

Central Information Commission, New Delhi
File No.CIC/SM/A/2011/002283 & 2399
Right to Information Act-2005-Under Section (19)

Date of hearing : **1 May 2013**

Date of decision : **1 May 2013**

Name of the Appellant : **Shri Ajit Kumar,**
S/o. Late Shri Ayodhya Prasad
Srivastava,
Ashok Nagar, Road No. 3-B, Kankarbagh
Colony, Patna – 800 020.

Name of the Public Authority : **Shri V.N. Shukla,**
Deputy Director,
Staff Selection Commission,
21-23 Lowther Road,
Allahabad – 211 002.

On behalf of the Respondent, Shri V.N. Shukla, Deputy Director was present.

Chief Information Commissioner : **Shri Satyananda Mishra**

2. We have been hearing this case over a long period of time. The first time, this matter had come before the CIC by way of a complaint. In our order dated 20 July 2011, we had directed the Appellate Authority to look into the matter and ensure that the desired information was provided to the applicant. Following our order, the Appellate Authority had passed an order explaining the reasons why the applicant had been allocated a particular service and not the one for which he had shown his preference in the original application. He had

also directed the CPIO to write to the applicant and inform him about this. It appears the CPIO concerned did not carry out the direction of the Appellate Authority. Consequently, the matter came before the CIC in second appeal. We had disposed of the second appeal in our order dated 31 August 2012 with a direction that the desired information be provided to the applicant and also that the CPIO should show cause why we should not impose penalty on him for not providing the information in time. This matter was heard again on 20 September 2012 but nobody turned up. The matter was taken up once again on 1 October 2012. This time, we had directed that the desired information to be provided and the CPIO concerned to appear before us to show cause on the next date. The matter came up for hearing on 14 February 2013. On that date, the CPIO concerned appeared before us and submitted that the Allahabad regional office of the SSC had not provided the relevant documents and, that is the reason why, the applicant could not be informed in time. That is why we had desired to hear the officer concerned from the Allahabad regional office.

3. Today, the officer concerned from the Allahabad office (VN Shukla) appeared before us and submitted that his office had duly responded to the communication from the headquarters of the SSC dated 25 March 2011 in a reply dated 18 May 2011 and provided the copies of the relevant documents showing how the applicant himself had changed his preference at the time of the interview. Thus, it is quite clear that the Allahabad regional office cannot be held responsible for not sending the information although it had sent it rather late. The Respondent explained that the delay occurred because the relevant documents had to be searched out from thousands of such records maintained in the office relating to the relevant examination. None the less, the relevant documents had been provided to the headquarters. Had this information been

forwarded to the applicant, it would have been clear to him why he was allocated a service other than what he had preferred in his original application. Instead, the headquarters of the SSC had only informed him why he had been allocated a particular service without giving him the copies of the relevant forms which would show the modification done by him at the time of the interview. It is sad that this matter should have taken so long and so many hearings at the level of the CIC to arrive at some conclusion. Now, we direct Sri VN shukla to write to the Appellant within five working days of receiving this order and send him the photocopies of both the forms, the original application and the modification recorded at the time of interview, so that he can see for himself why the SSC had decided to allocate him a particular service.

4. Fixing of responsibility in this case on any particular officer has become extremely difficult because of the multiplicity of officers involved. Therefore, we are not in a position to impose any penalty on any particular officer. However, we recognise that the Appellant has been put to considerable detriment in the process of not getting the information over such a long period of time. Therefore, in exercise of the powers vested in the CIC in section 19(8) (b) of the Right to Information (RTI) Act, we direct the SSC to pay him a compensation of Rs. 5000 for this. The CPIO is directed to ensure that this amount of compensation is remitted to the Appellant within 15 working days of receiving this order by way of a demand draft.

5. The case is disposed of accordingly.

6. Copies of this order be given free of cost to the parties.

(Satyananda Mishra)

Chief Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(Vijay Bhalla)
Deputy Registrar