

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/YA/A/2014/000904/SB

Dated 05.09.2016

Appellant : Shri Thakur Narmdesh Prasad Singh,
VPO Sirnawan,
Via Harnaut,
Distt. Nalanda,
Bihar-803110.

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

Date of Hearing : 05.09.2016

Relevant dates emerging from the appeal:

RTI application filed on : 12.07.2013

CPIO's reply : 01.08.2013

First appeal filed on : 02.09.2013

FAA's order : 30.09.2013

Complaint filed on : 09.10.2013

ORDER

1. Shri Thakur Narmdesh Prasad Singh filed an application dated 12.07.2013 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Information Commission (CIC) seeking information on the status of his complaint dated 11.12.2012 received in CIC vide Dy. No.188737 dated 19.12.2012.

2. The appellant filed a second appeal dated 30.04.2014 before the Commission on the grounds that the First Appellate Authority (FAA) informed him that his office is not empowered to review the orders of the Commission. The appellant states that contradictory decisions of CIC have created confusion and state of uncertainty in the matter of private schools – whether private schools come under the provisions of RTI Act or not. The appellant requested the Commission to decide this long pending and controversial matter by constituting a larger bench of Commissioners of CIC.

Hearing:

3. The appellant Shri Thakur Narmdesh Prasad Singh attended the hearing through video conferencing. The respondent Shri S.P. Beck, Joint Secretary (Admin and RTI), CIC was present in person.

4. The appellant submitted that he had sought information regarding as to whether a particular private school is under the ambit of the RTI Act. The appellant further submitted that no information has been provided regarding the review of the CIC's decision no. CIC/DS/A/2011/001049 /RM dated 31.08.2012. The appellant further stated that the FAA's order dated 30.09.2013 has also not been complied with by the CPIO.

5. The respondent submitted that in response to the RTI application, the appellant was informed vide letter dated 01.08.2013 that the Commission does not have a power to review its own decision. The respondent further submitted that FAA's order dated 30.09.2013 directed the CPIO to apprise the appellant about the status of his review application, if the same has already not been provided. However, the CPIO had already intimated to the appellant in this regard. Hence, no further information remains to be provided to the appellant.

Decision:

6. The Commission, after hearing both the parties and perusing the records, observes that due information has been provided to the appellant by the respondent. Hence, no further action is required in the matter.
7. With the above observations, the appeal is disposed of.
8. Copy of the decision be provided to both the parties free of cost.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer