

Central Information Commission

Baba Gang Nath Marg,
Munirka, New Delhi – 110 067

CIC/AA/A/2020/
CICOM/A/E/20/00055
CICOM/R/E/20/00236

Name of the Appellant: Dilip Kumar Saha
Naya Tola Ward No. 34 ,
Katihar,
Pin – 854105

1.	Date of RTI application	13.04.2020
2.	Date of reply of the RTI application	08.05.2020, 11.05.2020
3.	CPIO (s) who furnished reply	Sh. S.C.Sharma & Sh. B. S. Kasana
4.	1 st Appeal Date	10.05.2020
5.	First Appeal received in FAA's office	10.05.2020 (through online portal)
6.	Date of Decision	19 .05.2020

Brief Facts of the case:-

In the RTI application, Appellant has sought the following information:-

- (a). “File number of the attached Second Appeal application filed by my office, which has been accepted by the Central Information Commission several months ago, how long will the date be Fixed to hearing the said file number.
- (b). File No. of my attached application of PIO Cum Sr. DCM N.F. Railway Katihar False, incomplete and misleading information is provided after 3 months of RTI application, 1st appeal, 2nd appeal. According to the above information RTI Act 2005, the information should be made available.
- (c). Due to the Karona virus, all over India has been locked-down as per the instructions of the Government of India. There is an obligation to send RTI 1st Appeal and other information through e-mail by a fixed date. Applications sent in the above order will be considered valid or due date. What will be done and information should be made available.”

Reply of CPIO:

2. In response to the above RTI application of the Appellant, the CPIO, Sh. S.C.Sharma provided following interim reply to the Appellant vide letter dated 08.05.2020:
 - (a). “In your aforesaid application, you have sought the status of your appeals files in the Commission during the year 2020. In this connection it is to intimate that with the reallocation of work of listing of hearings in respect of Railway Department has been transferred to the Registry of a newly appointed I.C. and therefore, your above RTI, application is being transferred to CPIO and Deputy Registrar, Shri Baljit Singh Kasana, for taking further action.
 - (b). However, it is further to inform you that presently the cases registered during the year 2018 in the Commission are being listed for hearing and your cases since registered during the year 2020, will be listed on their turn. Kindly bear with us.

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(c). However, a final reply will be given by the concerned CPIO as mentioned above please.”

Final reply sent through post by Sh. B. S. Kasana, CPIO vide letter dated 11.05.2020 is as below:-

1. It is to inform you that presently the cases registered during year 2018 in the Commission are being listed for hearing whereas your cases have been registered during the year 2020.
2. In Commission, the Second Appeal cases are heard in chronological order, as such your cases will be listed on their turn according to the receipt in the commission.
3. In view of above, it is difficult to give any date of hearing of the Second Appeal filed by you.

Ground of First Appeal:

3. Appellant, in his First Appeal Application stated that - “The attached application is not related to my reply application, the information should be provided to me within the time limit, taking necessary action.”

Decision with reasons:

4. On perusal of the Appeal and RTI application, it is observed that in response to RTI application interim reply dated 08.05.2020 of CPIO Sh. S. C. Sharma and final reply dated 11.05.2020 of CPIO, Sh. B. S. Kasana (copy enclosed with this order) is correct.
Therefore, no further intervention is required on the part of the FAA, in the matter.
5. The appeal is being disposed of accordingly.
6. 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.

Encl. - Reply dated 11.05.2020 of CPIO, Sh. B. S. Kasana

Dated – 19.05.2020

Meena Balimane
19/5/2020

(Meena Balimane Sharma)
Addl. Secretary & First Appellate Authority
Tel: 26162290

Copy to:-

1. Sh. T. B. J. S. Rajappa, CPIO, RTI Cell, CIC, New Delhi.
2. Sh. S. C. Sharma, CPIO & DO to CIC (NG), CIC, New Delhi.
3. Sh. B. S. Kasana, CPIO & DO to CIC (AP), CIC, New Delhi.

CENTRAL INFORMATION COMMISSION
CIC, New Building, CIC Bhawan
Baba Gang Nath Marg, Munirka-110067, New Delhi

Date: 11.05.2020

CICOM/R/E/20/00236

Shri Dilip Kumar Shah
R/O Naya Tola Ward No. 34, Katihar,
Pin: 854105

Subject: Information under RTI Act, 2005.


Sir,

Please refer to your online RTI application dated 13.04.2020 and reply thereto by Shri S. C Sharma, CPIO dated 08.05.2020. The required information is as under please:

1. It is to inform you that presently the cases registered during the year 2018 in the Commission are being listed for hearing whereas your cases have been registered during the year 2020.
2. In Commission, the second appeal cases are heard in chronological order, as such your cases will be listed on their turn according to the receipt in the Commission.
3. In view of above, it is difficult to give any date of hearing of the second appeal filed by you. If you are not satisfied with the reply, you may file first appeal to the First Appellate Authority (FAA), CIC at the following address:-

Ms. Meena Balimane Sharma
Additional Secretary and First Appellate Authority
Central Information Commission (CIC)
Baba Gang Nath Marg, Munirka
New Delhi-110067
Email: as-cic@nic.in

Yours sincerely


B.S. Kasana,
CPIO

Copy to: CPIO, RTI Cell, CIC for information please.