

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/2016/001875

Appellant: Mr. Dheeraj Vajpai,
12, Khadri Mohalla , Near Janta Bakery,
Saharanpur Chowk,
Dehradun, (9458157298).

Respondent: Central Public Information Officer
TDM, BSNL,
O/o. Telecom Distt. Manager,
Shahjahanpur-242001.

Date of Hearing: 18.07.2017

Dated of Decision: 18.07.2017

ORDER

Facts:

1. The appellant filed RTI application dated 28.12.2015 seeking information regarding: copy of note-sheet/remarks with respect to the inquiry done by the department on the application of Smt. Kamla Vajpai dated 30.09.2015; stage of the departmental inquiry; number of landline connections working on 31.12.2010 in Distt. Shahjahanpur, etc.
2. The CPIO responded on 28.01.2016 and provided requested information. The appellant filed first appeal dated 25.02.2016 with First Appellate Authority (FAA). The response of FAA is not on record. The appellant filed second appeal on 04.07.2016 before the Commission on the ground that information has not been provided to him.

Hearing:

3. The appellant participated in the hearing through VC. The respondent participated in the hearing through audio-call.

4. The appellant referred to his RTI application dated 28.12.2015 and stated that information was denied to him by the respondent.

5. The appellant stated that the respondent in his reply dated 28.01.2016 (on point nos. 1 & 2) stated that grievance cannot be redressed under the RTI Act and for the other points (on point nos. 3 to 5), the respondent denied the information under Section 8(1)(d) of the RTI Act, which is wrong.

6. The appellant stated that Smt. Kamla Vajpai is his mother and an old lady and her telephone connection was disrupted from 31.12.2012. Various complaints were made by her, but to no avail. The appellant stated that till date, the said telephone was not working and it caused her inconvenience.

7. The appellant stated that her mother filed a complaint dated 30.09.2015 but she was not informed about the action taken on the same.

8. The respondent stated that on 30.09.2015, they have received the complaint of Smt. Kamla Vajpai and her telephone connection was restored to normal. The respondent stated that no complaint was made thereafter. The respondent stated that it is wrong to say that the said telephone was not working from the year 2012.

Discussion/ observation:

9. The Commission is of the view that the defense taken by the respondent in his reply dated 28.01.2016 is not sustainable. The respondent should give point-wise reply/information to the appellant on his RTI application dated 28.12.2015. The respondent is also directed to inform the appellant about the dates of last 6 months when the said telephone number was 'not' working.

Decision:

10. The respondent is directed to comply with para no. 9 above, within 15 days from the date of receipt of this order.

11. The respondent is advised to immediately restore/reactivate the telephone connection of appellant's mother i.e. Smt. Kamla Vajpai.

12. The Deputy Registrar is directed to fix a hearing in the matter after 15 days for compliance.

Copy of the order be given to the parties free of cost.

Sd/-

(Radha Krishna Mathur)
Chief Information Commissioner

Authenticated true copy

Sd/-

(S.C. Sharma)

Dy. Registrar

CENTRAL INFORMATION COMMISSION

Appeal No. CIC/BS/A/2016/001875

Adjunct order dated 30.08.2017

Facts:

1. The instant matter was earlier heard on 18.07.2017. The matter is listed today for compliance in the matter.

Hearing:

2. The appellant and the respondent Shri Shri Satyapal Singh (Junior Account Officer) participated in the hearing through VC.
3. The appellant stated that the respondent has not complied with the Commission's order dated 18.07.2017. The appellant stated that he has not been provided pointwise reply. The appellant stated that he has not been furnished copy of the note sheet/proceeding of his complaint. The appellant stated that he has not been furnished the dates/periods during which the said telephone was not working. The appellant stated that the said telephone was not working for several months since 31.12.2012.
4. The respondent stated that the information has been provided to the appellant vide letter dated 24.07.2017. The respondent stated that during last six months fault was found in working of the said telephone on two occasions only. The respondent stated that so far as appellant's complaint dated 30.09.2015, the record is destroyed as the record retention period of complaint (in case the complaint is resolved) is six months. The appellant stated that they will inform the exact periods of during last 6 months, when the phone was not working. The respondent stated that as on date the telephone is working. On query from the Commission, the appellant confirm that the telephone is working.

Discussion/ observation:

5. The Commission observed that the respondent should categorically inform the appellant that the record retention period of complaint (in case the complaint is resolved) is six months. Further, that in the instant matter, the records older than last six months have been destroyed and are not available with them. Further, the appellant will send last six months records regarding the exact date/period of complaint of said telephone number.

Decision:

6. The respondent is directed to take action as stated in para 5 above within 7 days from receipt of this order.

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