

CENTRAL INFORMATION COMMISSION
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi -110066
Tel : +91-11-26717355

Appeal No. CIC/RK/A/2016/001304

Appellant: Mr. Prakash Agarwal
R/o. LIG- 78, Bharati Niketan,
Govindpura, Bhopal- 462023,
M.P. (9827294294)

Respondent: Central Public Information Officer
P.M. Office, South Block,
New Delhi-110011

Date of Hearing: 25.10.2016
Dated of Decision: 25.10.2016

ORDER

Facts:

1. The appellant filed RTI application dated 07.11.2015 seeking information on 7 points regarding the action taken on his letter No. PRSEC/E/2015/08522. The appellant also sought information on details of Nararyan Seva Sansthan, Udaipur like branch offices, names and addresses of the staff, donation received etc. The appellant has also raised issue of various irregularities going in Narayan Seva Sansthan Trust, Udaipur, Rajasthan viz. indulging in money collection from public in the name of treatment of Polio patient, etc.

2. The CPIO responded on 20.11.2015. The appellant filed first appeal on 14.12.2015 with the First Appellate Authority (FAA). The FAA responded on 04.02.2016. The appellant filed second appeal on 12.05.2016 before the Commission on the ground that complete information should be provided and to impose penalty under the Act.

Hearing:

3. Both the parties were present in the hearing. The appellant participated through video- conferencing.

4. The appellant stated that he had filed a RTI application on 7 points for a social cause. The appellant further stated that no information has been received.

5. The appellant contended that there are no responsible officers in the Narayan Seva Sansthan for the compliance of the RTI Act, 2005. The appellant stated that his application was forwarded and not transferred to the Ministry of Home Affairs and that no information has been provided from the Ministry.

6. The appellant stated that to expose various irregularities going in the said Trust along with their various branches across the India. The said Trust is working as Commercial Organisation and collecting the money from public by way of donation. The appellant stated that the collected donation is not used for social services.

7. The appellant stated that the Trust is receiving government grant of Crores of rupees. Thus, the appellant stated that the said Trust should be declared public authority to comply with the provision of the RTI Act.

8. The respondent stated that a response had been given on 20.11.2015 that the application had been forwarded to the Secretary, Ministry of Home Affairs, Ministry of Law & Justice, PIO President Secretariat New Delhi with regard to point nos. 1, 2, and 3 respectively. The respondent stated that the point no. 4 to 7 do not relate to any particular public authority. The respondent stated that Ministry of Social Justice has provided the reply on 07.03.2016.

Discussion/ observation:

9. The appellant's main focus was to declare the said Trust as Public Authority under the RTI Act. It is observed that the appellant did not approach to the said Trust for getting any information. The appellant, if he so wishes, may file a complaint before the Commission for declaration of Narayana Seva Sansthan as a Public Authority, backed by adequate facts and arguments.

10. It is observed that this Commission vide order No. CIC/RK/A/2016/001234 dated 15.06.2016 has decided the appellant's matter which was based on the same facts as matter at hand.

11. Action/steps taken by the respondent in dealing with the RTI application are satisfactory.

Decision:

12. No intervention is required in the matter at the level of this Commission.

13. The Ministry of Home Affairs is advised to provide information with regard to point no. 1 within 30 days of this order.

The appeal 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

Copy To:

1) Secretary,
Ministry of Home Affairs
North Block,
Central Secretariat,
New Delhi – 110001