

CENTRAL INFORMATION COMMISSION
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi -110066
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Appeal No. CIC/BS/A/2016/001358

Appellant: Mr. Santosh Kumar Tiwari,
Gram- Pura Bakhat Tiwari
Post- Rajpatti, Janpad
Faizabad, UP- 224121

Respondent: Central Public Information Officer
D.E. (Mech.), MTNL,
O/o. General Manager (East),
Manager Doorsanchar Bhawan,
Jawaharlal Nehru Marg,
New Delhi- 110002

Date of Hearing: 10.07.2017
Dated of Decision: 10.07.2017

ORDER

Facts:

1. The appellant filed RTI application dated 11.03.2016 seeking information regarding workers described in Assistant Engineer (Administration) (N.T.R.) memorandum no. G- 11/ 16-6/ 94-95 of date 06.06.95 on following two points: (a) to specify their work charge and date of joining (b) to provide education qualification of the workers.
2. The CPIO responded on 18.03.2016 disposing off the RTI application. The appellant filed First Appeal dated 06.04.2016 with First Appellate Authority (FAA). The FAA responded on 19.04.2016. The appellant filed second appeal on 11.05.2016 before the Commission on the ground that information should be provided to him.

Hearing:

3. The appellant participated in the hearing through VC. The respondent was present in the hearing in person.
4. The appellant stated that he did not receive the information sought by him. The appellant stated that his RTI application was returned by the respondent. There after he filed first appeal but first appellate authority also did not provide information to him.

5. The respondent stated that the copy of the referred memorandum was not enclosed along with the RTI application. The respondent stated that the appellant only quoted the numbers of said memorandum in the RTI application. Therefore, they could not understand, to which authority the sought for information pertains and to whom the application should have been transferred. Hence, they returned the RTI application. The respondent stated that if the copy of the memorandum could have been provided to them, they would have forwarded the RTI application to the concerned authority. The respondent tendered their apology and stated they will take care in future in dealing with RTI application.

6. On query from the Commission, the appellant stated that he had provided the copy of the said memorandum. However, this was not found available with the RTI application on respondent's file. The appellant agreed to resend a copy of the said memorandum to the respondent.

Discussion/ observation:

7. The Commission observed that even if the copy of the said memorandum was not provided to the respondent, they should not have returned the RTI application to the appellant. The respondent should have disposed of the RTI application as per the RTI Act.

8. The respondent shall dispose the RTI application as per the RTI Act and within 15 days of the receipt of the copy of said memorandum reply to RTI application shall be sent.

Decision:

9. The appellant is advised to send a copy of the said memorandum to the respondent.

10. The respondent is directed to take action as stated in para 6 above.

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