

Central Information Commission

Shri D. Siva Balan vs Department Of Social Welfare on 30 September, 2008

Central Information Commission

No.CIC/OK/C/2008/00796 Dated: 30 September 2008 Name of the Complainant : Shri D. Siva Balan Advocate, District Court Complex Port Blair, Andaman & Nicobar, Name of the Public Authority : Department of Social Welfare Background:

Shri D. Siva Balan of Port Blair filed an RTI-application with the Public Information Officer & Director of Social Welfare, Andaman & Nicobar Administration, Port Blair, on 15 April 2008, seeking information/documents on 22 counts, including the total number of regular staff with their names, designations, duties and responsibilities in the Juvenile Home and various old age homes on the A&N Islands, copy of entire file notings and action taken in the matters of approval of deputation of two female officers of the Directorate of Social Welfare for attending the Workshop on Domestic and Gender related violence at NIPPCD, New Delhi from 25-27 July 2007, etc.

2. Not getting any reply from the PIO within the stipulated period under the RTI-Act, the Applicant filed an appeal with the first Appellate Authority on 12 June 2008 and then approached the Central Information Commission with a Complaint.

3. The Bench of Dr. O.P. Kejariwal, Information Commissioner, heard the matter on 24 September 2008.

4. Smt. Achla Singh, Special Secretary (SW) and Shri R.K. Majhi, APIO, represented the Respondents.

5. The Complainant, Shri D. Siva Balan, was present in person.

Decision:

6. The Commission heard both the parties and noted that neither the PIO nor the Appellate Authority replied to his RTI-application and the first Appeal. The Commission, therefore, decided to issue a Show Cause Notice to the PIO to explain why penalty should not be imposed for this delay under Section 20(1) of the RTI-Act.

7. The Commission now directs the Respondents to call the Complainant to the office and, in the first instance, open up all the concerned files for his inspection and provide whatever information the Complainant has sought in his RTI-application. This may be done by 14 October 2008 after the two sides have fixed up a time mutually convenient. The Complainant will be entitled to get photocopies of the documents that he wants free of cost.

8. The Commission ordered accordingly.

Sd/-

(O.P. Kejariwal) Information Commissioner Authenticated true copy:

Sd/-

(G. Subramanian) Assistant Registrar Cc:

1. Shri D. Siva Balan, Advocate, District Court Complex, Port Blair, Andaman & Nicobar.
2. Smt. Achla Singh, Special Secretary (SW) & PIO, Directorate of Social Welfare, A & N Administration, Port Blair.
3. The Appellate Authority, Directorate of Social Welfare, A & N Administration, Port Blair.
4. Officer Incharge, NIC
5. Press E Group, CIC