

CENTRAL INFORMATION COMMISSION
Complaint No. - CIC/WB/C/2009/000070 dated: 25.02.'09
Right to Information Act- Section 18(1) (b)

Complainant: Shri Jasbir Singh

Respondent: Department of Personnel & Training (DoP&T), New Delhi.

Decision announced 12.3.'10

Facts:-

The Commission has received a complaint from Shri Jasbir Singh of Madi Pur Delhi that his request under RTI Act, 2005 submitted to the Central Public Information Officer, Department of Personnel & Training, New Delhi, seeking information regarding sanctioned strength of CSS and CSCS before and after the restricting of CSS, has been responded to only by CS-I Section but no response has been received from the CS-II Section, although the application was duly submitted along with the requisite fee, dated 13.10.2008. He has further alleged that the response from CS-I Section has been received after expiry of prescribed time limit under the Act.

Admitting the complaint of Shri Jasbir under Section 18(1) (b) of RTI Act, 2005 the Commission served notice on 06.01.2010 on CPIO, Department of Personnel & Training, New Delhi for furnishing comments on the complaint. In response, CPIO Shri J. Minz, Under Secretary, CS-II Division, DoP&T has submitted his comments dated 18.01.2010 with a copy also endorsed to complainant. The CPIO has informed the Commission that CS-II Division, DoP&T has also responded to the request of the complainant vide letter dated 12.11.2008 and the same was again provided to the complainant in respect of his 1st appeal filed on 11.12.2008 regarding the matter. The CPIO has enclosed the copy of response of the CPIO dated 12.11.2008 and the order passed by the appellate authority dated 19.12.2008 with his comments.

Decision Notice

From a perusal of the comments submitted by the CPIO, it is evident that the CPIO CS-II Division has indeed responded the request of the complainant and that within the time mandated by law. Hence, the complaint of non- response to the request does not stand and in light of this the present complaint is hereby dismissed.

As far as the question of late response to the request by the CS-I Division, the complainant has not enclosed the response received from them with his complaint petition and therefore the Commission is unable to take any decision regarding the matter. Complainant is however advised that should he be aggrieved by either response it will be open to him to move an appeal before the 1st appellate authority DoPT u/s 19(1), provided that the delay is condoned, which is provisional on complainant Shri Jasbir Singh satisfying the appellate authority that there was reasonable cause for the delay in moving that appeal

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