

CENTRAL INFORMATION COMMISSION

Appeal No.2966/ICPB/2008

F. No. PBC/2008/00403

October 27, 2008

In the matter of Right to Information Act, 2005 – Section 18

[Hearing on 15.10.2008 at 12.00 noon]

Appellant: Mr. Sunil Kumar Singh

Public authority: Food Corporation of India
DGM & CPIO

Parties Present: Respondent not present.

Appellant not present.

FACTS:

The appellant has sought information under RTI Act by his letter dated 27.11.2007 by which he has requested certain information pertaining to charge-sheet issued to one Mr. B.N. Singh, AM (QC). He has requested this information since the appellant has been charge-sheeted for accepting BRL stocks and it has also caused pecuniary loss to the Corporation. Therefore he has requested for the exact amount of loss suffered by the Corporation, exact amount at which the alleged BRL stocks were purchased and the exact amount at which the alleged BRL stocks were sold. Since he did not receive any reply the appellant has filed an appeal on 16.01.2008. Again the appellant has not received any reply, therefore, he has filed appeal before the Commission on 16.01.2008. Comments were called for vide letter dated 10.6.2008 and the Commission has not received any comments from FCI and the only stand taken by the FCI is that they have been forwarding this letter to the concerned person and they have not been getting any information. This case was taken up for hearing on 15.10.2008, but none attended the hearing in spite of issuing notices. However, it was decided to dispose of the matter on the basis of the available documents on record.

DECISION:

2. I have gone through the RTI application and other replies received in this connection. Considering the facts and circumstances of the case, I direct the designated CPIO to collect the information immediately within 15 days from the date of receipt of this decision and provide it to the appellant as requested by him in his application. Apart from that the designated PIO has to **show-cause** why penalty cannot be imposed on him for not adhering to the time-frame provided under the RTI. When he was of the opinion that the information is going to take

some time, the PIO should have given an interim reply and he should have invoked the provisions of section 5(5) of RTI Act while collecting the information. The CPIO is directed to forward his explanation to the Commission within 15 days. He is also directed to provide all the copies as requested by the appellant in his appeal within 15 days. On the above lines, the appeal is disposed of.

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. DGM & CPIO, Food Corporation of India, Head Quarters, 16-20, Barakhamba Lane, Quality Control Division, New Delhi-110001
2. Mr. Sunil Kumar Singh, A-251 (Lower Ground Floor), Defence Colony, New Delhi-110024