

CENTRAL INFORMATION COMMISSION

Appeal No.2968/ICPB/2008

F. No. PBA/2008/00696

October 27, 2008

In the matter of Right to Information Act, 2005 – Section 19

[Hearing on 15.10.2008 at 3.30 p.m.]

Appellant: Mr. Hakam Singh

Public authority: Food Corporation of India
Mr. P.K. Choudhary, Area Manager & PIO

Parties Present: For Respondent:
Mr. P.K. Choudhary, Area Manager
Mr. V.B. Bansal, Manager

Mr. Hakam Singh-Appellant

DECISION

The appellant has sought information under RTI Act by his letter dated 12.12.2007 addressed to CPIO, Food Corporation of India, District Office, Bathinda in which he has requested information pertaining to some committee report constituted by Dr. D.M.Faridkot under whose supervision Rice Stock issued after suspension of Shri Mohan Lal, AG-I(D) and other related matter. Since the matter is not concerning with him, the Area Manager has forwarded this application to Area Manager, FCI, Faridkot on 18.12.2007. Since he has not received reply, he has preferred an appeal before the first AA on 18.2.2008. He has forwarded it to the General Manager, Punjab Region, Chandigarh. He has indicated he has not received any reply from either from Bathinda or from Faridkot. Therefore he has requested the GM to help him out to get the information, which he has sought in his application. Again he has not received any reply. This has resulted in filing of this appeal before the Commission on 18.4.2008. Comments were called for vide letter dated 12.7.2008 from FCI, which has been received on 16.8.2008 in which it has been intimated to the Commission that Bathinda Region is not concerned with this case and the application has already been transferred to Faridkot. The appellant has also sent a letter vide letter dated 16.8.2008 by which he has informed the Commission that he has not received any information from Bathinda or from Faridkot.

2. This case came up for hearing on 15.10.2008, which was attended by the Area Manager, Kapurthala and Manager Bathinda. The appellant has also

attended the hearing. All along the stand taken by FCI Bathinda is that they are not concerned with the case. When the notice has been issued for hearing, the same has not been transferred to Faridkot. Therefore I direct the CPIO, Bathinda to collect all information from Faridkot within 15 days as per the queries raised by the appellant in his application and provide it to the appellant within 15 days. The CPIO, Bathinda should collect the information from Faridkot and provide it to the appellant and he should also give the particulars of the first AA so that in case if the appellant is not satisfied with the reply he can file appeal before the first AA. It is also surprising to me that the appellant has filed his appeal on 18.2.2008 before the GM, FCI, Punjab Region. The AA has given direction to the Area Manager, FCI, Faridkot to provide information within two days vide letter dated 18.3.2008. In spite of that, the Area Manager, FCI has not provided the reply to the appellant. I, therefore, direct the Area manager, FCI, Faridkot to **show-cause** why penalty cannot be imposed on him under section 20(1) of the RTI Act for not responding to the letter which was forwarded by the Area Manager of Bathinda on 12.12.2007 and also by the General Manager, Chandigarh on 18.3.2008. Since the application is concerning with Faridkot the Area Manager has to give reply within 15 days. He should also file his reply before the Commission during the same period and he should also send his explanation to the **show-cause** within 15 days. It is once again directed the Area Manager of Bathinda who has attended the hearing should coordinate with the Area Manager, Faridkot to provide the information to the appellant.

Let a copy of this decision be sent to the appellant and CPIO.

Sd/-
(Padma Balasubramanian)
Central Information Commissioner

Authenticated true copy :

(Prem Singh Sagar)
Under Secretary & Assistant Registrar

Address of parties :

1. The Area Manager & PIO, Food Corporation of India, District Office, Bathinda, Punjab.
2. The Area Manager & PIO, Food Corporation of India, Faridkot, Punjab.
3. The General Manager & First Appellate Authority, Food Corporation of India, Punjab Region, Chandigarh.
4. Mr. Hakam Singh, Asst. Grade-I, (Depot), Storage Section, Food Corporation of India, District Office, Bathinda.