

**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/2015/000364**

Appellant: Mr. Sanjay Kumar Sharma  
S/o Sh. Shivshankar, Chaita Road, Jitpur Beside  
Dr. B Roy's House Post Gomoh Distt. Dhanbad  
Jharkhand 828401

Respondent: Central Public Information Officer  
Asst. Secretary Rly Recruitment Board, Western  
Rly, Divnl. Office Compound, Mumbai Central  
Mumbai-400008

Date of Hearing: 16.11.2016  
Dated of Decision: 16.11.2016

**ORDER**

**Facts:**

1. The appellant filed RTI application dated 26.07.2014 seeking list of successful candidates with full details under category 22-24 of Section Engineer recruited vide employment notice no. 01/2008 (BCT) dated 19.02.2008 etc.
2. The CPIO responded on 22.08.2014. The appellant filed first appeal on 01.10.2014 with the First Appellate Authority (FAA). The FAA responded on 31.10.2014. The appellant filed appeal on 06.02.2015 before the Commission with the plea that the sought for information has not been provided to him.

**Hearing:**

3. The appellant participated through advocate personally and the respondent participated through video conferencing in the hearing.

4. The appellant by way of the background stated that the RRB advertised for the various posts of Section Engineer, including Section Engineer (Telecom) under category No. 23 vide E.N. No. 01/2008 (BCT). The appellant qualified in the written examination conducted on 05.10.2008. The appellant stated that during the documents verification process, the appellant was asked to clarify that word 'Electronics' is mentioned in the mark sheet of M.Sc. Physics with special paper in Electronic but it is not mentioned in the Degree certificate. The appellant stated that the appellant had submitted a supplementary certificate clarifying this anomaly on 10.04.2012 issued by the University which stated that the appellant had passed M.Sc. Physics with specialization in Electronic.

5. The appellant stated that his candidature has been cancelled citing the reason that he did not possess the requisite educational qualification at the time of applying. The appellant stated that he had sent representation up to the Railway Board level but no decision was taken on it.

6. The appellant stated that he has filed an O.A. No. 434/2014 in the Mumbai Bench of the Central Administrative Tribunal.

7. The appellant stated that the sought for information has not been provided to him, citing the reason that it is a third party information. He was merely supplied the Roll number and result of the successful candidates which are already available on the website.

8. The appellant stated that the information/ documents submitted by the successful candidates to the RRB, Mumbai are public information and their disclosure cannot be denied. The appellant relied upon the Commission's decisions bearing no. CIC/SG/A/2008/00351 dated 18.02.2009 and CIC/SM/A/2011/000347 dated 19.07.2011.

9. The respondent stated that the information pertains to third party and is not maintained in the sought for form. The respondent stated that the disclosable information has already been given to the appellant. The respondent stated that at present they do not have the record of the candidates as they have forwarded the record to the respective Zonal Offices.

**Discussion/ observation:**

10. On query from the Commission, the respondent stated that the information is held by the two Zonal Offices. It is observed that the respondent is not the holding authority of the information.

**Decision:**

11. Respondent is directed to transfer the RTI application to the concerned Zonal Offices within 7 days of this order.

12. The CPIOs of Concerned Zonal Offices are directed to dispose of the RTI application as per the RTI Act within 30 days of this order.

13. The appellant be at liberty to approach directly to the Commission if he is not satisfied with the reply of the CPIOs of respective Zonal Offices, within 30 days of receipt of reply.

The appeal is disposed of. A 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