

CENTRAL INFORMATION COMMISSION
Complaint No. - CIC/WB/C/2009/000158dated: 21.03.'09
Right to Information Act- Section 18(1) (b)

Complainant: Shri Ashok Kumar Tripathi
Respondent: Supreme Court Legal Service Committee (SCLSC)
Decision announced 16.3.'10

Facts:-

The Commission has received a complaint from Shri Ashok Kumar Tripathi of Mahoba, Uttar Pradesh that his request under RTI Act, 2005 submitted to the Central Public Information Officer, Supreme Court Legal Services Committee, New Delhi, seeking information regarding action taken on his letter dated 14.08.2008 that had been sent to the Secretary, SCLSC for legal opinion, has not been responded to, even though the same was duly submitted along with the requisite fee in the mode of Bank Challan, dated 03.10.2008.

Admitting the complaint of Shri Tripathi under Section 18(1) (b) of RTI Act, 2005 the Commission served notice on 07.01.2010 on CPIO, Supreme Court Legal Services Committee, New Delhi for furnishing comments on the complaint. In response, CPIO Shri T. K. Barun, Superintendent, SCLSC has submitted his comments on 14.01.2010 with a copy also endorsed to complainant. The CPIO, in light of the report as submitted by his assistant Shri I. D. Sharma on examining the record maintained in the office, has informed the Commission that neither the application of the complainant dated 03.10.2008 has been received in the department nor the fee in the mode of Bank Challan as allegedly sent by the complainant along with the application has been credited in the RTI Fee Account maintained in the office of SCLSC. Nevertheless, the CPIO through his further comments dated 18.01.2010, has informed the Commission that the legal opinion which has been received from the Panel Advocate of the SCLSC, is now being sent to the complainant.

Decision Notice

From a perusal of the facts gleaned from the comments submitted by the CPIO, it seems that the sole reason for not responding to the request of the complainant was not receiving the request in the department. Subsequently, the complainant has filed no rebuttal against the comments submitted by the CPIO. This may be presumed as indication of his satisfaction with the plea taken by the CPIO, with the legal opinion in respect of the complainant's letter dated 14.08.2008 having now been sent to the complainant by the CPIO. Nevertheless, complainant Shri Tripathi is hereby advised That should he find the plea taken by CPIO unacceptable, he may approach the 1st appellate authority of the Committee and consequently if not satisfied with the information provided on his 1st appeal complainant Shri Tripathi will be free to move a 2nd appeal before us as per section 19(3). The present complaint is disposed of accordingly.

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

Wajahat Habibullah
(Chief Information Commissioner)
16.03.2010

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.
16.03.2010