

केंद्रीय सूचना आयोग  
CENTRAL INFORMATION COMMISSION  
बाबागंगानाथमार्ग

Baba Gangnath Marg,  
मुनिरका, नईदिल्ली -110067  
Munirka, New Delhi-110067  
Tel: 011 - 26182593/26182594

Email: [registrycab2018@gmail.com](mailto:registrycab2018@gmail.com)

File No : CIC/MOENF/A/2018/115288

In the matter of:

Subhash Chandra Agrawal

...Appellant

Vs.

CPIO & Scientist-C, Union Ministry of Environment Forest  
& Climate, Change Indira Parayavaran  
Bhawan, Jor Bagh, New Delhi – 110003.

...Respondent

**Dates**

RTI application	:	09.10.2017
CPIO reply	:	14.12.2017
First Appeal	:	26.12.2017
FAA Order	:	28.02.2017
Second Appeal	:	12.03.2018
<b>Date of hearing</b>	:	<b>30.07.2018</b>

**Facts:**

The appellant vide RTI application dated 09.10.2017 sought information relating to his submissions ‘Conflicting rules of Environment –Ministry and MIDC puts entrepreneurs in problem’ on fourteen points as under:

1. Whether these submissions have been received by the MoEF & CC through [www.pgportal.gov.in](http://www.pgportal.gov.in) or Presidents Secretariat or Prime Minister’s Office.
2. Copies of the replies on these submissions as sent to him , President’s Secretariat and Prime Minister’s Office.
3. Copies of all related correspondence/ file-notings etc on each of the aspects of these submissions.
4. Other related information.

The CPIO replied on 14.12.2017. The appellant was not satisfied with the reply of the CPIO and filed first appeal on 26.12.2017. The First Appellate Authority (FAA) disposed of the appeal by virtue of its order dated 28.02.2017. Aggrieved with the non-supply of the desired information from the respondent authority, the appellant filed second appeal under the provision of Section 19 of the RTI Act before the Central Information Commission on 12.03.2018.

### **Grounds for Second Appeal**

The CPIO did not provide the desired information.

### Order

**Appellant :** Present

**Respondent:** Shri J D Marcus Knight, Scientist C cum CPIO  
Dr Vinod Kumar Singh, Scientist D cum CPIO

During the hearing the appellant submitted that the same RTI was decided in a complaint case: CIC/MOENF/C/2017/178184 on 29.06.2018. He was not satisfied with the replies on point nos. 2,7,8 and 10 of the said RTI application.

The appellant also submitted that the reply dated 12.12.2017 was not proper as he had one specific case in mind where the said EIA notification was not followed eg. MIDC Maharashtra Industrial Development Corporation case.

The Commission after perusal of the revised reply 08.03.2018 finds the reply proper on para no. 2. In respect of para no. 7, Dr Vinod Kumar Singh was directed to affirm on affidavit and submit to the Commission duly endorsed to the appellant that complete information was provided vide replies dated 27.06.2018, 12.04.2018 and 17.04.2018. Otherwise he is directed to provide/ furnish a consolidated reply within 10 days from the receipt of this order. In respect of para 8, the information sought is not covered u/s 2(f) of the RTI Act. In respect of para 10, the appellant was satisfied but he submitted that a new mechanism for timely implementation of EIA procedure should be introduced by the Ministry while dealing with EIA cases in future.

The appellant pressed for compensation u/s 19(8)(b) of the RTI Act for the detriment caused to him for the delay in supply of information to him.

**Observation:**

The Commission observed that the public authority should evolve a mechanism to streamline the process of EIAs of various developmental and other types of projects so that the EIA notification is implemented in true letter and spirit in the ministry.

**Decision:**

The CPIO, Dr Vinod Kumar Singh is directed to affirm on affidavit and submit to the Commission, duly endorsed to the appellant, that in respect of para 7 of the stated RTI application complete reply was provided vide replies dated 27.06.2018, 12.04.2018 and 17.04.2018. Otherwise he should furnish a revised consolidated reply within 10 days from the receipt of this order to the appellant on this point.

The Commission is of the opinion that a token amount of Rs 1,000/- should be paid as compensation to the appellant u/s 19(8)(b) of the RTI Act for the detriment caused to him. This amount of Rs 1,000/- is to be paid by the public authority, Ministry of Environment, Forest and Climate Change as compensation to the appellant u/s 19(8)(b) of the RTI Act for the detriment caused him for the delay caused. The present CPIO is directed accordingly to ensure that the compensation amount is paid to the appellant within 15 days from the receipt of this order.

With the above direction, the appeal is disposed of.

Copies of the order be sent to both the parties free of cost.

**[Amitava Bhattacharyya]**  
**Information Commissioner**

Authenticated true copy

(A.K. Talapatra)  
Deputy Registrar