

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/YA/A/2014/001311/SB

Dated 17.10.2016

Appellant : Shri Birender Kumar Sinha,
B-31, Sachivalya Colony,
Kendriya Vidhyalya Road,
Kankadbagh, Patna-800 020.

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

Date of Hearing : 17.10.2016

Relevant dates emerging from the appeal:

RTI application filed on : 05.12.2013

CPIO's reply : 15.01.2014

First appeal filed on : 05.01.2014

Second appeal filed on : 05.02.2014

ORDER

1. Shri Birender Kumar Sinha filed an application dated 05.12.2014 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 pertaining to his letter dated 18.06.2013.

2. The appellant filed a second appeal dated 05.02.2014 before the Commission on the grounds that the CPIO has not provided him satisfactory information.

Hearing:

3. The appellant Shri Birender Kumar Sinha was not present despite notice. The respondents Shri Ajay Kumar Talapatra, Deputy Registrar to IC(AB), CIC and Shri A.K. Sharma, CPIO, RTI, CIC were present in person.

4. The respondent submitted that point wise information was provided to the appellant vide letter dated 15.01.2014. The respondent further submitted that the FAA vide order dated 30.01.2014 had observed that information sought by the appellant as available in the records has been provided to him. Nonetheless, since the appellant was not able to make submissions before the Commission due to lapse on the part of the Commission to take due care in incorporating the changed address of the appellant as notified by him to the Commission, the then CPIO was advised to place the appellant's petition before the concerned Bench of the Commission. The respondent further stated that the FAA's order dated 30.01.2014 was complied with, however, no records in this regard exists in the relevant file.

Decision:

5. The Commission, after hearing the submissions of the respondents and perusing the records, observes that the impugned order of the FAA dated 30.01.2014, is basically in the nature of an advice to the then CPIO suggesting that the case of the appellant be placed before the Bench concerned of the Commission rather than being in the nature of direction. The Commission further observes that as per the respondent the said matter was placed before the Information Commission concerned and, therefore, the order of the FAA

was complied with. In view of this, the Commission finds no ground to interfere in the said matter.

6. With the above observations, the appeal is disposed of.
7. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer