

केंद्रीय सूचना आयोग  
CENTRAL INFORMATION COMMISSION

बाबा गङ्गानाथ मार्ग

Baba Gangnath Marg,

मुनिरका, नईदिल्ली -110067

Munirka, New Delhi-110067

Tel: 011 - 26182593/26182594

Email: [registrycab@gmail.com](mailto:registrycab@gmail.com)

File No.: CIC/DFCCI/A/2017/185969

In the matter of:

Rana Bandyopadhyay

...Appellant

VS

PIO/ DGM, Dedicated Freight Corridor  
Corporation of India Ltd, 5<sup>th</sup> floor, Pragati Maidan  
Metro Station Building Complex, New Delhi-110001

...Respondent

**Dates**

RTI application	:	01.08.2016
CPIO reply	:	09.09.2016
First Appeal	:	12.09.2016
FAA Order	:	20.09.2016
Second Appeal	:	16.11.2016
<b>Date of hearing</b>	:	<b>26.02.2018</b>

**Facts:**

The appellant vide RTI application dated 01.08.2016 sought information on three points on whether the HRA, the Deputation Allowance and Allowance against TADK had been paid to the appellant since his date of joining in the DFCCIL. In case the above allowances had been paid to him, the details of disbursement particulars and in case, these amounts were not paid by the DFCCIL to him, the name and designation of the person/official responsible for stoppage of these allowances was sought. Details regarding date of receipt of his application dated 02.06.2016 with a copy of the Rly. Bd's office order dated 27.05.2016 related to his promotion in the selection grade forwarded to the GM/HR, DFCCIL by the CMP/Kolkata vide his letter No. KKK/EN/HR/Pt.IV/1977 dt. 02.06.2016 was sought in the said RTI application. In the RTI application details in respect of the action taken on the application of the appellant dt. 05.07.2016 submitted with the copy of the Eastern Rly's office

order no. 31/2016 dt. 24.06.2016 and a copy of the pay fixation order of the CMP/Kolkata No. KKK/EN/Pers/319/68 dt. 05.07.2016 were sought. Finally, action taken on the application of the appellant for repatriation from the DFCCIL to the railways dt. 29.07.2016 addressed to the MD, DFCCIL involving details of the daily progress made on all these applications and other related information was asked for in the said RTI application. The CPIO replied on 09.09.2016. The appellant was not satisfied with the reply of the CPIO, so he filed First appeal dated 12.09.2016. The First Appellate Authority (FAA) disposed of the appeal by virtue of its order dated 20.09.2016. 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 16.11.2016.

### **Grounds for Second Appeal**

The CPIO did not provide the desired information.

### **Order**

**Appellant : Present**  
**Respondent: Shri S.R. Panda,**  
**Deputy General Manager cum PIO, DFCCIL**

During the hearing, the respondent APIO submitted that they had provided the requisite reply vide their letter dated 09.09.2016 and the First Appellate Authority (FAA)'s order dated 20.09.2016. The reply furnished to the appellant is just and proper and hence the case might be dismissed.

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

On perusal of the case record, it was seen that proper reply was not provided to the appellant. A more comprehensive reply should have been provided to the appellant as all the sought for information is eminently disclosable under the relevant provisions of the RTI Act e.g. processing of representations dated 02.06.2016 and 27.05.2016 in the form of certified true copies of the documents sought note sheet, letter, correspondence, e-mail etc. should have been provided to the appellant by the concerned respondent authority earlier.

During the hearing, it also transpired that there was some problem in the working of the HR and Accounts Department of the DFCCIL which made even the routine personnel and accounts work look difficult and time consuming. The CMD, DFCCIL is directed to look into this problem of routine personnel work of the DFCCIL and he is directed to ensure that the routine interests of his workforce i.e. officers and employees are taken care of promptly and without them having to take recourse to this time consuming path of filing of RTI appeals before the CIC. A report on the action taken is expected to be submitted to the Commission by the CMD, DFCCIL within one month of the receipt of this order.

Be that as it may, since no desired information was provided to the appellant in the present case, the respondent CPIO is directed to provide revised point wise reply e.g. processing of representations dated 02.06.2016 and 27.05.2016 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 observation/direction/advisory, the appeal is disposed of. Copies of the order be sent to the concerned parties free of cost.

**[Amitava Bhattacharyya]**  
**Information Commissioner**

Authenticated true copy

(A.K. Talapatra)  
Deputy Registrar