

**CENTRAL INFORMATION COMMISSION**

2<sup>nd</sup> Floor, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi-110066

**Decision No. CIC/YA/A/2014/001241/SB**

**Dated 05.09.2016**

**Appellant** : Shri Rajesh Kumar,  
C-57/B,  
Near Radha Krishan Mandir,  
Pandav Nagar,  
Delhi-110092.

**Respondent** : The Central Public Information Officer,  
Central Information Commission,  
2<sup>nd</sup> 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 : 30.08.2013

CPIO's reply : 04.10.2013 (after FA)

First appeal filed on : 03.10.2013

FAA's order : 23.10.2013

Complaint filed on : 30.04.2014

**ORDER**

1. Shri Rajesh Kumar filed an application dated 30.08.2013 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Information Commission (CIC) seeking information on four points including (1) details of CPIOs, Staff Selection Commission (SSC) who have been penalized by the CIC in exercise of its

powers u/s 20(1) of the RTI Act, and (2) details of remittances received from SSC in compliance with CIC's directions towards penalties to be recovered from the salaries of CPIOs, SSC.

**2.** The appellant filed a second appeal dated 30.04.2014 before the Commission on the grounds that the information provided is incomplete and the same is believed to have been concealed inadvertently, thereby giving an escape to the CPIOs, SSC, who have been penalized by the CIC while disposing of various complaints/appeals under the relevant provisions of the RTI Act. The appellant also states that the information provided is suggestive of lack of proper mechanism regarding maintenance of record regarding penalty imposed on CPIOs and recovery of the same from them and thus frustrates the mandate of provision of a deterrent under the transparency law since no proper mechanism appears to have been devised to recover the penalty imposed on the CPIOs so as to fulfill the mandate of deterrent under the transparency law.

**Hearing:**

**3.** The appellant Shri Rajesh Kumar was not present despite notice. The respondent Shri S.P. Beck, Joint Secretary (Admin and RTI), CIC was present in person.

**4.** The respondent submitted that the appellant was provided point-wise information vide letter dated 04.10.2013. The respondent further submitted that in compliance with the FAA's order dated 23.10.2013, information was provided to the appellant vide letter dated 17.01.2014. The respondent further informed the Commission, that the appellant had sought information regarding imposition of penalty on the CPIOs of the Staff Selection Commission (SSC) from the starting till the date of filing RTI application i.e. 30.08.2013, which is not readily available.

**Decision:**

5. The Commission, after hearing the respondent and perusing the records, observes that a penalty is imposed as a deterrent on the CPIOs so as to ensure that complete and correct information is provided to the information seeker within the stipulated period of time. Therefore, it is imperative that complete records regarding the penalty imposed by the Commission on the CPIOs is maintained, otherwise the possibility of penalties imposed on the CPIOs not being recovered cannot be ruled out. Moreover, this would defeat the very purpose of the penal provisions of the RTI Act. In view of this, the Commission directs the respondent to provide complete information to the appellant within a period of six weeks from the date of receipt of a copy of this decision.

6. With the above observations, the appeal is disposed of.

7. 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**