

CENTRAL INFORMATION COMMISSION
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi -110066
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Appeal No. CIC/VS/A/2015/000088

Appellant: Bimal Nayak
Block No. 74/1/4, Unit No.10 S.E. Rly South
Colony, PO- S.E. Rly Kolkata-700043

Respondent: Central Public Information Officer
CPO (P), RTI Cell, South Eastern Rly, O/o Chief
Per. Officer, 11 Garden Reach Road, Kolkata-43,
W.B.

Date of Hearing: 09.12.2016
Dated of Decision: 09.12.2016

ORDER

Facts:

1. The appellant filed RTI application dated 02.04.2014 seeking information on 12 points including reason for consideration of prayers for job made by Shri Sushi Bahadur Thapa & Suraj Dhanuk and non consideration of the application made by him, reason of visit of Shri Samir Dutta, a railway official the at residence of appellant etc.
2. The CPIO responded on 22.09.2014. The appellant filed first appeal on 25.08.2014 with the First Appellate Authority (FAA). The FAA responded on 16.10.2014. The appellant filed appeal on 02.01.2015 before the Commission with the plea that the sought for information has not been provided to him.

Hearing:

3. The appellant and the respondent both participated in the hearing.
4. The appellant stated that he wanted to know why he has not been given appointment and what is his fault. The appellant stated that his fellow applicants have been given joining letter.
5. The respondent stated that the appellant has been replied to vide letter dated 22.09.2014. The respondent stated that the appointments were made

in the discretionary powers of the General Manager and it was not a general process. The appellant's application was not favourably considered by the General Manager. The respondent stated the information with regard to other selected candidate cannot be provided under section 8(1)(j) of the RTI Act.

6. The respondent stated that the first appellate authority vide its order dated 16.10.2014 had disposed of the first appeal having concurred with the findings of the CPIO.

Discussion/ observation:

7. The sought for information should have been provided pointwise to the appellant as it is a recruitment matter involving larger public interest. The information on point no.2 of the RTI application can be provided using severance clause in respect of third party information under section 10 of the RTI Act. It is observed that the satisfactory reply was not given by the respondent.

Decision:

8. Respondent is directed to provide information as for para 7 above including relevant parts of note sheet, correspondent etc. to the appellant within 30 days of this order.

The appeal is disposed of. 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