

CENTRAL INFORMATION COMMISSION
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi -110066
Tel : +91-11-26186535

Compliant No. CIC/KY/C/2016/000137

Complainant: Mr. Amit Ranjan
Under Secretary NAEB 7th Floor.
Paryavaran Bhawan. CGO Complex
Lodhi Road, New Delhi.

Respondent: Central Public Information Officer
Under Secy. (Vig-I), M/o External Affairs
23-D, Jawaharlal Nehru Bhawan Janpath
New Delhi- 110011.

Date of Hearing: 28.02.2017

Dated of Decision: 28.02.2017

ORDER

Facts:

1. The Complainant filed RTI application dated 07.03.2016 in the matter seeking certified copy of the all documents based on which the license of M/S Shanti Travels had been renewed, certified copy of all directions issued by the Secretary in respect of M/s Shanti Travels and certified copy of all communications in respect of M/s Shanti Travels, Chandigarh with CVC and CBI etc.
2. The CPIO responded on 04.04.2016 and 21.04.2016. The first appeal is not on record. The response of FAA is not on record. The Complainant filed Complaint on 12.04.2016 before the Commission to impose penalty on respondent for not providing information.

Hearing:

3. Complainant was absent. Respondent was represented through his counsel who was personally present in the hearing.

4. Respondent referred to RTI application dated 07.03.2016 and stated that vide letter dated 04.04.2016 (lapse of 24 days after receipt of RTI), they had transferred the RTI application to the CNV Division, Ministry of External Affairs due to vigilance angle.
5. Respondent further stated that vide letter dated 21.04.2016 they informed the complainant that information on points no. (A),(B) and (D) pertains to the CPIO, Overseas Employment & P.G.E. Division.
6. Respondent further stated that information on points no. (C) and (E) is denied under section 8 (1) (h) and (j) of the RTI Act 2005.

Discussion/ observation:

7. The Commission observed that remainder information has not been provided by Overseas Employment & P.G.E. Division. Besides, transfer of application was done after 24 days, within the same public authority (Ministry of External Affairs).

Decision:

8. The respondent is directed to show cause regarding undue delay in transfer to another CPIO within same public Authority. The respondent, CPIO, Overseas Employment & P.G.E. Division is further directed to show cause in writing that why action should not be taken against him for not giving the information to the complainant till date.
9. Deputy Registrar may list this case after 15 days.

The Complaint is disposed of. Copy of the order be given to the parties free of cost.

Sd/-

(Radha Krishna Mathur)
Chief Information Commissioner

Authenticated true copy

Sd/-
(S.C. Sharma)
Dy. Registrar

ADJUNCT ORDER DATED 27.6.2017

Hearing:

1. The matter is listed today for compliance of order dated 28.2.2017.
2. Both the parties did not participate in the hearing.

Observation:

3. The Commission observed that in spite of its order dated 28.2.2017 and hearing notice dated 8.6.2017, the respondent failed to participate in the hearing. It seems that he is not serious about his duties under the RTI Act. The respondent has not complied with the Commission's order dated 28.2.2017.

Decision

4. The respondent is directed to: a) to comply with para 8 of Commission's order dated 28.2.2017 regarding undue delay in transfer of RTI application to another CPIO within same Public Authority; b) show cause in writing that why action should not be taken against him for not attending the hearing, within 15 days from the date of receipt of this order.
5. The CPIO, Overseas Employment & P.G.E. Division is directed to show cause in writing within 15 days from the date of receipt of this order that why action should not be taken against him for not giving the information to the complainant till date.
6. Deputy Registrar may list this case after 30 days. Notice of Hearing shall be issued to all the parties including the CPIO, Overseas Employment & P.G.E. Division.

Copy of the order be given to the parties free of cost.

(Radha Krishna Mathur)
Chief Information Commissioner

Authenticated true copy

(S.C. Sharma)
Dy. Registrar

Copy to: Director(EP)/CPIO,
Overseas Employment & P.G.E. Division,
Ministry of External Affairs,
Akbar Bhawan,
Satya Marg,
Chanakyapuri,
New Delhi.