

CENTRAL INFORMATION COMMISSION

Room No. 305, 3rd Floor, CIC Bhavan, Baba Gangnath Marg, Munirka,
New Delhi-110067, website:cic.gov.in

Appeal No.:-CIC/NINCL/A/2017/112192-BJ

Appellant : Mr. Ganpatlal Hiralalji Lunkar,
Respondent : CPIO & Asst. Manager,
National Insurance Co. Ltd.,
Divisional Office, 12, Residency Road,
Jodhpur (Raj.)
Date of Hearing : 13.04.2018
Date of Decision : 16.04.2018

Date of RTI application	22.11.2016
CPIO's response	19.12.2016
Date of the First Appeal	21.12.2016
First Appellate Authority's response	06.02.2017
Date of diarised receipt of Appeal by the Commission	22.02.2017

ORDER

FACTS:

The Appellant vide his RTI application sought information regarding whether the policy holder had the right to change the NIC agent in the event of renewal of its policy, if not then copies of the relevant documents etc.

The CPIO vide its reply dated 19.12.16 stated that even though such request was considered, however the practice of transfer from one agency code to another was generally prohibited. Dissatisfied by the response of CPIO, the Appellant approached the FAA. The FAA vide its order dated 06.02.16 provided further clarification to the Appellant.

HEARING:

Facts emerging during the hearing:

The following were present:

Appellant: Absent

Respondent: Mr. A. L. Chowdhary, CPIO/Sr. Dvl. Manager
and Mr. Inder Singh Rajpurohit, CPIO through VC;

The Appellant remained absent during the hearing. Mr. Sachin Joshi, Network Engineer NIC Studio at Barmer informed Shri Rohan Mishra, Steno on telephone that due to technical breakdown at Barmer, the VC could not be held. He also confirmed the absence of the Appellant. The Respondent stated that an identical matter had already been decided by the Commission on 04.12.2017 and that the Appellant through his associates had been

habitually filing RTI applications to pressurize the Public Authority to settle their personal grievance.

The Respondent vide his written submission dated 11.04.2018 while reiterating the reply/order of the CPIO/FAA submitted that an Appeal on identical points raised in CIC file no. CIC/NINCL/A/2017/312082-BJ+ CIC/NINCL/A/2017/312083-BJ (filed in the name of Mr. Arihant Kumar, son in law of the Complainant Sh. Ganpatlal Hiralal Lunkar) had been decided by the Hon'ble CIC vide his order dated 04.12.2017. It was further submitted that an Award dated 06.10.16 by Hon'ble District Consumer Forum, Barmer in DCF case no. 74/2015 filed by the applicant on the same point, wherein, the Hon'ble District Consumer Forum, Barmer had dismissed the application filed by the applicant and imposed cost of Rs. 3000/- on him. Moreover, the disposal of application and appeal was done as per the RTI Act, 2005 well within time limit; there was no delay/irresponsible behaviour on part of the Public Authority in dealing with RTI application as well as the First Appeal.

The Appellant was not present to contest the submission of the Respondent or to substantiate his claims further.

DECISION:

Keeping in view the facts of the case and the submissions made by the Respondent and in the light of the aforesaid judgment of the Commission, no further intervention of the Commission is required in the matter.

The Appeal stands disposed accordingly.

(Bimal Julka)
Information Commissioner

Authenticated True Copy:

(K.L.Das)
Deputy Registrar