

CENTRAL INFORMATION COMMISSION

Club building, Opposite Ber Sarai Market, Old JNU Campus, New Delhi- 110067.

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File No : CIC/AB/A/2016/000071-AB

In the matter of:

Rahimkhan N Rohila
42, Shantinagar Chitra, Bhavnagar, Gujarat - 364004

...Appellant

VS

Central Public Information Officer
PIO / Sr. DPO
Western Railway, Divisional Office,
Bhavnagar Para, Gujarat

...Respondent

Dates

RTI application	:	05.09.2015
CPIO reply	:	15.10.2015
First Appeal	:	26.10.2015
FAA Order	:	16.12.2015
Second Appeal	:	16.03.2016
Date of hearing	:	27.04.2017

Information sought:

The appellant had sought copies of letters of Railway Board dated 21.04.1999 and 01.03.2004, GM's letter dated 30.07.2014.

Grounds for Second Appeal

The CPIO did not provide the desired information.

Order

Appellant	:	Absent
Respondent	:	PIO, Shri Ram Meena

During the hearing the respondent PIO submitted that they had provided the requisite information vide their letter dated 15.10.2015 in connection with the RTI application dated 05.09.2015.

The appellant was not present to challenge the contention of the respondent PIO.

On perusal of the case record, it was seen that the reply dated 15.10.2015 was deficient in respect of para 3 of the said RTI application. Since the relevant document was not available in the case file, the respondent PIO was directed to send a copy of letter dated 02.05.14 to the commission through e-mail for record. He also further submitted that the copy of the letter dated 26.08.11 was not available and after a lot of search also the same record was not found in their office. The CPIO is directed to submit an affidavit that records are not available/ destroyed with the copy of record retention schedule by which the records were weeded out, to the commission with a copy duly endorsed to the appellant within 15 days of the receipt of the order.

On perusal of the case record, it is seen that the replies to point nos. 1 and 2 had already been provided, hence, nothing much remains in this case.

With the above observation, the appeal is disposed of.

Copy of the order may be sent to both the parties free of cost.

**[Amitava Bhattacharyya]
Information Commissioner**

Authenticated true copy

(A.K. Talapatra)
Deputy Registrar