The FAA, being a quasi judicial body, should have given an opportunity of being heard, to the appellant and then gone into aspects like whether PIO has given correct reply, whether he has applied the provisions of the Act, etc. while disposing the appeal, by passing a speaking order. In the instant case, the FAA has failed to exercise his quasi-judicial power. The Commission, therefore, cautions the FAA to strictly follow the RTI regime while disposing of appeals and pass a speaking order, after taking due cognizance of merits of each case.

Chairman, Air India Ltd., Mumbai, is directed to take note of the manner in which PIO/FAA have dealt with the RTI application and first appeal. A copy of this order may be marked to Chairman, Air India Ltd., Mumbai, for information and necessary action as deemed fit.

The appeal is disposed of accordingly.

**(Yashovardhan Azad)**  
**Information Commissioner**

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.

(B.D. Harit)  
Deputy Secretary & Deputy Registrar