

Central Information Commission
Baba Gang Nath Marg,
Munirka, New Delhi - 110 067

CIC/AA/A/2020/51
CICOM/A/E/20/00027
CICOM/R/E/2020/00072

Name of the Appellant: Shri Nirupam Raha
Engineering Road, Daltonganj,
Palamu, Pin - 822 101

1.	Date of RTI application	29.01.2020
2.	Date of reply of the RTI application	10.02.2020
4.	CPIO (s) who furnished reply	Sh. S. C. Sharma, CPIO, CIC.
3.	1 st Appeal Date	18.02.2020
5.	Date of Decision	20.02.2020

Brief Facts of the case:-

(i) In his RTI application, the appellant asked for following information:-

- 1) Whether compliance has been done by concerned CPIOs of the decision given by CIC in case no. CIC/ECRHJ/A/2017/608674.
- 2) CIC had directed the CPIO to provide with a copy of reservation chart pertaining to train no. 18181 with reference to the RTI application to the applicant. The same has yet not been provided to the applicant. What action has been taken against the CPIO for this violation.
- 3) CIC had directed the CPIO to provide with a copy of reservation chart pertaining to train no. 13131 with reference to the RTI application to the applicant. The applicant had requested a copy of the chart which was checked by the TTE on the said date in the mentioned train to establish the actual truth. But Railways have provided (through letter dated 30/12/2019) him with a copy of unused chart which is mere a print out of the original version. It does not serve any purpose. In this way the second directive has also not been complied by the CPIO. What action has been taken against the CPIO
- 4) What is the status of link paper submitted by the applicant on 20/01/20 (diary No. 661265).
- 5) What is the normal procedure adopted by CIC in case of non compliance of its decisions.
- 6) What is the maximum time limit given to a CPIO to comply with the decision of CIC.
- 7) How much further time will be given to concerned CPIOs to comply with the decisions in case no. CIC/ECRHJ/A/2017/608674 as more than six months has already passed.
- 8) What is the reason that no stringent action is being taken in this case despite several requests by the applicant."

Reply of CPIO:-

(ii) In response to the RTI application Sh. S. C. Sharma, CPIO, CIC, vide his letter dated 10.02.2020 provided following information to the appellant:-

- 1) CPIO Varanasi vide letter dated 18.12.2019 and CPIO, Danapur vide letter dated 20.12.2019, has already provided some information to you in compliance to the CIC order.
- 2) The matter has again been taken up with CPIO Varanasi and Katihar, for providing further information.
- 3) As per point No. 1&2.
- 4) The matter has already been taken up with the concerned CPIO as indicated at point No. 2.
- 5) The information is clarificatory nature and hence CPIO is not obliged to provide any information/ Clarification please.
- 6) As per point 04 above.
- 7) As indicated at point 02 above.
- 8) As per point 05 above.

Ground of First Appeal:-

(iii) Aggrieved with reply furnished by the CPIO, the appellant filed First Appeal on the ground that the CPIO has not provided any reply in respect to point No. 5, 6 and 7 of the original RTI application.

Decision with reasons:-

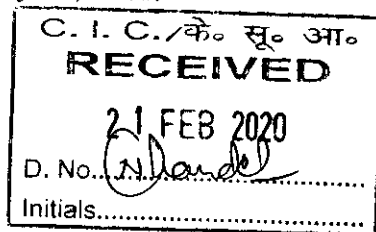
(iv) On perusal of the Appeal, RTI application and CPIO's reply it is observed that the appellant, against point nos. 6, 7 and 8 has asked for information regarding the procedure adopted by CIC for disposal of Non-compliance petition, the maximum time limit for the same and the further time to be given to the respondent public authority for complying with the decision of the Commission. In this respect it is worth mentioning that a CPIO can provide only such information, as is available in record of the concerned public authority in material form. Further, answering futuristic questions is beyond the scope of RTI and the duty of CPIO.

In light of the above observation, the information provided by the CPIO is factual and as per the provision of the Act. Hence, further intervention, on the part of FAA, is not regarding in this matter.

(v) The appeal is being disposed of accordingly.

(vi) In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi – 110 067 against this order within 90 days.

Dated: February 20, 2020.



M. Balimane
20/2/2020
(Smt. Meena Balimane Sharma)
First Appellate Authority

Tel: 26162290

Copy to:-

1. CPIO, RTI Cell, CIC, New Delhi.
2. Sh. S. C. Sharma, CPIO, CIC, CIC, New Delhi.

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21 Feb 2020