

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/YA/A/2016/002243, dated 26.09.2017

**Shri Satish Sharma v. The Central Public Information Officer (CPIO),
Tourism Department, Daman**

Relevant dates emerging from the Appeal:

RTI: 29.02.2016	FA: 04.04.2016	SA: 06.06.2016
CPIO: 29.04.2016	FAAO: No Order	Hearing: 26.09.2017

ORDER

1. The appellant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Tourism Department, Daman, seeking information on five points including, inter alia, (i) the copies of the files pertaining to the appointment of one Ms. Meghna Sharma and Ms. Pratibha in the Tourism Department on contractual basis, and (ii) copies of the salary certificates of the aforementioned female employees along with their place of posting and their designations.

2. The appellant filed a second appeal before the Commission on the grounds that he was not satisfied with the information furnished by the CPIO. The appellant requested the Commission to direct the CPIO to provide the information sought for by him.

Hearing on 15.09.2017:

3. Both the appellant and the respondent were not present despite notice.

4. Due to some unforeseen circumstances, the matter could not be taken up for hearing. The matter was adjourned to **26.09.2017**.

Hearing on 26.09.2017:

5. The appellant Shri Satish Sharma and the respondent Shri Nitin Chandra, Deputy Director (Tourism), Tourism Department, Daman attended the hearing through video conferencing.

6. The appellant submitted that complete and correct information had not been provided to him by the respondent within the stipulated period of time. The appellant further submitted that the FAA, Tourism Department, Daman had not passed any order on his first appeal. The appellant also stated that he was not accorded an opportunity of inspecting the records relating to his RTI application.

7. The respondent submitted that point wise information was provided to the appellant vide letter dated 29.04.2016. The respondent further submitted that the appellant was directed to appear before the FAA on 09.05.2016. However, the appellant had left before the matter could be taken up for hearing. In view of this, no order could be passed.

Decision:

8. The Commission, after hearing the submissions of both the parties and perusing the records, observes that due information has been provided to the appellant by the respondent though with a delay. The Commission takes a serious note of this lapse and counsels the CPIO to be more careful in future so that such lapses do not recur. The Commission also directs the respondent to allow the appellant to inspect all relevant records pertaining to the information sought in his RTI application on a mutually decided date and time as per the provisions of the RTI Act. The above directions shall be complied with, within a period of four weeks from the date of receipt of a copy of this order.

9. The Commission further notes that first appeal in the said matter has not been disposed of by the FAA, Tourism Department, Daman. The Commission takes a very serious view of this lapse. The FAAs are entrusted with the responsibility of disposing of the first appeals within the stipulated time under

the RTI Act. In this case, the FAA did not discharge his responsibility properly. The Commission, therefore, would like to counsel the FAA, Tourism Department, Daman to be more careful in future so that such lapses do not recur and that the provisions of the RTI Act are implemented in letter and spirit.

10. With the above observations, the appeal is disposed of.

11. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(S.S. Rohilla)
Designated Officer

Addresses of the parties:

1. The Central Public Information Officer (CPIO),
O/o the Director of Tourism,
Tourism Department, Daman
2. Shri Satish Sharma