

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/YA/C/2014/000128/SB

Dated 19.09.2016

Complainant : Shri Akshay Kumar Malhotra,
KP-142, Maurya Enclave,
Pitampura,
Delhi-110 034.

Respondent : Central Public Information Officer,
Central Information Commission,
2nd Floor, B-Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110 066.

Date of Hearing : 19.09.2016

ORDER

1. Shri Akshay Kumar Malhotra filed a complaint dated 13.01.2014 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Information Commission (CIC) stating that the respondent CPIO failed to comply with the orders No. CIC/LS/A/2012/001864 & CIC/BS/A/2012/002388 passed by the Commission wherein the respondent had been directed to provide the information sought or give an affidavit to the effect that the information is not available, within a period of 5 weeks from the date of the Order. The complainant states that after more than 7 weeks of the Order of CIC, the CPIO furnished an (incorrect) affidavit that the Public Authority does not have the required information giving wrong dates and years of information. The complainant states that the information is available with the Public Authority. The complainant also states that he had provided a detailed report dated

12.09.2013 on non-compliance by the CPIO to the CIC but he has not yet received any reply from the CIC in this regard.

Hearing:

2. The complainant Shri Akshay Kumar Malhotra was not present despite notice. The respondent Shri A.K. Sharma, CPIO, CIC was present in person.

3. The respondent submitted that the complainant had filed a complaint dated 13.01.2014 as he has not been provided any information by the CPIO as well as the First Appellate Authority (FAA).

4. The respondent further submitted that the complainant had filed a complaint against Indian Oil Corporation Ltd., New Delhi under the Ministry of Petroleum and Natural Gas, New Delhi for non-compliance of Central Information Commission's orders No.CIC/LS/A/2012/001864 and CIC/BS/A/2012/ 002388.

Decision:

5. The Commission observes that the Central Registry of the CIC had by oversight registered the complaint against the CIC with the result that the file was allocated to Registry of IC(SB). The Commission, therefore, directs the Deputy Registrar-CR, CIC to register the case in the name of the relevant Department i.e. Indian Oil Corporation Ltd., Ministry of Petroleum and Natural Gas and thereafter allot the same to the Registry dealing with the Public Authority concerned, who is requested to allow due seniority while listing the case for hearing.

6. Copy of decision be given free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer

Copy for necessary action (along with the file) to:

The Deputy Registrar (Central Registry),
Central Information Commission,
August Kranti Bhawan,
New Delhi-110 066.