

Central Information Commission

Mr.Virendra Raout vs Ministry Of Coal on 1 September, 2011

Central Information Commission
Room No. 5, Club Building, Near Post Office
Old J.N.U. Campus, New Delhi - 110067
Web: www.cic.gov.in Tel No: 26161997

Case No. CIC/SS/C/2011/000447

Name of Complainant : Mr. Virendra Raout
Name of Respondent : Bharat Coking Coal Limited

ORDER

The Commission has received a complaint dated 26.5.2011 from Mr. Virendra Raout u/s 18 of the RTI Act, 2005, against Bharat Coking Coal Limited for deemed refusal to his RTI request dated 15.3.2011 and first appeal dated 20.4.2011.

2. In order to avoid multiple proceedings under sections 19 and 18 of the RTI Act, viz., appeals and complaints, this case is remitted to CPIO, Bharat Coking Coal Limited, Dhanbad, (along with copy of complaint and RTI-request), with the following directions:

(i) In case no reply has been given by CPIO to the complainant to his RTI-request dated 15.3.2011, CPIO should furnish a reply to the complainant within two weeks of receipt of this order.

(ii) In case CPIO has already given a reply to the complainant in the matter, he should furnish a copy of his reply to the complainant within one week of receipt of this order.

(iii) CPIO should invariably indicate to the complainant the name and address of the 1st Appellate Authority, before whom the complainant can file first-appeal, if any.

3. In case the complainant is not satisfied with the reply received from CPIO, he, under section 19(1) of the RTI Act, may within the time prescribed, file his first-appeal before the Appellate Authority (AA).

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4. On receipt of the first appeal from the petitioner as per the above directions, AA should dispose of the appeal within the period stipulated in the RTI Act.

5. In case the complainant is not satisfied with the decision of First Appellate Authority, he is at liberty to file a second appeal afresh before the Commission, under section 19(3), along with complaint u/s 18, if any, within the prescribed time limit.

The complaint is disposed of with above directions.

Sd/-

(Sushma Singh) Information Commissioner 1.09.2011 Authenticated true copy:

(K.K. Sharma) OSD & Assistant Registrar Copy to:

1. Mr. Virendra Raout, E.P. Fitter Mechanic, Maduban Coal Washari, P.O. Nadkhurki - 828307, Dhanbad, Jharkhand.

2. The C.P.I.O.

Bharat Coking Coal Limited, P.O. Nabagarh, Dhanbad, Jharkhand.