

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

**Complaint No. CIC/BS/C/2014/000295**

Complainant: Mr. Ashok Kumar Singh  
S/o Shivnandam Vill Pakra Doniya Tola  
PO Pakra P.S Navgachiya Distt.  
Bhagalpur- 853204, Bihar.

Respondent: Central Public Information Officer  
Chief GM, BSNL, Bihar Telecom Circle  
Meghdoot Bhawan, GPO Compound  
Patna- 800001, Bihar

Date of Hearing: 09.03.2017

Dated of Decision: 09.03.2017

**ORDER**

**Facts:**

1. The complainant filed RTI application dated 30.06.2014 seeking information regarding action taken on application no M.A 98/2013 page nos. 1 to 6 and column nos. 1 to 7.

2. The response of CPIO is not on record. The complainant filed first appeal dated 14.08.2014. The FAA responded on 26.08.2014. The complainant filed complaint on 29.09.2014 before the Commission for imposing a penalty on respondent for not providing the information to the appellant.

**Hearing:**

3. Both the parties participated in the hearing through video conferencing.

4. The complainant stated that he had filed RTI Application on 30.06.2014 but the respondent has not provided the information. He filed First Appeal and FAA (BSNL, Delhi) forwarded the appeal to the concerned appellate authority (BSNL, Patna).

5. The respondent referred to the RTI application dated 30.06.2014 and stated that vide their letter dated 02.09.2014 they have informed the complainant that the matter is sub judice before the Patna High Court and therefore, they had not provided the information to complainant.

6. The respondent further stated that CIC through file no. CIC/BS/C/2014/000214/12157 on 20.01.2017 held that the required information has been provided to the complainant.

**Discussion/ observation:**

7. The Commission observed that information sought in complaint no. CIC/BS/C/2014/000214/12157 is different from the present RTI application dated 30.06.2014. Commission further observed that respondent cannot deny the information on the ground of matter being sub-judice unless there is a stay on release of such information by the court. Information sought in RTI application dated 30.06.2014 should have been provided by the respondent.

8. No reply has been given to the appellant till date.

**Decision:**

9. The respondent is directed to provide the required information to the complainant within 15 days after the receipt of this order.

10. The respondent is directed to show cause, within 30 days from the date of receipt of this order, why action should not be taken against him for not giving the information to the appellant within the timelines prescribed in the RTI Act.

The complaint is disposed of. 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**