

CENTRAL INFORMATION COMMISSION

Room No. – 308, 2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110066.
Website: cic.gov.in

File No. CIC/RM/C/2014/000364/KY

Complainant : Shri Manoj Kumar Taneja
S/o. Late Shri Om Prakash Taneja
R/o. B-204, AashirwadAangan, IndraVihar
Kota-324005, Rajasthan

Public Authority : The CPIO
Dte. Gen. of Supplies & Disposals, Jeevan Tara Building,
Parliament Street New Delhi-110001

The CPIO
Dte. Gen. of Supplies & Disposals
481, Sangat Road, College Road, Civil Lines, Ludhiana-141001

The CPIO
Dte. Gen. of Supplies & Disposals, Block No. 3, 2nd Floor,
KendriyaSadan, Sec-9A, Chandigarh-160009

Date of Hearing : 02.09.2016
Date of Decision : 02.09.2016

Presence:

Complainant : Absent
CPIO : Shri P K Lahiri, Director Quality Assurance & CPIO

FACTS:

- I. Vide RTI application dated **23.12.2013**, the appellant sought information on **3 issues**.
- II. CPIO, vide its response dated **21.03.2014**, reportedly not provided the information to the Appellant.
- III. The First Appeal (FA) is not on record.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Complaint filed on **15.03.2014**, are contained in the Memorandum of Complaint.

HEARING

Complainant opted to be absent despite of our due notice to him.

Respondents appeared before the Commission personally and made the submissions at length.

DECISION

It would be seen here that the complainant, vide his RTI Application dated **23.12.2013**, sought information from the respondents on three issues as contained therein. Respondents vide their response dated **27.12.2013**, **transferred** the appellant's RTI application to the concerned Public Authority for taking necessary action. Further, another CPIO vide his response dated **21.03.2014**, denied the required information to the complainant by stating that the matter is **sub-judice**.

2. Being aggrieved by the aforesaid response, FA was filed by the complainant on **16.04.2014** before the FAA, who vide his order dated **30.04.2014**, disposed of the FA by directing the CPIO to provide the required information to the complainant. Incompliance of FAA's order, the CPIO vide his subsequent response dated **29.05.2014**, provided the required information to the complainant.
3. Further, on careful perusal of the contents to this reply i.e. reply dated 29.05.2014, it occurred in the mind of Commissioner that there is some **delay of five months** in providing the required information to the complainant on his RTI application dated 23.12.2013.
4. At this, a query was posed by the Commission to Shri P.K Lahiri, Director Quality Assurance & CPIO, as to what were the **reasons** for providing the required information to the appellant at such **belated stage** i.e. **after expiry of more than five months**, which is much beyond the **statutory period of one month** as provided under the provisions of RTI Act 2005. On this very aspect, Shri P K Lahiri, Director Quality Assurance & CPIO, seems to be not in a position to respond the query posed by the Commission except **lame excuses** in this regard. Thus, it shows that officers of Directorate General of Supplies & Disposals have been acting at their **whims and fancies** and not in accordance with the provisions of Law. Therefore, it is against the very spirit of the RTI Act 2005 and also against the service **rules and regulations**.
5. Apart from above, it is to be seen here that despite of our **due notice**, Complainant failed to appear **either in person** or through someone, duly authorized by him before the Commission to press his case. However, the Commission feels that complainant must have appeared, in such situations, to press his complaint before the Commission, after all, it is his case to be pursued specifically but complainant is absent

deliberately, despite of our due notice. Thus, it shows the intention of the complainant that he is not interested, **at all**, in pursuing his own case before the Commission.

6. In view of the above, the Commission feels that **no fruitful purpose** would be served by proceeding **in such cases**. Thus, the Commission is of the considered view that it would be **appropriate and even justified** to **dismiss** the case. Therefore, it is hereby **dismissed**.

The complaint is dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

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