

# Central Information Commission

CIC/AD/C/2009/000688  
Dated 2<sup>nd</sup> March, 2010

Adjunct to the Order in the Case No.CIC/AD/C/2009/000688  
dated 14.12.09 in the case of

Mr. Anupam Gupta

v/s.

Department of Telecommunication, New Delhi

Hearing was held on 2<sup>nd</sup> March, 2010

## Background

1. The Order given by the Commission on 14.12.09 in the above case is as follows:
  - i) *Since Mr.Jai Prakash, CPIO & Under Secretary, EO (SM-III) has not responded to the show cause notice, the Commission gives one more chance to him submit his explanation personally before the Commission on 2nd March, 2010 at 3.30 p.m.*
2. The Appellant was not present during the hearing.
3. Mr. Jai Prakash, Under Secretary cum CPIO represented the Public Authority.

## Decision

4. The Commission received an explanation to the show cause notice from Mr. Jai Prakash, CPIO & US (SM-III) of the Department of Personnel & Training, dated 17.11.09, wherein he stated that the RTI Application dated 26.05.09 was forwarded to him by the Director (Staff) cum CPIO, DoT only on 26.06.09 and that it was received by him on 07.07.09. According to the CPIO, DoPT, reply was sent to the Appellant on 18.08.09 by registered post. The Respondent also stated that the Appellant had also filed another RTI application seeking information on similar issues on 10.08.08 and that a reply was sent to him on 04.09.08. However, the Appellant had filed an Appeal against the decision of 04.09.08 of the CPIO and that in compliance with the order of the First Appellate Authority a reply dated 08.10.08 was sent to the Appellant on 21.01.09. The Respondent submitted that he had provided available information to the Appellant in response to the RTI application also and that the delay of around **10 days** that is from 07.07.09 to 18.08.09 was due to the fact that the information had to be collected from several sources.

5. On perusal of the submission of the CPIO, DoPT the Commission is of the opinion that the cause for delay of 10 days in furnishing of information by the CPIO, DoPT is reasonable and drops the penalty proceedings against the CPIO.
6. The Commission, however, directs the **Director (Staff) cum CPIO, Department of Telecommunications (STG-III Section), Ministry of Communications & IT, Sanchar Bhawan, New Delhi** to explain why the RTI application was not transferred within 5 days of its receipt as per Section 6(3) of the RTI Act on receipt of the RTI application. The response should reach the Commission by **end March, 2010**.

(Annapurna Dixit)  
Information Commissioner

Authenticated true copy:

(G. Subramanian)  
Deputy Registrar

Cc:

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