

Order on First Appeal u/s 19 RTI Act.

This is an order on the appeal dated 02.06.2021 preferred by Sh. Nonish Kumar (Advocate), # 57, Block 10, Adarsh Nagar, Naya Gaon, Mohali, under RTI Act 2005 and transferred to this office on 08.06.21 through the office of Administrative officer. The appellant has filed this appeal against no response given till date on his RTI application dated 19.04.2021 by the CPIOs.

- 2. The appellant, vide his application dated 19.04.2021 under RTI Act 2005, had requested State Public Information Officer/PHQs. to supply him some information in 04 points pertaining to order passed by Central Administration Tribunal, Chandigarh on 22.07.2019 in O.A.060/0067/2019. The RTI application was transferred by Incharge Public Window-cum-CAPIO/HQs. to Supdt.-Cum-CPIO (Establishment) and CPIO/Accounts, vide no. 400/RTI/CAPIO (PHQ)/UT/PWS, dated 20.04.2021.
- 3. The appellant, has filed the instant appeal mentioning therein that Neither any information was supplied nor any response given to him till date by the concerned CPIO.
- 4. The comments of Supdt.-cum-CPIO/Establishment and CPIO/Accounts, working under the administrative control of the undersigned, have been called for.

Supdt.-cum-CPIO/Establishment has reported that the RTI application of Sh. Nonish Kumar (Advocate), # 57, Block 10, Adarsh Nagar Naya Gaon, Mohali, Punjab, was received in his office on 22.04.2021 and the same was also marked to CPIO/Accounts. After the perusal of RTI application, the same was sent to E-7 branch to supply the requisite information. Whereas, I/C E-7 branch informed that the information sought by the applicant does not pertains to their branch. Accordingly, the said application was transferred to CPIO/Accounts vide office letter No. 80/RTI-21/CPIOI(Estt.)/UT/14887 dated 12.05.2021 being the custodian of the information for its disposal at their own level.

5. The information sought by the applicant in his RTI and the reply supplied by the CPIOs are as under:-

Information sought in RTI application	Information supplied by CPIO/Establishment Br.	Information supplied by CPIO/Accounts Br.
With regard to order passed by Central Administration Tribunal, Chandigarh on 22.07.2019 in O.A.060/0067/2019 The information required for the period 22.07.2019 to 15.04.2021. Point No. a) The detail of compliance of order passed by Hon'ble Central Administrative Tribunal, Chandigarh The administrative action taken on the same	is found that the information sought by the applicant relates to Accounts Branch, hence the same is transferred to CPIO/Accounts, for disposal at their own level	
Point No. b) If the compliance has been made then the details of order with regard to acceptance/rejection of the claim of the applicant in O A. Point No. c)		
If the claim had been accepted and the pay has been step up at par with		

the juniors then details of disbursing to the same to the eligible applicant
Point No. d)
If the claim of the applicant had not
been decided and still pending then detail reason of delay be provided

6. I have gone through the RTI appeal, vis-a-vis facts of the RTI application & comments by CPIO/Accounts and CPIO/Establishment. The appellant, through RTI application, had sought information in 04 points relating to compliance of order passed by Central Administration Tribunal, Chandigarh on 22.07.2019 in O.A.060/0067/2019. The information sought by the appellant, grievance of the appellant and the order/decision of the undersigned being first appellate authority is given below:

Information sought in RTI application	Grievance raised in first appeal	Decision of the First Appellant Authority.
With regard to order passed by Central Administration Tribunal, Chandigarh on 22.07.2019 in O.A.060/0067/2019 The information required for the period 22.07.2019 to 15.04.2021 Point No. a) The detail of compliance of order passed by Hon'ble Central Administrative Tribunal, Chandigarh. The administrative action taken on the same. Point No. b) If the compliance has been made then the details of order with regard to acceptance/rejection of the claim of the applicant in O.A.	supplied to appellant immediately and the State Public Information Officer be penalized as per rules of RTI Act 2005 for non supply of sought information wilfully, malafidely and intentionally to the appellant within time specified under RTI Act.	The undersigned being first appellate authority have gone through all the relevant documents and found that the RTI application in question was transferred by CAPIO/HQs to CPIO/Estt and CPIO/Accounts CPIO/Estt transferred the application to CPIO/Accounts, under intimation to the applicant/appellant, being custodian of information. Now it is found that CPIO/Accounts did not supply any information to the applicant nor denied the same. It is a serious lapse on the part of CPIO/Accounts, matter being RT information. The CPIO/Accounts is
Point No. c) If the claim had been accepted and the pay has been step up at par with the juniors then details of disbursing to the same to the eligible applicant. Point No. d) If the claim of the applicant had not been decided and still pending then detail reason of delay be provided.		strictly warned to remain careful in future and is directed to supply the information free of cost, under the provisions of RTI Act, if available on record.

The appeal is disposed of accordingly.

The appellant, if not satisfied with the disposal of appeal in the manner as above can file second appeal to the Hon'ble Chief Information Commission, CIC Bhawan, Baba Gangnath Marg, Munrika, New Delhi-110067 within a period of 90 days.

Manoj Kumar Meena, IPS ¹ . Superintendent of Polipe, HQs., -cum-AppellateAuthority/Estt./ Accounts, Under RTI Act, U.T., Chandigarh.

Sh. Nonish Kumar (Advocate), # 57, Block 10, Adarsh Nagar, Naya Gaon, Mohali (PB).

No. D-416-18 /RTI/SP/HQs. dated Chandigarh, the: -11 06 2021.

Copies to:

- 1. CPIO/Accounts. (for necessary action)
- 2. Supdt.-cum-CPIO/Establishment (for necessary action)
- I/C Computer Section for updating the Web.