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

शिकायत संख्या/Complaint No. CIC/CCAPT/C/2019/638444

Radha Raman Tripathy …शिकायतकर्ता/Complainant

VERSUS
बनाम

CPIO, O/o. The Chief Commissioner of Income Tax, Ranchi …प्रतिवादी /Respondent

Relevant dates emerging from the complaint:-

RTI : 28-03-2019	FA : Not on record	Complaint: 23-04-2019
CPIO : 10-04-2019	FAO : Not on record	Hearing: 28-01-2021

O R D E R

1. The complainant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), O/o. The Chief Commissioner of Income Tax, Ranchi seeking following information:-

> "Action taken on Sri S. K. Roy, JCIT and CPIO in view of Hon. CIC order vide No. CIC/CCAPT/C/2017/111735."

2. The CPIO responded on 10-04-2019. Thereafter, the complainant filed a complaint u/Section 18 of the RTI Act before the Commission requesting to take appropriate legal action against the CPIO u/Section 20 of the RTI Act, 2005.

Hearing:

3. The complainant, Mr. Radha Raman Tripathy attended the hearing through audio conferencing. Mr. Neeraj Rastogi, CPIO participated in the hearing representing the respondent through audio conferencing. The written submissions are taken on record.

4. The complainant contended that the respondent has not provided him information as to what action taken was taken against Sri S. K. Roy, JCIT/CPIO in view of order no. CIC/CCAPT/C/2017/111735 wherein he was the applicant.

Instead, the CPIO has communicated him that a report was sent to the CIC. Therefore, an appropriate action should be initiated against the then CPIO u/Section 20 of the RTI Act, 2005 for obstructing the flow of information.

5. The respondent stated that he has nothing more to submit beyond the CPIO's reply dated 10-04-2019. The given reply was also read out by the respondent.

Decision:

6. This Commission observes that the then CPIO, Mr. Chinmaya A Marathe should have directly communicated the action taken to the complainant instead of replying that a report was sent to the CIC. But, this aspect was not considered by him. This indicates that the then CPIO, Mr. Chinmaya A Marathe has deliberately obstructed the flow of information by not factoring this point in his reply. In view of this, the Commission is constrained to impose a penalty of Rs. 2500/- u/Section 20(1) of the RTI Act, 2005 on the then CPIO, Mr. Chinmaya A Marathe for malafidely obstructing the information. The amount of Rs. 2500/- shall be deducted by the Public Authority from his salary by way of a demand draft drawn in favour of "PAO, CAT", New Delhi and the demand draft should be forwarded to the Deputy Registrar (CR-II), email: dyregcr2_cic@gov.in Room No. 106, First Floor, Central Information Commission, Baba Gangnath Marg, Munirka, New Delhi-110067. This demand draft of Rs. 2500/- should reach the Commission by 01-03-2021.

7. With the above observations, the complaint is disposed of.

8. Copy of the decision be provided free of cost to the parties.

Neeraj Kumar Gupta (नीरज कुमार गुप्ता)
Information Commissioner (सूचना आयुक्त)
दिनांक / Date 28-01-2021

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. C. Sharma (एस. सी. शर्मा),
Dy. Registrar (उप-पंजीयक),
(011-26105682)

Addresses of the parties:

1. CPIO
   O/o. the Chief Commissioner of Income Tax
   (HQ) (Admn.) RTI Cell,
   Central Revenue Building, 5 Main Road
   Ranchi, Jharkhand-834001

2. Radha Raman Tripathy