

CENTRAL INFORMATION COMMISSION
Club Building (Near Post Office)
Old JNU Campus, New Delhi-110067
Tel: +91-11-26106140/26179548
Email – raghu.s@nic.in

File No. CIC/CC/A/2014/003141/SD
Date of Decision:01/09/2016

Relevant facts emerging from the Appeal:

Appellant	:	A.B.S.J. Rao (Ex – Servicemen) D. No. 10 – 6 – 30 Nookamma Temple Street Rama Rao Peta 4 EG Kakinada District Andhra Pradesh – 533004
Respondent	:	CPIO NCC Group Hq Sidharada Nagar Kakinada A.P.– 533004
RTI application filed on	:	02/08/2014
PIO replied on	:	No reply
First appeal filed on	:	04/10/2014
First Appellate Authority order	:	No order
Second Appeal dated	:	19/12/2014

INFORMATION COMMISSIONER : SHRI DIVYA PRAKASH SINHA

Information sought:

The Appellant sought information regarding profits made by URC in the year 2012-2013 and amount from these profits used for ESM welfare and URC. Further, sought to know the number of ESM's who applied for canteen cards and how many were issued for the year 2011, 2012, 2013 and 2014 and how many new cards were received from SCL, with card numbers of ESM(s), widows and dependents.

Grounds for the Second Appeal:

The CPIO has not provided the desired information.

Relevant Facts emerging during Hearing:

The following were present:-

Appellant: Present through VC.

Respondent: Not present.

Appellant submitted that he has not received the information on Point Nos. 1 and 4 of the RTI Application.

Decision

Commission directs the CPIO to provide information on Point No.1 and 4 of the RTI Application. Information on Point No.1 should be provided if there is an account sheet available showing fund/profit allocation for ESM welfare for the year 2012-2013, and if there is no such record of allocation of profits/funds, the same should be categorically stated.

On perusal of the RTI Application it has been observed that information sought on Point No. 4 is voluminous in nature as it involves a list of canteen smart cards issued to ESM(s) over the period of 4 years as well as list of new cards received from SCL. Commission invokes Section 7(9) of the RTI Act as collecting this information will disproportionately divert the resources of the public authority. In view of this, Commission directs the CPIO to provide a list of new canteen smart cards issued for a limited period of two years viz. 2013 & 2014 to the Appellant.

Commission's direction should be complied within 30 days from the date of receipt of this order.

Commission takes very strong exception of non attendance of CPIO during the hearing of Second Appeal. He has also not provided any reply to the Appellant. **A show Cause notice should be issued to the CPIO to send his written submissions explaining as to why penalty should not be imposed on him for both lapses as per Section 20(1) of the RTI Act. The written submissions should reach the Commission within 30 days of the receipt of this order. Commission will take an ex-parte decision if submissions of the CPIO are not received within the said time period.**

The appeal is disposed of accordingly.

**(Divya Prakash Sinha)
Information Commissioner**

Authenticated true copy

**(Raghubir Singh)
Dy. Registrar/Designated Officer**