

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

शिकायत संख्या / Complaint No. CIC/PMOIN/A/2018/116893/C

Vinod Kumar Garg

... शिकायतकर्ता /Complainant

VERSUS
बनाम

CPIO, Prime Minister's Office,
South Block, New Delhi.

...प्रतिवादीगण /Respondents

Relevant dates emerging from the complaint:

RTI : 01.12.2017	FA : 10.01.2018	Complaint : 14.03.2018
CPIO : No reply	FAO : 12.02.2018	Hearing : 17.06.2019

ORDER

1. The complainant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Prime Minister's Office (PMO), South Block, New Delhi seeking information on five points pertaining to non-payment of arrears of pay subsequent to revision of pay and non-revision of pension in Delhi Transco Limited (DTL) pay scale, including, inter-alia, (i) daily progress made on his grievance lodged on Centralized Public

Grievance Redress and Monitoring System (CPGRMS) vide No. PMOPG/2017/0535244 and an e-mail dated 03.10.2017 at 12.06 PM, (ii) reasons recorded for the delay in taking action on his grievance and e-mail and (iii) names and designations of the officials who had considered his grievance and e-mail.

2. The complainant filed a complaint before the Commission on the grounds that the CPIO did not reply to his RTI application and did not provide the information despite the order of the FAA wherein he had been directed to furnish a response within 15 working days from the date of issue of order. The complainant requested the Commission to direct the respondents to refund the fee paid by him while submitting the RTI application as per Section 7(6) of the RTI Act, to impose penalty on the respondents as per Section 20(1) of the RTI Act and to direct the public authority to make entry in Service Book/Annual Performance Appraisal Report of the respondents for defying the provisions of the RTI Act.

Hearing:

3. The complainant Shri Vinod Kumar Garg and the respondent Shri Parveen Kumar, Under Secretary (RTI) and CPIO, PMO, New Delhi were present in person.

4. The complainant submitted that the information sought for has not been provided to him despite the order of the FAA dated 12.02.2018. In view of this, deterrent action should be taken against the CPIO as per Section 20(1) of the RTI Act.

5. The respondent submitted that in compliance with the order of the FAA dated 12.02.2018, information had been provided to the complainant vide letter dated 01.03.2018 through speed post.

6. The complainant submitted that he has not yet received the letter dated 01.03.2018.

Decision:

7. The Commission, after hearing the submissions of both the parties and perusing the records, observes that as per the respondent information was provided to the complainant vide letter dated 01.03.2018. However, the complainant claims to have not received the said letter. In view of this, the Commission directs the respondent to resend the letter dated 01.03.2018, along with the proof of its dispatch including the Speed Post tracking number, to the complainant within a period of two weeks from the date of receipt of a copy of this order under intimation to the Commission.

8. The Commission further observes that since the information sought was provided to the complainant, it cannot be said that it was malafidely withheld by the respondent. Hence, in the absence of any malafide intention, it would not be appropriate to initiate any action for the imposition of penalty on the CPIO.

9. With the above observations, the complaint is disposed of.

10. Copy of the decision be provided free of cost to the parties.

Sd/-

Sudhir Bhargava (सुधीर भार्गव)
Chief Information Commissioner (मुख्य सूचना आयुक्त)
दिनांक / Date 18.06.2019

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. S. Rohilla (एस. एस. रोहिल्ला)
Dy. Registrar (उप-पंजीयक)
011-26186535 / do.cicsb@cic.nic.in

Addresses of the parties:

The First Appellate Authority (FAA),
Prime Minister's Office,
South Block,
New Delhi -110011.

The Central Public Information Officer (CPIO),
Prime Minister's Office,
South Block,
New Delhi -110011.

Shri Vinod Kumar Garg,