

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/SB/A/2015/000431

Dated 21.11.2016

Appellant : ShriMahesh Chandra Pandey,
Gunjan Chauraha, Dayaram Nagar,
Dibiyapur, Auraiya, U.P.

Respondent : Central Public Information Officer,
Ministry of Home Affairs,
North Block, New Delhi-110 001.

Date of Hearing : 21.11.2016

Relevant dates emerging from the appeal:

RTI application filed on : 15.05.2015

First appeal filed on : 10.07.2015

Second appeal filed on : 31.08.2015

ORDER

1. ShriMahesh Chandra Pandey filed an application dated 15.05.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Ministry of Home Affairs (MHA) seeking information on seven points pertaining to the status of his representation dated 13.04.2015 relating to law and order situation in U.P.

2. The appellant filed a second appeal dated 31.08.2015 before the Commission on the grounds that he has not been provided any information. The appellant requested the Commission to impose a penalty under Section

20(1) of the RTI Act upon the CPIO for not providing information within the stipulated period and recommend disciplinary action against the CPIO and award compensation to him.

Hearing:

3. The appellant Shri Mahesh Chandra Pandey was not present despite notice. The respondent Shri Mani Ram, Under Secretary and CPIO, MHA was present in person.

4. The respondent submitted that the appellant was informed vide letter dated 11.06.2015 that since the information sought pertains to the State Government of Uttar Pradesh, his RTI application dated 15.05.2015 was transferred to Government of Uttar Pradesh under Section 6(3) of the RTI Act. The respondent further submitted that the first appeal filed by the appellant was also transferred by the FAA to the State Government of Uttar Pradesh vide order dated 04.08.2015.

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 Uttar Pradesh to whom the RTI application and first appeal of the appellant have 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