

CENTRAL INFORMATION COMMISSION

**Baba Gang Nath Marg,
Munirka, New Delhi -110067
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Appeal No. CIC/PAROI/A/2017/607198

Appellant: Shri Neeraj Sharma

Respondent: Central Public Information Officer,
Dir.(Q), Rajya Sabha Secretariat,
Parliament House Annexe,
New Delhi 110001.

Date of Hearing: 18.06.2018

Date of Decision: 18.06.2018

RTI Application filed on: 15.08.2017
CPIO replied on: 07.09.2017
First Appeal filed on: 15.09.2017
FAA's order: 10.10.2017
2nd Appeal received on: 19.10.2017

ORDER

Facts:

1. The appellant filed RTI application dated 15.08.2017 seeking information regarding cyber frauds with reference to house panel news report viz. name of house panel/ committee; Chairperson of house panel/committee; date of constitution of house panel/committee; entire statements and press release by house panel; recommendation or action taken report by house panel and other related issues
2. The appellant filed second appeal on 19.10.2017 with the Commission on the ground that information should be provided to him.

Hearing:

3. The appellant was personally present in the hearing. The respondent, Arun Sharma, Dir. & CPIO and Sh. Sanjeev Chandra, AD (RTI) were personally present in the hearing.
4. The appellant stated that the respondent has not transferred his RTI application under Section 6(3) of the RTI Act within stipulate period of time.
5. The appellant stated that the respondent has not informed him of the transfer, which would have enabled him to approach the concerned public authority.
6. The appellant stated that penalty should be imposed on the respondent for the finding mentioned in para 4 above.
7. The respondent stated that the appellant had filed online RTI application and on 07.09.2017, they have informed that the RTI application of the appellant was transferred online to the CPIO, Lok Sabha Secretariat on 28.08.2017 for appropriate action in the matter.
8. The respondent stated, with respect to delay, that the RTI application of the appellant was forwarded to Committee Co-ordination Section for assistance. Only after ascertaining from that section, the application was transferred to Lok Sabha Secretariat. The respondent stated that the delay was neither intentional nor deliberate.
9. The respondent stated that vide order dated 10.10.2017, the FAA had also upheld the reply given by the CPIO.
10. The appellant stated that he has not received any reply from Lok Sabha Secretariat till date on his RTI application.
11. The respondent stated that they have received a copy of reply from Lok Sabha Secretariat on the RTI application of the appellant. During the hearing, the respondent handed over a copy of reply of Lok Sabha Secretariat to the appellant.

Discussion/ observation:

12. From perusal of the reply of the respondent provided by the appellant to the Commission, which states as, “the subject-matter of entire application concerns the Lok Sabha Secretariat. Accordingly, a copy of the application has been transferred to the Lok Sabha Secretariat on 28.08.2017. So far as

this secretariat is concerned, the information desired, may be treated as nil". The Commission observed that reply was given to the appellant vide which he was intimated about transfer of his application. Therefore, the contention of the appellant that he was not informed about the transfer of his application is not sustainable.

13. The Commission is of the view that the delay of more than 5 days in transferring the application has been duly explained by the respondent and the appellant was provided a reply well within the stipulated period of time. The Commission do not find any reasons to impose penalty on the CPIO.

Decision:

14. No further intervention of the Commission is required in the matter. The appeal is disposed of. Copy of the decision be given free of cost to the parties.

(Radha Krishna Mathur)
Chief Information Commissioner

Authenticated true copy

(S.C. Sharma)
Dy. Registrar