

CENTRAL INFORMATION COMMISSION  
Complaint No. - CIC/WB/C/2009/000057 dated: 19.02.'09  
Right to Information Act- Section 18(1) (b)

**Complainant:** Shri Mani Ram Sharma

**Respondent:** Central Vigilance Commission (CVC), New Delhi.

Decision announced 12.3.'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, Central Vigilance Commission, New Delhi, seeking information regarding action taken on his application sent on 29.08.2009 for registering a complaint against DIG, CBI, BSFC, New Delhi for denying to register a case against State Bank of Bikaner & Jaipur, together with other related information, has not been responded to even though the same was duly submitted along with the requisite fee, dated 29.08.2008. Similarly, no order has been passed by the first appellate authority of CVC on his appeal u/s 19(1) dated 29.09.2008.

Admitting the complaint of Shri Sharma under Section 18(1) (b) of RTI Act, 2005 the Commission served notice on 06.01.2010 on CPIO, Central Vigilance Commission, New Delhi for furnishing comments on the complaint. In response, CPIO Shri R. Ravichandran, Advisor, CVC has submitted his comments of 18.01.2010 with a copy also endorsed to complainant. CPIO has informed the Commission that not only was the application dated 29.08.2008 of the complainant, which was received in the CVC on 23.09.2008, responded to by the then CPIO vide letter dated 06.10.2008 but his appeal dated 29.09.2008 was also disposed of by the 1<sup>st</sup> appellate authority after considering all the aspects of the case vide order dated 30.10.2008. The CPIO has enclosed the copies of response of the CPIO and order passed by the appellate authority with the comments. The complainant has also filed a rejoinder against the comments stating that the CPIO has provided only one information regarding action taken

on his complaint dated 29.08.2008 whereas, the rest of the information sought has still not provided.

### **Decision**

From a perusal of the file and the comments submitted by the CPIO, it is evident that, contrary to the complaint of Shri Mani Ram Sharma the CPIO has indeed responded to the request of complainant whose 1<sup>st</sup> appeal has also been disposed of by the appellate authority and that within the time mandated by law. Hence, the complaint against non-response to the request does not stand and in light of this the present complaint can only be dismissed.

On the other hand the complainant has pleaded that the CPIO has responded against one point only whereas, others have remained unaddressed. For that the complainant is hereby advised to approach the 1<sup>st</sup> appellate authority because the appellate authority of CVC has not addressed the issues which has now been raised by the complainant through his rejoinder filed before the Commission and if not satisfied with the information provided on his 1<sup>st</sup> appeal, complainant Shri Sharma will be free to move a 2<sup>nd</sup> appeal before us as per section 19(3).

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

Wajahat Habibullah  
(Chief Information Commissioner)  
12.03.2010

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.  
12.03.2010