

**CENTRAL INFORMATION COMMISSION
CLUB BUILDING (NEAR POST OFFICE)
OLD JNU CAMPUS, NEW DELHI-110 067
TEL: 011-26179548**

**Decision No.CIC/AD/A/2013/000238 & 239/VS/07082
Appeal No.CIC/AD/A/2013/00238&239/VS**

Dated: 9-6-2014

Appellant: Shri M. Mukhalingam
Door No.38-31-1-12/2, Green Gardens
Marripalem, Vishakhapatnam-530018.

Respondent: Public Information Officer,
Sr. DPO, East Coast Railway
Divisional Rly. Manager
Personnel Branch, Waltair.

Date of Hearing: 6-6-2014.

ORDER

Facts:

1. The appellant filed an RTI application on 11-10-2012 seeking certified true copies of answer sheets of all the 17 candidates who appeared in the promotional selection for JE-II examination in Railways.
2. The CPIO responded on 25-10-2012, denying information to the appellant. The appellant filed an appeal with the first appellate authority (FAA) on 10-11-2012. The FAA responded on 20-12-2012 and provided information on points 1(ii) and 3 to the appellant. The appellant filed a second appeal with the Commission on 7-1-2013.

Hearing:

3. I heard the respondent through video-conferencing.
4. The respondent stated that the information as sought by the appellant to the extent that it was permissible under the RTI Act has been provided to the appellant. The respondent stated that the appellant was seeking information in context of a selection made for the post of JE –II electrical and in this context it was explained that the appellant while having been successful in the written examination was not empanelled taking into account the selection criteria which included interview.
5. The respondent stated that 17 candidates appeared in this selection. The answer sheets of the other 16 candidates were not made available but the answer sheet of the appellant was made available to the appellant. It was stated that the service records of four candidates, as sought, was made available. The respondent stated that in so far as the copy of regularization of a certain employee was concerned that could not be made available as it was not available.
6. The respondent said that the CPIO has explained the position in his letter of 25-10-2012 and the FAA had agreed with the CPIO's decision dated 20-12-2012.
7. The action taken by the respondent is in accordance with the RTI Act.
8. The appellant did not participate in the hearing.

Decision:

9. Orders of the FAA are upheld.

Appeal is disposed of. Copy of this order be given free of cost to the parties.

(Vijai Sharma)
Information Commissioner

Authenticated true copy:

(V.K.Sharma)
Designated Officer

