

18.07.2022

The Appellate Authority  
Greater Noida Development Authority, Plot No. 01,  
Knowledge Park-04, Greater Noida,  
Gautam Budh Nagar,  
Uttar Pradesh 201308

52163  
22-7-22  
Date .....

**Subject:** Appeal under section 19 of RTI Act 2005

Respected Sir,

I, Triveni Kumar, S/o Shri Ram Chander, R/o C/o IFFCO, C-1, District Centre, Saket Place, New Delhi -110017, Mobile No. 7015550345 sought information under RTI Act 2005 vide my RTI Application dated 19.05.2022 which was received in the office of PIO on 23.05.2022 (Copy enclosed).

Till date, the undersigned has not received reply from PIO as more than 50 days have already gone. As per RTI Act 2005, reply should reach to the Appellant within 30 days from the date of receipt of RTI Application.

WRITTEN SUBMISSION

Central Information Commission (CIC) which has been quoted as under in judgment pronounced on 02.09.2009 by HIGH COURT OF DELHI in W.P. (C) 288/2009 in CPIO, SUPREME COURT OF INDIA, v/s SUBHASH CHANDRA AGARWAL & ANR:

"23. It is the duty of the CPIO to obtain the information that is held by or available with the public authority. [B]Each of the sections or department of a public Authority cannot be treated as a separate or distinct public authority. If any information is available with one section or the department, it shall be deemed to be available with the Public Authority as one single entity CPIO cannot take a view contrary to this."

Section 20(1) of the RTI Act states as follows:

" **20. Penalties.- (1)** Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty five thousand rupees; Section 20(1) of the RTI Act mandates the Commission to impose a penalty on the PIO where he has, without reasonable cause:

- 1) Refused to receive a RTI application;
- 2) Not furnished information within the time specified under Section 7(1) of the RTI Act i.e. 30 days;
- 3) Malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information, or destroyed information which was the subject of the request;

R.T.I-20608  
App-No-3545  
25.7.22  
PROPERLY