

CENTRAL INFORMATION COMMISSION
Complaint No.- CIC/WB/A/2009/000047 dated: 17.02.'09
Right to Information Act- Section 18(1)(b)

Complainant: Shri Mani Ram Sharma

Respondent: Supreme Court of India (SCI), New Delhi.

Decision announced 11.3.'10

Facts: -

The Commission has received a complaint from Shri Mani Ram Sharma of Churu, Rajasthan that his request under RTI Act, 2005 submitted to the Central Public Information Officer, Supreme Court of India, New Delhi, seeking copy of guidelines governing PIL and information regarding discrepancies in his application dated 05.03.2008 in light of that, together with information regarding reason for not affording him equal opportunity in terms of Article 14 of the constitution in respect of certain petitions filed by him with the court on various dates, which included action taken on his petitions sent on 08.07.2008, 09.07.2008 and 10.07.2008, has not been responded to, even though the same was duly submitted along with the requisite fee dated 10.07.2008. Moreover, the first appellate authority has passed no order on his 1st appeal filed on 23.08.2008.

Having admitted the complaint of Shri Sharma under Section 18(1)(b) of RTI Act, 2005 the commission served notice on 31.12.2009 on CPIO, SCI, New Delhi for furnishing comments on the complaint. In response, the CPIO Shri Raj Pal Arora, Addl. Registrar, SCI submitted comments dated 11.01.2010 with a copy also endorsed to complainant Shri Sharma. The CPIO, in his comments, has informed the Commission that the application dated 10.07.2008 of the complainant was not received by the CPIO and this information was already conveyed to the complainant by PS to Registrar (Court-I)/First Appellate Authority of Supreme Court of India vide letter dated 30.08.2008 in response to the 1st appeal dated 23.08.2008 of the complainant. He has further informed that

information on all points of the letter dated 10.07.2008, which is held by or under the control of the CPIO, Supreme Court of India, has already been supplied to Shri Sharma and this establishes that had the application dated 10.07.2008 been received in the Court, the same would have been replied to within time. The CPIO has justified his stand by enclosing the copies of responses sent to the complainant from time to time regarding the information sought through the application dated 10.07.2008. No rejoinder has been received from the complainant against the comments filed by the CPIO.

Decision Notice

As per the comments submitted by the CPIO, it seems that the request dated 10.07.2008 of Shri Sharma was not received by the CPIO, SCI and this was the only reason for not responding to the request, whereas, information sought through the application dated 10.07.2008 has already been supplied to the complainant in further correspondences under RTI which took place between the complainant and the public authority and has already been addressed by the appellate authority of the SCI in 1st appeals filed. In the absence of any rebuttal/rejoinder from complainant Shri Mani Ram Sharma it may be presumed that he is satisfied with the plea taken by the CPIO. In light of the above the complainant is advised that if not satisfied with the information provided on his 1st appeal, complainant Shri Sharma will be free to move a 2nd appeal before us as per section 19(3). The present complaint however is now disposed of.

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