

**Central Information Commission, New Delhi**  
**File No. CIC/SH/C/2016/000060**  
**Right to Information Act-2005-Under Section (18)**

**Date of hearing** : 11th March 2017

**Date of decision** : 11th March 2017

**Name of the Complainant** : SHRI PARWAAZ ULUM AZMI

**Name of the Public Authority/Respondent** : CENTRAL PUBLIC INFORMATION OFFICER,  
INDIAN OIL CORPORATION LIMITED  
ALLAHABAD DIVISIONAL OFFICE,  
5TH FLOOR, INDIRA BHAWAN,  
CIVIL LINES, ALLAHABAD, UP

**RTI Application filed on** : 09/04/2015

**CPIO replied on** : —

**First Appeal filed on** : 10/06/2015

**First Appellate Authority order on** : —

**Complaint received on** : 19/01/2016

The Complainant was present at the NIC Studio, Allahabad.

On behalf of the Respondents, Shri Sudhir Gupta, Manager was present at the NIC Studio, Allahabad.

**Information Commissioner** : Shri Sharat Sabharwal

**Information sought**

This matter concerns an RTI application filed by the Complainant, seeking information on ten points regarding compliance of orders/circulars concerning Rajbhasha policy, guidelines with regard to the procedure followed for disposal of complaints written in Hindi or Urdu and related issues.

## **The CPIO reply**

No reply given.

## **Grounds of complaint to the CIC**

Information sought not provided.

## **Relevant facts emerging during the Hearing, Discussion and Decision**

The Complainant stated that no response has been provided to his RTI application and prayed for penal action against the CPIO. The representative of the Respondents stated that their records do not contain any document regarding a response having been sent to the above application. However, he was carrying a reply with him. The Complainant glanced at the reply and stated that it was not point-wise. We note that in such cases, the CPIO is required to respond point-wise to an RTI application, providing such information as is available on the records of the public authority and is disclosable under the RTI Act, in response to every point. The CPIO should do so in this case at the earliest and also mention the name, designation and address of the First Appellate Authority of the Respondents. The Complainant would be at liberty to resort to the appeals process under Section 19 of the RTI Act, in case he is not satisfied with the point-wise reply of the CPIO.

2. It is clear that the RTI application was not dealt with within the time-frame, laid down in the RTI Act, in this case. However, there is nothing on record to establish that the lack of reply was the result of any malafide intent on the part of the CPIO. In this context, we also note the following observations made by the High

Court of Delhi in its judgment dated 3.12.2007 in Bhagat Singh vs Chief Information Commissioner & Ors. [W.P.(C) No. 3114 / 2007]:-

*“17. This Court takes a serious note of the two year delay in releasing information, the lack of adequate reasoning in the orders of the Public Information Officer and the Appellate Authority and the lack of application of mind in relation to the nature of information sought. The materials on record clearly show the lackadaisical approach of the second and third respondent in releasing the information sought. However, the Petitioner has not been able to demonstrate that they malafidely denied the information sought. Therefore, a direction to the Central Information Commission to initiate action under Section 20 of the Act, cannot be issued.”*

In view of the foregoing, we would refrain from considering penal action against the CPIO in this case.

3. With the above observations, the complaint is disposed of.
4. Copies of this order be given free of cost to the parties.

Sd/-  
(Sharat Sabharwal)  
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(Vijay Bhalla)  
Deputy Registrar



