

വിവരാവകാശ അപേക്ഷ തീർപ്പാക്കുമ്പോൾ പബ്ലിക്
ഇൻഫർമേഷൻ ഓഫീസർ normal office procedure
പാലിക്കേണ്ടതില്ല

DECISION

9. In an earlier case relating the Tamil Nadu Circle, I had observed as follows:

"In terms of RTI Act, it is the responsibility of the designated PIO/CPIO to deal with applications under the Act and any decision on the same has to be taken by the said CPIO. In terms of Section 20(1), he can also be penalized for knowingly furnishing incorrect, incomplete, misleading information etc., and therefore, every decision has to be conveyed under the signature of the designated CPIO. Likewise, comments on the appeal also has to be sent under his signature as he has to justify the decision taken by him. Therefore, the CPMG may advise all the CPIOs under her control to ensure that all the RTI applications are disposed of under their own signatures and that normal office procedure to convey decisions, is not applicable in communicating decisions under the RTI Act."

10. I reiterate the same observation once again for necessary action by the CPMG. Further, in the present case, the CPIO had advised the appellant to file his appeal before the Member (P) even though the CPMG had been designated as the appellate authority as early as in February 2006 and thus has caused unnecessary delay in the disposal of the appeal. Further, even the CPMG has erred in advising the appellant to file appeal against her decision before the Member(P), notwithstanding the fact that as per the provisions of RTI Act second appeal has to be preferred only before this Commission. Further, it appears that the appeal preferred by the appellant against the decision of the CPIO dated 1.7.2006 in respect of the 2nd application still remains pending with the AA, which if has not been already disposed of, should be disposed of within 15 days.

11. In view of the fact that the disposal of the 1st appeal was delayed due to conveying the wrong designation of the AA by the CPIO, I award a cost of Rs.500 to the appellant which should be paid within 15 days by the public authority.

12. Let a copy of this decision be sent to the appellant and CPIO.

Sd/-
(Padma Balasubramanian)
Information Commissioner