

Central Information Commission, New Delhi
File No.CIC/SM/A/2012/000715
Right to Information Act-2005-Under Section (19)

Date of hearing : **2 April 2013**

Date of decision : **20 May 2013**

Name of the Appellant : **Shri Bhanu Partap,**
C-217, Deen Dayal Nagar,
2nd Phase, Near Sai Mandir,
Moradabad Nagar, Moradabad.

Name of the Public Authority : **Shri Satya Prakash,US & CPIO,**
Staff Selection Commission, (C-1/1),
Block No. 12, CGO Complex,
Lodhi Road, New Delhi.

On behalf of the Respondent, Shri Satya Prakash, US (Conf), was present.

Chief Information Commissioner : **Shri Satyananda Mishra**

2. In our order dated 7 December 2012, we had directed the then CPIO (Satya Prakash) to appear before us and show cause why we should not impose penalty on him for not providing the information in time in this case. The officer concerned appeared and submitted that the delay on his part was not wilful and was on account of the fact that he could not trace out the information out of the large pile of records generated in the SSC around this time due to many examinations conducted in this period.

3. We have carefully considered the submissions of the CPIO. The Appellant claims to have filed his RTI application on 30 August 2011. When he did not receive any response from the CPIO, much less any information, he had preferred an appeal. The Appellate Authority had passed his order on 23 February 2011 and directed the CPIO concerned (Satya Prakash) to provide the information directly to the Appellant urgently. In spite of this clear direction, Sri Satya Prakash did not provide any information. It seems the desired information was sent to the Appellant only now after the CIC issued the show cause notice.

4. We have carefully considered the submissions of the CPIO. It is true that the number of examinations the SSC conducts every year is very large and millions of candidates appear for these examinations. The Confidential Section of which Sri Satya Prakash was in charge during the relevant time is responsible for compiling the final results and, therefore, the workload on him must have been enormous. The SSC should have taken care to provide adequate assistance to the in charge of the section if he had to also perform the role of the CPIO. In the absence of any such assistance, it is understandable that the Incharge would fail to discharge his duties satisfactorily. In view of this, instead of imposing any penalty on the officer concerned, we, in exercise of the powers vested in the CIC in subsection 8(b) of section 19 of the Right to Information (RTI) Act, are inclined to award a compensation to the Appellant for having suffered the detriment and harassment due to the non-supply of information in time. We direct the present CPIO to ensure that the SSC sends to the Appellant a compensation amount of Rs. 10,000 within 15 working days of receiving this order under intimation to the CIC.

5. For the future, the CPIO concerned must treat the RTI applications with a greater urgency. 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