

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/SB/A/2015/000327

Dated 18.11.2016

Appellant : ShriTarkeshwar Prasad,
C/o Shri Indrasan Prasad,
3514, Jawahar Colony,
Faridabad, Haryana.

Respondent : Central Public Information Officer,
National Human Rights Commission,
Manav Adhikar Bhawan,
C-Block, GPO Complex, INA,
New Delhi-110 023.

Date of Hearing : 18.11.2016

Relevant dates emerging from the appeal:

RTI application filed on : 30.06.2014

CPIO's reply : 30.07.2014/22.08.2014/
20.05.2015

First appeal filed on : 04.08.2014

Second appeal filed on : 07.09.2015

ORDER

1. ShriTarkeshwar Prasad filed an application dated 30.06.2014 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), National Human Rights Commission (NHRC) seeking information on fifteen points regarding action taken on his representation dated 16.02.2014 and reminder dated 19.05.2014 pertaining to the killing of his son.

2. The appellant filed a second appeal dated 07.09.2015 before the Commission on the grounds that the CPIO hasnot provided himany information.The appellant also requested the Commission that penalty be imposed on the CPIO.

Hearing:

3. The appellant ShriTarkeshwar Prasadwas not present despite notice. The respondent Shri Sunil Arora, Deputy Registrar, NHRC was present in person.

4. The respondent submitted that the appellant was informed vide letter dated 30.07.2014 that the reports received from the Commissioner of Police, Haryana are under consideration of the Commission and the same can be given only after the final orders are passed and this particular-stand was based on an Administrative decision no. 9/2009 of the NHRC dated 15.12.2009. Hence, the disclosure of information was exempted under Section 8(1)(b) of the RTI Act. The respondent further submitted that the appellant was also informed vide letter dated 22.08.2014 that since the Haryana Police is the custodian of information, therefore, the RTI application has been transferred under Section 6(3) of the RTI Act to the Commissioner of Police, Haryana for providing the requisite information.

Decision:

5. The Commission, after hearing the submissions of the respondent and perusing the records observes that the information sought pertains to the State Government of Haryana to whom the RTI application of the appellant has already been transferred by the respondent. Therefore, the present matter is beyond the jurisdiction of the Commission. Hence, no further action is required on part of the Commission in the matter.

6. With the above observations, the appeal is disposed of.
7. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer