

**CENTRAL INFORMATION COMMISSION**  
**Club Building, Opposite Ber Sarai Market,**  
**Old JNU Campus, New Delhi - 110067.**  
**Tel: +91-11-26161796**

**Decision No. CIC/SG/C/2010/000110/6700**  
**Complaint No. CIC/SG/C/2010/000110**

**Complaint Remanded To :** First Appellate Authority  
**All India Council For Technical Education**  
7<sup>th</sup> Floor, Chander Lok Building,  
Janpath, New Delhi – 110001.

**Complainant :** Mr. Shiv Kumar Prasad  
C/o Kanti Singh  
Mohanpur, Punaichak,  
Near Devi Asthan, Patna,  
Bihar – 800023.

**Public Information Officer :** PIO & Asstt. Director  
**All India Council For Technical Education**  
7<sup>th</sup> Floor, Chander Lok Building,  
Janpath, New Delhi – 110001.

**Decision:**

The complainant had filed an application with the PIO on 17/09/2009 asking for certain information. He received a reply dated 27/10/2009 from the PIO, which he found unsatisfactory. The complainant has therefore filed a complaint with the Commission under Section 18 of the RTI Act, 2005. The complainant has not used the alternate and efficacious remedy of First Appeal available under Section 19 (1) of the RTI Act. Consequently, the First Appellate Authority has not had the chance to review the PIO's decision as envisaged under the RTI Act.

Therefore, the matter is remanded to the First Appellate Authority with a direction to decide the matter in accordance with the provisions of the RTI Act, after giving all concerned parties an opportunity to be heard.

**The Complaint is disposed off.**

Notice of this decision be given free of cost to the parties.

**Shailesh Gandhi**  
**Information Commissioner**  
**04/02/2010**

**Encl: Copy of RTI Application dated 17/09/2009.**  
**Copy of PIO's reply dated 27/10/2009**

*(For any further correspondence in this matter, please quote the file no. mentioned above) (GJ)*