

Central Information Commission, New Delhi
File No.CIC/SM/A/2011/002458
Right to Information Act-2005-Under Section (19)

Date of hearing : **23 August 2012**

Date of decision : **23 August 2012**

Name of the Appellant : **Shri M P Srivastava,**
Urmila Bhawan, Road No. 14-A,
East Ashok Nagar, Kankarbagh,
Patna – 800 020.

Name of the Public Authority : **CPIO, Cabinet Secretariat,**
2nd Floor, Sardar Patel Bhavan,
New Delhi.

The Appellant was present in person.

On behalf of the Respondent, Shri M.P. Sajeevan, CPIO was present.

Chief Information Commissioner : **Shri Satyananda Mishra**

Both the parties were present during the hearing. We heard their submissions.

2. The Appellant had sent some three complaints to the Cabinet Secretary against some senior official of the Employees Provident Fund Organisation. In his RTI application, he had sought to know the status of his complaints and the action taken on those. The CPIO had informed him that, out of the three complaints, only one had been placed before the Group of Secretaries while the other two were not yet placed. As far as the remaining queries regarding the action taken are concerned, the CPIO had invoked the provisions of subsection 1(h) of section 8 of the Right to Information (RTI) Act to deny the information. It

is not very clear if the Appellate Authority had passed any order in the matter.

3. During the hearing, the Appellant submitted that he had filed his complaints quite sometime back and he had a right to know about whatever action had been taken on those complaints. He was not satisfied with the response of the CPIO in invoking the exemption provisions of the Right to Information (RTI) Act to deny him the information.

4. After carefully considering the facts of the case, we too are of the view that there was no reason for the CPIO to invoke the above exemption provision in this case. Since the complaints had not been looked into by the Group of Secretaries at the relevant time, obviously, there was no action as such to be reported at that time. However, now, with the passage of time, those complaints might have been processed and acted upon. The CPIO must inform the Appellant about the latest status of those complaints and the action, if any, taken. We direct the CPIO to write to the Appellant within 10 working days of receiving this order and to inform him about the status of all the three complaints including the details of action taken in each case. In case, no action has been taken, the CPIO shall inform the Appellant suitably. Needless to say, the CPIO shall also send photocopies of the relevant records to show the action taken, if any.

5. The appeal is disposed off accordingly.

6. Copies of this order be given free of cost to the parties.

(Satyananda Mishra)
Chief Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(Vijay Bhalla)
Deputy Registrar