

അപേക്ഷകന് പറയാനുള്ളത് കേൾക്കുക എന്നത് Natural Justice ആണ്. ആയതിനാൽ വിവരാവകാശ നിയമപ്രകാരമുള്ള ഒന്നാം അപ്പീൽ തീർപ്പാക്കുമ്പോൾ അപേക്ഷകന് hearing നുള്ള അവസരം നൽകണം

Decision notice:

As stated by the ACPIO he should furnish the information as above to the appellant within 15 days from the date of receipt of this order. As regards copies of documents prepared for the payment of EPF amount to the subscriber, the submissions of the ACPIO are upheld. The information is exempt under Section 8(1)(e) of the RTI Act as no larger public interest has been cited by the appellant to justify its disclosure. As regards the appellant's submission that his 1st appeal was not decided by the FAA and he was also denied an opportunity of hearing, it is needless to say that deciding an appeal after rendering an opportunity of hearing to the parties is a fundamental principle of jurisprudence. It is conducive to fairness and transparency and accords with the principals of natural justice. As per Section 19(6) of the RTI Act the FAA is required to dispose of an appeal within 30 days of the receipt thereof and as far as possible also give the appellant including a third party, if any, an opportunity of hearing specially if he so requests, without forgetting that the essence of RTI Act is to provide complete, correct and timely information to the appellant. The FAA should take a careful note of the above for future. The appeal is disposed of accordingly.

BASANT SETH

Information Commissioner