

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/2016/000035

Appellant: D N Sharma,
H.No. 1, Udaypath, Odalbakra,
Guwahati-34, Assam.

Respondent: Central Public Information Officer,
SSPOs, Deptt. of Posts,
O/o The Sr. Supdt. of Post Offices,
Guwahati Divn., Guwahati-781001,
Assam.

Date of Hearing: 07.04.2017

Dated of Decision: 07.04.2017

ORDER

Facts:

1. The appellant filed RTI application dated 01.05.2015 seeking a copy of the inspection reports and the name of the officer who had inspected the Office of the Sr. Supdt., Post offices Guwahati Division on behalf of the DPS/CPMG Assam Circle during the period 2008 to 2010.
2. The CPIO responded on 30.05.2015. The appellant filed first appeal dated 12.06.2015. The FAA response is not on record. The appellant filed second appeal on 23.12.2015 before the Commission on the ground that information should be provided to him.

Hearing:

3. Both the parties participated in the hearing through video conferencing.
4. The appellant stated that the respondent has given him an evasive reply by stating that the sought for information related to annual inspection of SSPOs, Guwahati is dealt by the CPMG office, Assam Circle, Guwahati. In fact

the factual position is that the records are available in both the respondent's office and CPMG office.

5. The appellant further stated that there is a delay in providing the reply. He also stated that the sought for information is required for his court case and due to unprecedented delay his interests have suffered.

6. The respondent stated that they have given a reply to the appellant on 03.02.2016 and there is also a dispatch proof of this effect. However, the appellant stated that he has not received the reply. Besides, the reply does not relate to this RTI under consideration.

Discussion/ observation:

7. There is a substantial delay in furnishing the reply dated 03.02.2016 vis-à-vis the time limit of 30 days fixed by the RTI Act. Besides, the reply as read out does not refer to the RTI date. It is, therefore, not clear if this reply relates to this RTI, though the contents of the reply give all the information sought for by the appellant. The respondent should give a reply to the appellant immediately for this RTI within 15 days of this order.

8. The respondent has given an evasive reply to the appellant. The respondent, being custodian of the record sought should give information.

Decision:

9. The respondent is directed to take action as per para 7 above.

10. The respondent is also directed to show cause, within 30 days from the date of receipt of this order, why action should not be taken against him for trying to deny information by giving an evasive reply to the appellant.

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