

**CENTRAL INFORMATION COMMISSION**  
**2nd Floor, 'B' Wing, August Kranti Bhawan,**  
**Bhikaji Cama Place, New Delhi -110066**  
**Tel : +91-11-26717355**

**Appeal No. CIC/VS/A/2015/001210**

Appellant: Mr. Suresh Singal,  
R/o C.P-2, Pitampura,  
Delhi-110034  
(9312211608)

Respondent: Central Public Information Officer  
Sr. DMM-Delhi Divn., DRM Office,  
Northern Railway,  
State Entry Road,  
New Delhi-110001

Date of Hearing: 09.11.2016

Dated of Decision: 09.11.2016

**ORDER**

**Facts:**

1. The appellant filed RTI application dated 28.01.2015 seeking information regarding his application dated 03.11.2014; delay in responding to the said application; have railway administration verified and satisfied as per clause 26.1 of tender conditions to submit ECS/EFT mandate form of Mittal Construction complete in all respect; have railway verified registration and constitution of firm of Mittal Construction as per Annexure D of tender conditions, and other related issues.

2. The CPIO responded on 16.03.2015. The appellant filed First Appeal dated 09.03.2015 with First Appellate Authority (FAA). The FAA responded on 09.04.2015. The appellant filed second appeal on 11.05.2015 before the Commission on the ground that complete information should be provided; compensation to be awarded to the appellant and to take action u/s. 20 of the RTI Act.

**Hearing:**

3. Both the parties were personally present in the hearing. An official from Engineering and Accounts department were also present in the hearing.
4. The appellant stated that the respondent has taken a wrong defense of 'third party information' in not providing the information.
5. The respondent referred to their letter No. Sr. DEN-V/Misc./RTI/177/WV dated 16.03.2015 and stated that vide this letter he has informed the appellant that the information sought on point Nos. 2 to 7 is a third party information which cannot be given without the consent for disclosure of desired information.
6. The respondent further stated that they have also sought consent from M/s Mittal Construction but vide letter dated 02.06.2015, they have not given their consent to provide the information to the appellant.
7. The respondent further stated that some information has already been provided to the appellant by the Accounts department.

**Discussion/ observation:**

8. The Commission observed that the opportunity of being heard may be given to the third party in the interest of natural justice.

**Decision:**

9. The matter is adjourned.
  10. The Deputy Registrar is directed to send the notice of hearing to the third party i.e. M/s Mittal Construction.
  11. The respondent is directed to bring all relevant documents which pertain to the matter at hand on the next date of hearing.
  12. A hearing may be re-scheduled after 30 days, in which all the parties are directed to be personally present.
  13. A separate notice of hearing will be issued to all the parties.
- Copy of the order be given to the parties free of cost.

Sd/-

**(Radha Krishna Mathur)**  
**Chief Information Commissioner**

Authenticated true copy

Sd/-

(S.C. Sharma)

Dy. Registrar

**Copy to:**

1. Sr. DFM (Accounts) / Sr. DEN-II, Sr. DEN-IV /  
Sr. DEN-V / DEN (Coordination)  
Northern Railway, State Entry Road,  
New Delhi-110001
2. Mittal Construction  
BJ 13(W), Shalimar Bagh,  
Delhi-110088

## **Adjunct order dated 11.01.2017**

**Hearing:**

1. The instant matter was heard on 09.11.2016. This matter is listed today for the compliance of the order dated 09.11.2016 of the Commission.
2. Both parties were present personally in the hearing. The third party namely Mr. Ashok Mittal was also present in the hearing.
3. The appellant stated that respondent had sent their replies on 16.03.2015 and 30.03.2015. These were not complete. Appellant requested the Commission to direct the respondent to provide full information to the appellant.
4. The respondent vide letters dated 10.01.2017 and 09.01.2016 handed over the balance relevant information to the appellant in the hearing. The replies were read out and explained to the appellant. Third party has no objection to this information being given.

**Discussion/ observation:**

5. The Commission observed that full information has been provided to the appellant.
6. The Commission order dated 09.11.2016 has been complied with.

**Decision:**

7. Show Cause is dropped. No further intervention of the Commission is required in the matter.

Copy of the order be given to the parties free of cost.

**(Radha Krishna Mathur)**

**Chief Information Commissioner**

Authenticated true copy

(S.C. Sharma)

Dy. Registrar