

CENTRAL INFORMATION COMMISSION
2nd Floor, 'B' Wing, August KrantiBhawan,
Bhikaji Cama Place, New Delhi -110066
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Appeal No. CIC/BS/A/2016/001912

Appellant: Mr. Devender Singh Munna
Baur Bazar,
Badausa Road,
UttaraDistt. Banda,
Uttar Pradesh-210201.

Respondent: Central Public Information Officer,
Chief Vig. Officer BSNL,
Corporate Office, Eastern Court,
Ground Floor, Near Sanchar hat
Janpath, New Delhi-110001.

Date of Hearing: 20.07.2017
Dated of Decision: 20.07.2017

ORDER

Facts:

1. The appellant filed RTI application dated 04.03.2016 seeking information regarding action taken on his letter dated 23.11.2015 and copy of the report of the inquiry which was conducted in the matter etc.
2. The CPIO responded on 28.03.2016. The appellant filed first appeal dated 13.04.2016 with First Appellate Authority (FAA). The FAA responded on 03.05.2016. The appellant filed second appeal on 08.07.2016 before the Commission on the ground that the information should be provided to him.

Hearing:

3. The appellant participated in the hearing through audio/telephone. The respondent participated in the hearing in person.
4. The appellant stated that the sought for information has not been provided to him. The appellant stated that his application was wrongly

transferred to another office. The appellant stated that the RTI application was not transferred within 5 days of as per RTI Act. The appellant stated that respondent was suppressing the information, as corruption would be exposed. The appellant requested to impose penalty upon the respondent.

5. The respondent stated that the Corporate Office had transferred the appellant's RTI application to their circle office in Lucknow, which in turn had transferred it to BSNL office in Baanda on 28.03.2016. The respondent stated that the circle office in Lucknow had replied to the appellant vide letter dated 19.04.2016 with annexure of a letter dated 12.04.2016. The respondent stated that the appellant has been informed that investigation on his complaint dated 04.03.2016 is under process.

6. The appellant stated that he had not received the said annexure dated 12.04.2016 with the reply.

Discussion/ observation:

7. The Commission observed that action taken on complaint has been provided to the appellant. The Commission further observed that the respondent should not have transferred the RTI application to their other office within BSNL u/s 6(3) of the RTI Act, as this section provides for transfer of the RTI application to another public authority. Further, the CPIO in Corporate Office should have collected the information and furnished it to the appellant.

Decision:

8. The respondent is directed to resend the said annexure dated 12.04.2016 to the appellant within 7 days 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