

CENTRAL INFORMATION COMMISSION
Complaint No.- CIC/WB/A/2009/000040 dated: 16.02.'09
Right to Information Act- Section 18(1)(b)

Complainant: Shri Jasbir Singh

Respondent: Department of Administrative Reforms & Public Grievances
(DoAR&PG), New Delhi.

Decision announced 11.3.'10

Facts: -

The Commission has received a complaint from Shri Jasbir Singh of Amritsar, Punjab that his request under RTI Act, 2005 submitted to the Central Public Information Officer, Department of Administrative Reforms, & Public Grievances, New Delhi, seeking certain information regarding 5th Central Pay Commission's recommendation which was concerned with Ministry of Defence, has not been responded to, even though the same was duly submitted along with the requisite fee, dated 16.07.2008.

Having admitted the complaint of Shri Jasbir Singh under Section 18(1)(b) of RTI Act, 2005 the Commission served notice on 30.12.2009 on CPIO, Integrated Headquarters-Army, Ministry of Defence, New Delhi and CPIO, Department of Administrative Reforms & Public Grievances, New Delhi for furnishing comments on the complaint. In response, the CPIO Shri P. S. Chauhan, Under Secretary, Department of Administrative Reforms, New Delhi has submitted his comments on 12.01.2010 with a copy of the same also endorsed to complainant. But no comment has been received from the CPIO, Integrated Headquarters-Army, Ministry of Defence, New Delhi. The CPIO, DoAR&PG has informed the Commission that on receiving the request dated 16.07.2008 of the complainant, this was transferred u/s 6(3) of the Act to the CPIO, Ministry of Defence, South Block, New Delhi on 22.07.2008 as the information sought by the complainant was related to that Ministry and the same

was further transferred to ADG, RTI Cell, IHQ of MoD by Ministry of Defence for taking appropriate action.

Decision Notice

The Commission has decided to allow Shri Jasbir Singh's complaint u/s 18(1)(b) of the Act and hereby directs the CPIO, ADG PI, RTI Cell, IHQ of Ministry of Defence (Army), New Delhi to respond to the request for information of complainant Shri Jasbir Singh within 15 working days from the date of receipt of this decision under intimation to Shri PKP Shreyaskar, Jt Registrar Central Information Commission.

The CPIO, ADG PI, RTI Cell, IHQ of Ministry of Defence (Army), New Delhi is further directed to show cause as to why a penalty of Rs. 250/- per day from the date when the information fell due i.e. 25.08.2008 to the date when the information is actually supplied, not exceeding Rs. 25,000/- should not be imposed on him/ her under Section 20(1) of the RTI act. The CPIO may submit his/her written submission to this Commission by or before 25.03.2010, failing which this Commission will initiate proceedings u/s 20 of the Act against him.

Announced this eleventh day of March 2010. Notice of this decision be given free of cost to the parties.

Wajahat Habibullah
(Chief Information Commissioner)
11.03.2010

Authenticated true copy, additional copies of order shall be supplied against application and payment of the charge prescribed under the Act to the CPIO of this Commission.

Pankaj K. P. Shreyaskar
Joint Registrar.
11.03.2010