

**CENTRAL INFORMATION COMMISSION**  
**2nd Floor, 'B' Wing, August Kranti Bhawan,**  
**Bhikaji Cama Place, New Delhi -110066**  
**Tel : +91-11-26186535**

**Complaint No. CIC/BS/C/2016/000019**

Complainant: Salim Babu P K,  
Kanjirathil, Cheravally,  
Kayamkulam-690502, Tamilnadu.

Respondent: Central Public Information Officer,  
GM, BSNL Corporate Office,  
Opp. Janpath Hotel,  
Harish Chander Mathur Lane,  
New Delhi-110001.

Date of Hearing: 21.04.2017

Dated of Decision: 21.04.2017

**ORDER**

**Facts:**

1. The complainant filed RTI application dated 18.11.2015 seeking information on 4 points viz. (i) Calculation sheet of the pecuniary loss caused to BSNL vide letter dated 22.09.2010, (ii) Calculation sheet of the monthly monetary loss suffered by him due to imposition of penalty vide letter dated 12.05.2015, (iii) Reasons for not disposing the Appeal dated 18.07.2013 according to merit, and (iv) Details of the statutes relied upon by the 1<sup>st</sup> appellate authority while directing the disciplinary authority to re-serve the ex-parte inquiry report to the information seeker as per its order dated 31.01.2014.
2. The CPIO response, the first appeal and the FAA response are not on record. The complainant filed a complaint on 13.01.2016 before the Commission on the ground that information should be provided to him.

**Hearing:**

3. The complainant did not participate in the hearing. The respondent participated in the hearing in person.
4. The respondent stated that the penalty proceedings pending against the appellant had been quashed due to procedural flaws, based on his appeal.

Further, it was stated by the respondent that the information sought on point no. 3 relating to: exact reason for disposal of his appeal on merit, is in the form of query. They agreed to send a specific reply on point no. 4 relating to the statutes relied upon by the appellate authority while directing the disciplinary authority to re-serve the ex-parte inquiry report to the complainant.

**Discussion/ observation:**

5. The reply given by the respondent on point nos. 1 and 2 relating to calculation sheet of pecuniary loss is satisfactory. The information sought on point no. 3 relating to exact reason for the disposal of his appeal on merit is in the form of query and it does not qualify as 'information' under section 2(f) of the RTI Act.

6. This complaint is treated as appeal. During the hearing, it is observed that the respondent should provide a specific reply to the complainant on point no. 4 relating to the rule position for re-serving the ex-parte enquiry report.

**Decision:**

7. The respondent is directed to take action as per para 6 above within 15 days from the date of receipt 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**