

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/YA/A/2014/001328/SB

Dated 26.09.2016

Appellant : Dr. H.N. Krishna,
No. 45, First Main,
6th Cross, Central Excise Layout,
Bhopasnandra,
Bangalore-560094.

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

Date of Hearing : 26.09.2016

Relevant dates emerging from the appeal:

RTI application filed on : 03.12.2013

First appeal filed on : 10.01.2014

FAA's order : 24.03.2014

Second appeal filed on : 26.03.2014

ORDER

1. Dr. H.N. Krishna filed an application dated 03.12.2013 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Information Commission (CIC) seeking information on three points relating to Shri Sharma, Central Information Commission, CIC, including (i) certified copy of the resignation letter of Shri Sharma, retired Central Information Commissioner tendering his resignation from his post prior to his retirement and (2) certified copies of the official memorandum

issued by the CIC on sanctioning pension and other retirement benefits to Shri Sharma including sanction order if any, received from the Department of Personnel and Training (DOPT).

2. The appellant filed a second appeal dated 26.03.2014 before the Commission on the grounds that the CPIO did not provide the information despite the order of the First Appellate Authority (FAA). The appellant requested the Commission to direct the respondent CPIO and the FAA to furnish the information sought by him immediately and levy maximum penalty on the respondent and hold enquiry against the FAA for violating the provisions of the RTI Act.

Hearing:

3. Shri Venkatesh, Advocate the legal representative of the appellant attended the hearing through video conferencing. The respondent Shri A.K. Sharma, CPIO, CIC was present in person.

4. The counsel for appellant submitted that the CPIO has intentionally denied the information, hence, penalty should be imposed on him.

5. The respondent submitted that during the hearing of the First Appeal on 24.03.2014, it was submitted that providing the office order of the CIC sanctioning pension and other retirement benefits of Shri M.L. Sharma, former CIC would amount to disclosure of personal information which has no relationship to any public interest. Hence, its disclosure was exempted under Section 8(1)(j) of the RTI Act. The FAA vide order dated 24.03.2014 had therefore, directed the CPIO to furnish a copy of the notification accepting the resignation of the former IC and information relating to sanction of pension to ICs. The respondent further submitted that in compliance with the order of the FAA dated 24.03.2014 a copy of DOPT's notification accepting the resignation

of Shri M.L. Sharma as well as a copy of CIC's order dated 09.01.2009 was provided to the appellant.

Decision:

5. 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 intervention of the Commission is required in the 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