

Central Information Commission
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066.

CIC/AA/A/2017/274
CICOM/A/2017/00266
CICOM/R/2017/00963

Name of the appellant : Shri M.T. Thomas,
Muramthookil,
Mulakulam South,
Peruva-686 610.
Kerala State.

1.	Date of RTI application	29.07.2017
2.	Date of reply of the RTI application	29.08.2017
3.	CPIO(s) who furnished reply	CPIO cum DO to IC(SA)
4.	1 st Appeal Date	04.09.17
5.	Diary No. of 1 st Appeal of the Dak Section	163713
6.	Diary date of the Dak Section	11.09.2017
7.	Date of receipt of 1 st Appeal in the office of FAA	12.09.2017
8.	Date of Decision	14.09.2017

Brief facts of the case:-

In the RTI application, appellant has sought following information in respect of Commission's decision No.CIC/NEERI/A/2017/177852 dated 05.05.2017.

"1. Have you issued any letter instructing the CPIO NEERI to issue a copy of the environmental study report to me, based on the reply dated 29.05.17 of NEERI.

2. If, so kindly furnish me a copy of the communication issued to NEERI.

3. In case environmental study report was submitted by NEERI to the CIC, a copy to be provided to me.

4. Kindly inform me whether any penalty under section 20(1) was imposed on the CPIO.

5. If so, kindly furnish me the details and whether the amount imposed if any have been recovered."

2. Shri Dinesh Kumar, CPIO cum DO to IC(SA) vide his letter dated 29.08.2017 has responded as under:-

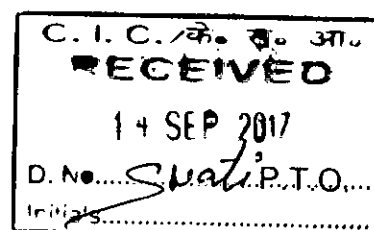
"Point no 1) As per record no instruction has so far been given.

2) Not applicable in view of 1 above.

3) Reference of the CPIO is being processed and decision thereon conveyed in due course.

4) No.

5) Not applicable in view of 4 above.



3. In the appeal, the appellant has stated that:-

"My query No.3. The reply is not specific and is against the spirit of the RTI Act. Proper reply to be provided.

As the CPIO has failed to furnish the fundamental information sought for; it need to be considered as a deficiency in service on the part of the CPIO, and wilful violation of the RTI Act section 7(2).

Further as the information called for was not furnished within the stipulated time of 30 days, as per section 7(6), the information sought for should be furnished free of charge."

Decision with reasons:-

4. On perusal of the RTI application, reply of the CPIO and appeal, it is observed that the appellant is aggrieved with reply given by CPIO on Point-3 of the RTI application. **Direction is accordingly given to Shri Dinesh Kumar, CPIO cum DO to IC(SA) to provide information to the appellant within two weeks from the date of receipt of this order.**

5. The appeal is disposed off.

6. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the CIC in Room No.185, Ground Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 against this order within 90 days.

Dated the 14th September, 2017.

(Rakesh Kumar Singh)

Additional Secretary & First Appellate Authority
Tel: 26162290

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.
Shri Dinesh Kumar, CPIO cum DO to IC(SA), CIC, New Delhi.

14/09/17

14/09/17