

Lokpal of India
Plot No.6, Vasant Kunj Institutional Area – Phase-II
New Delhi – 110070

Complaint No. : 70/2024
Date : 26.04.2024
Coram : **Shri Justice A.M. Khanwilkar**
Chairperson
Shri Justice Sanjay Yadav
Judicial Member
Shri Sushil Chandra,
Member
Shri Justice Ritu Raj Awasthi
Judicial Member
Shri Pankaj Kumar
Member
Shri Ajay Tirkey
Member

ORDER

The complaint is placed before the Full Bench for consideration of the Scrutiny Report and to pass appropriate order.



2. Perused the Scrutiny Report.

3. The complaint is against the Information Commissioner (named in the complaint), Central Information Commission, New Delhi. The complainant has, inter alia, alleged that the above-mentioned public servant has been following and practicing corrupt practices and processes in the handling of cases for hearing of 2nd Appeals/ Complaints under RTI Act, 2005 and promoting non-transparency and facilitating corruption, because of which the information (of much larger public interest) is hidden and not been made public. The complainant further alleges that the Show Cause Notices (SCNs) are issued, but before the final hearing of SCN, the CIC complaints are disposed of and thus, the Competent Authority is not adhering to the prescribed process, mentioned in the RTI Act, 2005. There is also infringement of Principles of Natural Justice, as SCNs are disposed of on wrong, incorrect and misleading submissions. Furthermore, the public servant absolves almost all the PIOs, by giving them a clean chit, on *ad hoc* basis, which is not at all in compliance with the provisions of the RTI Act, 2005.

5. The complainant has requested that the matter be investigated by CBI or any agency, as the Lokpal of India may deem fit.

6. After perusing the complaint, it is seen that the complaint is founded on vague assertions and does not contain any allegation of corruption within the meaning of the Prevention of Corruption Act, 1988, against the named RPS as such. Moreover, the grievance or for that matter the allegations, are more in the nature of irregularity or at best illegality in the process of dealing with the cases handled by the RPS. Indubitably, the

Lokpal of India is not the Appellate Authority for RTI matters. Suffice it to note that action by the Lokpal of India in terms of provisions of the Lokpal and Lokayuktas Act, 2013, is not warranted in the fact situation of the present case. Therefore, no order needs to be passed in the matter.

6. Accordingly, the complaint is disposed of.


(Court Master)