

केन्द्रीय सूचना आयोग  
CENTRAL INFORMATION COMMISSION  
क्लब बिल्डिंग (पोस्ट आफिस के पास)  
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सूचना आयुक्त : दिव्य प्रकाश सिन्हा  
INFORMATION COMMISSIONER : DIVYA PRAKASH SINHA

File No. : CIC/DCABO/A/2016/271739/IARMY/SD

Date of Hearing : 16/10/2017

Date of Decision : 16/10/2017

**Relevant facts emerging from the Appeal:**

Appellant	:	Aabid Hussain
Respondent	:	CPIO, O/o CEO, Cantonment Board, Jabalpur (MP).
RTI application filed on	:	31/08/2015
PIO replied on	:	No reply
First appeal filed on	:	05/10/2015
First Appellate Authority order	:	No order
Second Appeal dated	:	24/11/2015

**Information sought:**

The Appellant sought copies of GLR survey no. 127, 127/1 and 127/2 along with certain letter nos.

**Grounds for the Second Appeal:**

The CPIO has not provided the desired information.

**Relevant Facts emerging during Hearing:**

The following were present:-

**Appellant:** Present through VC.

**Respondent:** Ms Saroj Viswakarma, Office Supdt. & CPIO, Cantonment Board, Jabalpur present through VC.

Appellant stated that he has received the information after the issue of notice of hearing to the CPIO. He requested for award of compensation in view of the gross detriment suffered by him for the inordinate delay of over 2 years in providing the information to him. He stated in line with his grounds of Second Appeal that he had required this information for filing in Civil Court for furtherance of his case and the delay has made the purpose of seeking information redundant. He strongly urged that he feels harassed for want of information all this while.

CPIO submitted that the then CPIO & Office Superintendent, A.K Pathak was responsible for replying on the RTI Application, who has since retired in January, 2016. She further submitted that she has assumed office only in February, 2016 and has provided information to the Appellant on 13.10.2017.

## **Decision**

Commission takes grave exception to the flagrant violation of the RTI Act by the CPIOs of Cantonment Board, Jabalpur and the ignorance of the present CPIO about the pending RTI Applications from the tenure of her predecessor. It is incumbent upon the present CPIO to deal with all such pending RTI Applications and not wait for the Commission to issue notice of hearing to provide reply to RTI Applicants.

In exercise of the powers vested in the Commission by virtue of Section 19(8)(a) of the RTI Act, **a copy of this order is marked to the Chief Executive Officer, Cantt. Board to take stock of all the RTI Applications pending with the present CPIO from the tenure of her predecessors and ensure that appropriate action in line with the provisions of RTI Act is taken on these Applications by the CPIO.** A compliance report will be sent by the CEO to the Commission on the subject from time to time.

Further, Commission is convinced with the averment of the Appellant for having suffered gross detriment due to the delay of over 2 years in providing the information to him. Appellant deserves to be compensated on this account. Accordingly, in exercise of the powers vested in the CIC under section 19(8)(b) of the RTI Act, **Commission directs the public authority through its Chief Executive Officer to compensate the Appellant by an amount of Rs.5000/- for the inconvenience and detriment caused to him. The CPIO should ensure that this amount is remitted to the Appellant by demand draft/pay order within 30 days from the date of receipt of this order.**

The appeal is disposed of accordingly.

(Divya Prakash Sinha)  
Information Commissioner

Authenticated true copy

(H P Sen)  
Dy. Registrar/Designated Officer

Copy to:

Chief Executive Officer  
Cantonment Board,  
Jabalpur (MP).

--(For taking appropriate action on para 2 of the decision above and to ensure compliance of directions as per para 3 of the decision)