

# CENTRAL INFORMATION COMMISSION

B-Wing, 2<sup>nd</sup> Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066

Appeal No.1586 to 1588/ICPB/2008

F.No.PBA/07/1223 & 1356

File No.PBC/08/0076

March 3, 2008

In the matter of Right to Information Act, 2005 – Section 18/19

[Hearing on 27.02.2008 at 4.30 p.m.]

Appellant : Mr. D.R. Singh, Ghaziabad

Public authority: Central Warehousing Corporation  
Mr. J.V. Bender, DGM & PIO  
Mr. Ajay Khera, First AA

Present: For Respondent:  
Mr. J.V.Bendre, DGM & PIO  
Mr. J.P. Yadav, AGM & APIO  
Mr. Ram Niwas, SIO (RTI)  
Mr. Kabool Singh

For Appellant:  
Mr. D.R. Singh  
Mr. Chunnilal Aluriya

## FACTS:

The appellant has sought information by filing three applications under RTI Act by his letter dated 27.12.2006, 14.12.2006 and 21.9.2007 addressed to CPIO, Central Warehousing Corporation, New Delhi (“CWC”) requesting information pertaining to letters dated 24.01.2003, 31.03.2005, 19.03.2006, 21.08.2006, 6.12.2004, 23.02.2006, 10.03.2006 and 20.9.2006. In all applications, the CPIO has furnished certain information and the appellant has filed first appeals and the AA has also given certain decision. However, the appellant is not satisfied with the reply and therefore he has filed appeal before the Commission.

## DECISION:

2. These cases were taken up for hearing on 27.02.2008, which was attended by the appellant in person. The public authority was represented by the following people:

Mr. J.V.Bendre, DGM & PIO  
Mr. J.P. Yadav, AGM & APIO  
Mr. Ram Niwas, SIO (RTI)  
Mr. Kabool Singh

I have gone through all the three applications as well as replies received in this connection. I have also gone through the comments. It is learnt during the hearing, there was a dispute between the two union officer-bearers with a result the CWC has not given any response to their letters. Apart from that they have also taken a stand since the applications have been sent in the capacity of President of the Trade Union, which is not as per the definition of 'citizen' under RTI Act and therefore, they have not responded to those applications. In this connection, the Commission has taken a consistent view that in respect of companies/firms/association of firms, directors/partners/office-bearers respectively can seek information under RTI Act and in the name of the Company/firm/association of firms, even though these entities may not be construed as 'citizen' in terms of the RTI Act, with a view to ensure that the beneficial provisions of the RTI Act are denied on a restricted definition. Therefore, I direct the CPIO to dispose of the applications on merits in terms of the RTI Act within three weeks. I direct the CPIO to go through all the letters and give actual status of those letters and communicate it to the appellant within 15 days from the date of receipt of this decision. After receipt of the information, if the appellant is not satisfied, he is at liberty to file an appeal before the first AA and first AA is directed to dispose of the appeal within one month from the date of receipt of appeal, if any. On the above lines, all these three appeals are disposed of.

Let a copy of this decision be sent to the appellant and CPIO.

Sd/-  
(Padma Balasubramanian)  
Information Commissioner

Authenticated true copy :

(P.S. Sagar)  
Under Secretary & Assistant Registrar

Address of parties :

1. Mr. J.V. Bender, DGM & PIO, Central Warehousing Corporation, C.O.: 4/1, Sri Institutional Area, Hauz Khas, New Delhi – 110016.
2. Mr. Ajay Khera, Appellate Authority under RTI Act, Central Warehousing Corporation, C.O.: 4/1, Sri Institutional Area, Hauz Khas, New Delhi – 110016.
3. Mr. D.R.Singh, H.No. 231, Gali No.7, Behind Police Station, New Defence Colony, Muradanagar, Ghaziabad – 201206. U.P.