

CENTRAL INFORMATION COMMISSION

(Room No.315, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110 066)

Prof. M. Sridhar Acharyulu (Madabhushi Sridhar)

Information Commissioner

CIC/RM/A/2014/001389-SA

R.K.Jain Vs. Delhi University

Important Dates and time taken:

RTI/CPIO:23-12/15-1-14(23)	FA/FAO:6-2/25-2-14(19)	2 nd appeal: 11-3-2014
Show cause issued	Hearing:03-11-2015	Decision: 09-11-2015

Parties present:

The appellant is present. The Public Authority represented by Mr. Jay Chandra, JR&CPIO.

FACTS:

2. The appellant through his RTI application, was seeking information regarding (A) details of the thesis, research paper, etc submitted by Shri Pankaj Kumar Pandey Shreyaskar during the MBA/Part time programme during 2009-2012 (B) copies of title pages of the same, (C) copy of thesis/ project about the inquiry report and (D) rules and regulations regarding publication of the thesis, etc. Claiming that no information was received from the Public Authority, he approached the Commission in second appeal after exhausting the first appeal.

DECISION:

3. Both the parties made their submissions. The appellant submitted that he was denied information on the pretext of the IPO, in which the name of the payee was left blank, to be filled by the CPIO, whom he had authorized through his RTI application, as the appellant was not sure about the proper title of the Payee. But instead of helping the appellant, the CPIO chose to routinely return back the RTI application stating that the name of the Payee should be filled up and the IPO should be sent afresh. The appellant alleged that this tantamount to the negative mind-set of the CPIO, not to furnish information and deny the same on some technical grounds.

4. The respondent officer had submitted that there was no intention to deny the information. It was routinely returned to the appellant and not with mala fide intentions. This is as per the University rules/DOPT instructions with regard to the RTI Act.

5. The Commission having heard the submissions and perused the record, considers that it is a case where the CPIO returned the original RTI application along with the IPO, which means a total and complete refusal to act under the provisions of RTI Act, which appears to be a serious breach of RTI Act. The Commission directs the CPIO to explain and show cause as to why maximum penalty should not be imposed against him and why compensation should not be granted to the appellant and disciplinary action should not be recommended against him. His explanation should reach the Commission within 21 days from the date of receipt of this order.

6. The Commission orders accordingly.

(M. Sridhar Acharyulu)
Information Commissioner

Authenticated true copy

(U.C.Joshi)

Deputy Secretary

Address of the parties :

1. The CPIO under RTI Act, Govt. of India
Delhi University, O/o Deputy Registrar,
Delhi-110041

2. Shri R.K.Jain

1512-B, Bhishm Pitamah Marg

Wazir Nagar,

New Delhi-110003