

CENTRAL INFORMATION COMMISSION

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File No : CIC/CC/C/2015/000075-AB

In the matter of:

Majeed Darbari
H. No. 1262, Dhanjisha Marg, Mhow
Cantonment Indore, M.P. Pin- 453441

...Complainant

Vs.

Central Public Information Officer
M/o Defence
Officer of Defence Estate Office of
Mhow Circle, Mhow Cantonment, Distt.
Indore M. P.

...Respondent

	Dates
RTI application	: 01.01.2014
CPIO reply	: 07.11.2014
First Appeal	: Not on record
FAA Order	: Not on record
Complaint	: 19.01.2015
Date of hearing	: 20.01.2017, 23.02.2017

Information sought:

The complainant had sought information relating to all bungalows and gardens situated in Mhow cantonment area.

Grounds for complaint

The CPIO did not provide the desired information.

Interim Order

Complainant : Absent

Respondent : Absent

Both the parties are absent.

On perusal of the case record, it was seen that incomplete information was provided to the complainant.

The Commission took serious note of the CPIO's absence despite duly served notice.

The next date is fixed on 23.02.2017.

Interim Order:

Complainant : Present

Respondent : Present, Shri Mohan Lal Verma, UDC, CPIO

During the course of hearing the complainant submitted that the partial reply was provided earlier but complete information was now furnished after a lapse of 3 years of the submission of the RTI application because of lack of manpower assistance in the concerned office of the public authority.

The present CPIO submitted that the reply was furnished on Jan 2017 after receipt of the Commission's notice. He submitted that the information was delayed inordinately by 3 years.

The Commission observed that providing information at this stage to the complainant would not absolve the CPIO of the consequences arising out of action under Sec 20 of the RTI Act.

On query by the Commission for providing partial information on 07.11.2014, to the appellant, the CPIO submitted that vast information was sought containing the details of unauthorised construction in the entire Mhow Cantonment area. The CPIO also submitted

that there were only 4 employees available in the office. Hence, due to lack of necessary manpower resources complete reply could not be provided to the complainant.

The Commission found the reply improper and unjustifiable. A showcause notice is issued to the then CPIO, Shri Rajinder Prakash Pal to explain as to why action u/s 20 of the RTI Act should not be initiated against him.

The submission shall be submitted by the CPIO within 15 days from the date of receipt of the order.

The present CPIO shall serve the show cause notice to the then CPIO, Shri Rajinder Prakash Pal for compliance. If no submission is received within the period as stated above, action as deemed appropriate by the Commission would be taken without any further notice to the official mentioned above.

[Amitava Bhattacharyya]
Information Commissioner

Authenticated true copy

(A.K. Talapatra)
Deputy Registrar

