

केन्द्रीय सूचना आयोग  
Central Information Commission  
बाबा गंगनाथ मार्ग, मुनिरका  
Baba Gangnath Marg, Munirka  
नई दिल्ली, New Delhi – 110067

File No : CIC/RJGUV/A/2019/126187/Adjunct

Surajit Sarkar

.....अपीलकर्ता/Appellant

VERSUS  
बनाम

✓ CPIO

Rajiv Gandhi University,  
RTI Cell, Rono Hills, Doimukh,  
Itanagar -791112, Arunachal Pradesh

....प्रतिवादीगण /Respondent

Date of Adjunct Hearing : 08/04/2021  
Date of Adjunct Decision : 08/04/2021

**INFORMATION COMMISSIONER : Saroj Punhani**

**Relevant facts emerging from appeal:**

RTI application filed on : 27/04/2019  
CPIO replied on : NA  
First appeal filed on : 29/05/2019  
First Appellate Authority order : NA  
2nd Appeal/Complaint dated : 27/05/2019

**Information sought and background of the case:**

The Appellant filed RTI application dated 27.04.2019 seeking information on following six points:

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Munirka

1. "Roles and responsibilities of the Senior Security Officer.
2. Pay Scale of the Senior Security Officer or Level of Pay in the Pay Matrix (after 7<sup>th</sup> CPC implementation).
3. Provide the certified copies of the available recruitment rules or cadre recruitment rules or Ordinance (if any) whichever is applicable for recruitment or promotion to the post of Senior Security Officer.
4. Whether Senior Security officer was directly recruited to the post or was promoted from any lower level. If yes, provide details from which post he was promoted and the scale of that post.
5. Whether the post of Senior Security officer is a regular post or a contractual post.
6. Educational qualification for the post of Senior Security officer."

Having not received any response from the CPIO, the appellant filed a First Appeal dated 29.05.2019. FAA's order, if any, is not available on record.

**Grounds for the Second Appeal:**

Feeling aggrieved and dissatisfied with the non-receipt of information, appellant approached the Commission with the instant Second Appeal.

**Relevant Facts emerging during Hearing on 09/03/2021:**

The following were present:-

**Appellant:** Present through video conference.

**Respondent:** Dr. Rajeev Ranjan Prasad, Assistant Professor, D/o Hindi & CPIO present through video conference.

Appellant stated that he has not received the information till date.

CPIO submitted that the then CPIO was on leave at the time of receipt of instant RTI application, therefore no reply could be provided to the Appellant. He further submitted that on receipt of CIC notice of hearing, he has collated the available information as sought for in the instant RTI application and assured to provide the same to the Appellant now.

## **Decision on 09/03/2021**

At the outset, the Commission takes grave exception to the conduct of the then CPIO in not having provided any reply to the RTI Application within the stipulated time-frame of the RTI Act which amounts to a gross violation of the provisions of the RTI Act. In view of this, Commission directs the then CPIO (as on the date of receipt of instant RTI application) through the present CPIO to appear before the bench on 08.04.2021 via video-conferencing (time and venue of hearing will be intimated separately) to show cause as to why maximum penalty should not be imposed on him/her under Section 20 of the RTI Act. CPIO is also directed to send a copy of all supporting documents upon which he/she chooses to rely upon during the hearing to the Commission at least two days prior to the hearing via email. If any other persons are responsible for the said omission, CPIO shall serve a copy of this order to such other persons and direct their presence before the bench.

Further, the present CPIO is also directed to appear before the bench on the aforesaid date and time alongwith the concerned CPIO with relevant inputs regarding the instant case.

Registry attached with this bench is directed to schedule a video conferencing slot and time for the hearing on the aforesaid date and issue the notice of hearing to the CPIO.

The present CPIO is directed to ensure service of this order to the then CPIO under due intimation to the Commission.

Further, the Commission now directs the present CPIO to provide the available information as sought for in the instant RTI application to the Appellant, free of cost. The said direction should be complied by the CPIO within 15 days from the date of receipt of this order under due intimation to the Commission.

The appeal is disposed of accordingly.

### **ADJUNCT DECISION PROCEEDINGS**

#### **Relevant Facts emerging during Hearing:**

The following were present:-

**Respondent:** Ms. Gompi Nguso, Hindi Officer & Present CPIO along with Nani Tamang Jose, then CPIO & Jt. Registrar (Examination & Registration) through video conference.

Nani Tamang Jose, then CPIO & Jt. Registrar (Examination & Registration) at the outset tendered his unconditional regret and urged that his omission may be condoned as it was not intentional. He further submitted that as opposed to what was perhaps inadvertently informed to the Commission on 09.03.2021 by the CPIO; it was in fact due to the pressing service exigencies at the time that he could not attend to the instant online RTI Application. In this regard; he explained further that he was handling the work of the controller of examinations and was engaged in the UG & PG Admission related work, in pursuance of which they had to physically go to 40 odd colleges to ensure proper conduct of examinations as the college faculties had boycotted the examinations and he had the task of convincing the teachers and college administrations to ensure smooth conduct of the admission process. He also emphasised on the topography of Arunachal Pradesh to urge that the recurrent network issues in the area compel them to undertake all forms of liaison work during the admissions and examinations with the colleges physically and in doing so, he was unable to cope up with his other duties including the RTI Applications received at the time. Lastly, he reiterated that he may be excused in the matter considering that he had no intention to deny the information to the Appellant at any point in time.

Ms. Gompi Nguso, Hindi Officer & present CPIO submitted that in compliance with the Commission's directions of 09.03.2021, the available information has been provided to the Appellant vide a letter of even date, copy of which was also sent to the Commission.

## Adjunct Decision

The Commission has considered the submissions of Nani Tamang Jose, then CPIO & Jt. Registrar (Examination & Registration) and is inclined to accept his prayer to condone his omission as the material on record does not suggest a malafide or deliberate intention on his part. However, he is advised to exercise due diligence in future while dealing with matters under the RTI Act.

The show-cause proceedings are hereby dropped.

Sd/-

Saroj Punhani (सरोज पुनहानि)  
Information Commissioner (सूचना आयुक्त)

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(अभिप्रमाणितसत्यापितप्रति)

(C.A. Joseph)

Dy. Registrar

011-26179548/ ca.joseph@nic.in

सी. ए. जोसेफ, उप-पंजीयक

दिनांक /

**Surajit Sarkar**

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