

CENTRAL INFORMATION COMMISSION

**Baba Gang Nath Marg,
Munirka, New Delhi -110067
Tel : +91-11-26186535**

Appeal No. CIC/IOCLD/A/2017/163417

Appellant:

Ajay Kumar

Respondent:

Central Public Information Officer,
Indian Oil Corporation Limited,
U.P. State Office-1, Indian Oil Bhavan,
TC 39-V, Vibhuti Khand, Gomti Nagar,
Lucknow, U.P.-226010.

Date of Hearing:

25-06-2018

Dated of Decision:

25-06-2018

RTI Application filed on:

19-07-2016

CPIO replied on:

Not on record.

First Appeal filed on:

26-05-2017

FAA's order:

13-06-2017

2nd Appeal received on:

08-09-2017

ORDER

Facts:

1. The appellant filed RTI application dated 19-07-2016 seeking action taken on his petition regarding fire accident claim arising out of the leakage of the gas cylinder.
2. The appellant filed second appeal on 08-09-2017 with the Commission on the ground that information should be provided to him.

Hearing:

3. The appellant participated in the hearing in person. Mr. A. K. Agarwal (GM) represented the respondent through video conferencing. The written submissions are taken on record.
4. The appellant stated that the respondent has not given him any reply of this RTI application till date. Further, he stated that the respondent should

address his grievance relating to fire accident claim arising out of the leakage of the gas cylinder.

5. The respondent stated they did not receive the RTI application of the appellant. Therefore, they could not give a timely reply to the appellant. In fact, the RTI application was addressed to their dealer. However, they agreed to follow-up the matter and provide a formal reply (with regard to fire claim and compensation) to the appellant as per the RTI Act, within 15 days from the date of receipt of this order.

Discussion/observation:

6. This Commission observed that the respondent should take action as agreed to in para 5 above. Further, this Commission observed that the 1st appellate authority order dated 13-06-2017 is not proper, wherein, the 1st appeal was dismissed on the ground of limitation. In fact, the RTI application was never received by the CPIO. Therefore, calculation of timelines done by the 1st appellate authority is without application of mind. The 1st appellate authority is advised to adhere to the provisions of the RTI Act/Rules while disposing of 1st appeal(s).

Decision:

7. The respondent is directed to take action as per para 6 above. The Deputy Registrar is directed to send complete RTI application file to the CPIO.

The 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