

केंद्रीयसूचनाआयोग
CENTRAL INFORMATION COMMISSION
बाबागंगानाथमार्ग
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File No :CIC/NERLG/A/2017/146799

In the matter of:

Seema Gupta

...Appellant

VS

PIO, DRM's Office, North Eastern Railway,
Ashok Marg, Prem Nagar, Hazratganj, Lucknow,
U.P- 226001

&

PIO and Sr. Section Engineer, North East Railway,
O/o the Sr. Section Engineer, Kazi Colony, Gonda, U.P

...Respondents

	Dates
RTI application	: 02.03.2017
CPIO reply	: Not on Record
First Appeal	: 09.03.2017
FAA Order	: Not on Record
Second Appeal	: 01.07.2017
Date of hearing	: 12.02.2018

Facts:

The appellant vide RTI application dated 02.03.2017 sought information on two points; how the service records of Shri Santram was received after his retirement by the respondent and name of the dealing clerk with details of his present posting. The CPIO's reply or the First Appellate Authority (FAA)'s order is not on record. Aggrieved with the non-supply of the desired

information from the respondent authority, the appellant filed a second appeal under the provision of Section 19 of the RTI Act before the Central Information Commission on 01.07.2017.

Grounds for Second Appeal

The CPIO did not provide the desired information.

Order

Appellant : Present with advocate
Respondent: Shri Anand Wardhan,
Senior Assistant Divisional Engineer cum PIO,
North Eastern Railway (Lucknow)
- PIO Absent in Gonda

During the hearing, the respondent APIO submitted that they had provided the requisite reply vide their letter dated 10.07.2017. The reply furnished to the appellant is just and proper and hence the case might be dismissed. Since the same was not available in the case record, the respondent PIO was asked to read the same over the VC facility. He was intimated to send a copy of the same to the Commission through e-mail for record.

The appellant submitted that she was not satisfied with the reply received from the respondent.

On perusal of the case record, it was seen that on point no. 1 the reply of the respondent quoted section 8(1)(j) of the RTI Act for exemption from disclosure of the sought for information. It is not found to be tenable as the information sought by no stretch of reasoning pertained to the personal information of a third party. Hence the information sought on this point needs to be provided to the appellant.

Be that as it may, since no desired information was provided to the appellant in the present case in regard to the point no. 1 of the said RTI application, the respondent CPIO, Lucknow is directed to provide revised point wise reply on point no. 1 complete in all respects to the appellant as available on

record in the form of certified true copies of the documents sought e.g. note sheet, letter, correspondence, e-mail etc.(legible copies), free of charge u/s 7(6) of the RTI Act within 15 days of the receipt of the order. For this purpose, the concerned CPIO/PIO, can take assistance of any other office/department u/s 5(4) of the RTI Act.

The respondent CPIO is further directed to send a report containing the copy of the revised reply and the date of despatch of the same to the RTI appellant within 07 days thereafter to the Commission for record.

With the above direction, the appeal is disposed of.

Copies of the order be sent to the concerned parties free of cost.

[AmitavaBhattacharyya]
Information Commissioner

Authenticated true copy

(A.K. Talapatra)
Deputy Registrar