

**CENTRAL INFORMATION COMMISSION**  
**2nd Floor, 'B' Wing, August Kranti Bhawan,**  
**Bhikaji Cama Place, New Delhi -110066**  
**Tel : +91-11-26186535**

**Appeal No. CIC/BS/A/2016/000139**

Appellant: Raju Sebastian,  
Jao (Estt.) O/O. The PGMT,  
BSNL Kottayam Distt. Kerala.

Respondent: Central Public Information Officer  
DGM (Admn./NWP)  
BSNL, O/o. PGMT, BSNL  
Pulimmoodu Junc.,  
Kottayam-686001.

Date of Hearing: 13.07.2017

Dated of Decision: 13.07.2017

**ORDER**

**Facts:**

1. The appellant filed RTI application dated 19.06.2015 seeking information on 16 points regarding: whether the appellant was on leave/ on duty during the period 23.01.2015 to 27.01.2015; certified copy of attendance register of TRA wing of PGMT (O), BSNL, Kottayam for months mentioned in RTI application and other related issues.
2. The CPIO responded on 23.07.2015 and provided the information. The appellant filed First Appeal dated 20.08.2015 with First Appellate Authority (FAA). The FAA responded on 23.09.2015. The appellant filed second appeal on 18.12.2015 before the Commission on the ground that information has should be provided to him.

**Hearing:**

3. The appellant and the respondent participated in the hearing through VC.

4. The appellant referred to his RTI application and stated that he sought for information on 16 points with regard to his leave record for the period from 23.01.2015 to 27.01.2015, copy of attendance register for the months Jan. 2015, Feb. 2015, April 2015 and May 2015, etc. The appellant stated that the sought for information has not been furnished to him. The appellant stated that copy of BSNL rules regarding advance period by which leave applications must be submitted when a BSNL employee applies for leave with M.C/without M.C. has not been provided to him. The appellant stated that the sought for information has not been provided within the prescribed period as per RTI Act. The appellant stated that he has not been provided copy of rules authorising a controlling officer to sent registered letters to the doctors for verifying the medicines, medical certificates etc.

5. The respondent stated that the appellant has been replied to vide letter dated 23.03.2015. The respondent stated that the appellant has been informed that the attendance register for the month of January 2015 and February 2015 has been misplaced, and hence is not available. The respondent stated that the available copy of attendance register for March & April 2015 has been provided to the appellant. The respondent stated that the appellant was invited for inspection and collecting the information as sought for in point no. 3 to 10 of his RTI application. The respondent stated that the sought for rules (point no. 11 to 13) is not available. The respondent stated that the BSNL is following the rules framed by the DoT. The respondent further stated that that the rules have been revised from time to time.

**Discussion/ observation:**

6. On query from the Commission, the respondent stated that no inquiry was conducted regarding the misplacing of the attendance register. The Commission further observed that the appellant is seeking interpretation of the rules. The interpretation of the rules is not the job of the CPIO and not within the purview of the RTI Act.

**Decision:**

7. The respondent is directed to provide to the appellant, a copy of revised leave rules and medical policy, free of cost, within 30 days of this order.

8. The respondent is directed to search out the misplaced attendance register and provide the information. If the registers are not found, the public authority should fix responsibility on errant officials. Further, the respondent would give an affidavit to the Commission with a copy to the appellant that the attendance register for the months of January 2015 and February 2015 could not be traced and that responsibility for the loss is being/has been fixed and disciplinary action taken, within 30 days of receipt 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