

Central Information Commission

Shri Shivendra Kumar vs Central Bureau Of Investigation ... on 31 March, 2010

CENTRAL INFORMATION COMMISSION

Complaint No. - CIC/WB/C/2009/000130 dated: 17.03.'09

Right to Information Act- Section 18(1) (b)

Complainant: Shri Shivendra Kumar

Respondent: Central Bureau of Investigation (CBI), New Delhi.

Decision announced 31.3.'10

Facts

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The Commission has received a complaint from Shri Shivendra Kumar of Patna, Bihar that his request under RTI Act, 2005 submitted to the Central Public Information Officer, Central Bureau of Investigation, New Delhi seeking information regarding status of his petition sent to the office of the CBI, New Delhi and other related information has not been responded to even though the same was duly submitted along with the requisite fee dated 10.10.2008. He has further alleged that no order has been passed by the 1st appellate authority against the appeal filed u/s 19(1) of the Act on 09.11.2008.

Admitting the complaint of Shri Shivendra Kumar under Section 18(1) (b) of RTI Act, 2005 the Commission served notice on 02.03.2010 on CPIO, CBI, New Delhi for furnishing comments. In response, the CPIO, Asstt. Insp. Genl. Of Police, Policy Division, CBI, New Delhi has forwarded the notice along with it's enclosures to the Head of Zone, CBI, Patna Zone for furnishing comments under intimation to the Commission, as the RTI request and appeal of the complainant had been forwarded to them. However, no comment has been received from the Head of Zone, CBI, Patna.

Decision Notice On examining the comments and the documents provided by the complainant, it is apparent that the issue raised by the complainant in the present case has already been addressed by the Commission twice in decisions passed in both complaint and appeal received from complainant in the present case Shri Shivendra Kumar, on 26.03.2010 and 30.10.2009 respectively in case file nos.

CIC/WB/C/2009/000112 and CIC/WB/A/2009/000199. The present complaint is duplicate of earlier complaint and appeal and is hence dismissed.

Announced this thirty-first day of March 2010. Notice of this decision be given free of cost to the parties.

Wajahat Habibullah (Chief Information Commissioner) 31.03.2010 Authenticated true copy, additional copies of order shall be supplied against application and payment of the charge prescribed under the Act to the CPIO of this Commission.

Pankaj K. P. Shreyaskar Joint Registrar.

31.03.2010