

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/SB/A/2015/000070

Dated 21.09.2016

Appellant : Mrs. Usha,
Railway Quarter No.1355/C,
Manasnagar, Near Central School,
Manasnagar Colony,
Mughalsarai, U.P.-232 101.

Respondent : Central Public Information Officer,
Central Bureau of Investigation,
O/o the HoB, ACO,
Dr. S.K. Singh Path, Bailey Road,
Patna-800 022.

Date of Hearing : 21.09.2016

Relevant dates emerging from the appeal:

RTI application filed on : 11.01.2015
CPIO's reply : 23.03.2015
First appeal filed on : 17.04.2015
FAA's order : 30.05.2015
Second appeal filed on : 22.06.2015

ORDER

1. Mrs. Usha filed an application dated 11.01.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Bureau of Investigation (CBI) seeking copy of the Gazette

Notification recognizing DIG/SP Office/CBI/ACB, Dr. S.K. Singh Path, Bailey Road, Patna as Police Station by Bihar Government/Central Government.

2. The appellant filed a second appeal dated 22.06.2015 before the Commission on the grounds that she is not satisfied with the information provided to her by the CPIO and the First Appellate Authority (FAA).

Hearing:

3. The appellant Mrs. Usha was not present despite notice. The respondent Shri Daljeet Singh, Superintendent of Police, CBI, Patna attended the hearing through video conferencing.

4. The respondent submitted that no such Gazette Notification as sought by the appellant is available with the respondent office. The respondent further submitted that the same was informed to the appellant vide letter dated 23.03.2015.

Decision:

5. The Commission, after hearing the respondent and perusing the records, observes that as per the respondent no gazette notification as sought by the appellant is available with the respondent office. However, on a specific query from the Commission, regarding the existence of such a gazette notification, the respondent could not answer the same with certainty. In view of this, the Commission directs the respondent to make efforts to ascertain whether such a Gazette notification was issued or not and if the same was issued, then the respondent is directed to transfer the RTI application under Section 6(3) of the RTI Act to the Public Authority concerned. The directions should be complied with within the period of four weeks from the date of receipt of a copy of this decision.

6. With the above observations, the appeal is disposed of.
7. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer