

केंद्रीय सूचना आयोग
CENTRAL INFORMATION COMMISSION
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File No.: CIC/AD/C/2013/000479-AB

In the matter of:

Manisha Sharma,
22-C, Railways Officers Colony,
S.P. Marg,
New Delhi-110021

...Complainant

Vs.

DPG & CPIO,
RTI Cell, Room No-507,
Fifth Floor, Railway Board,
New Delhi-110001

...Respondent

Dates

| | | |
|------------------------|---|-------------------|
| RTI application | : | 05.06.2012 |
| CPIO reply | : | Not on record |
| First Appeal | : | 07.09.2012 |
| FAA Order | : | Not on record |
| Complaint | : | 07.09.2012 |
| Date of hearing | : | 31.07.2017 |

Facts:

The complainant had sought information on 6 points: copy of complete advice and recommendations sent by UPSC in response to appeal filed by her against imposition of penalty of "Censure" against charge-sheet memo dated 30.08.06 under Rule 11 of the Railway Servants (D&A) Rules, 1968, copy of the first reply of the UPSC, copy of the reference made by the Ministry of Railways, inspection of file records in regard to correspondence on the subject between UPSC and Railway Board, copy of the rule in respect of payment of salary on setting aside of charges. The CPIO's reply or the First Appellate Authority (FAA)'s order is not on record.

Grounds for Complaint

The CPIO did not provide the desired information.

Order

Complainant : Absent

Respondent : CPIO, Shri Jagmohan Singh, Deputy Secretary

This is a complaint case against CPIO, Vigilance, Railway Board. The RTI application is dated 05.06.2012. The case paper shows no reply from the concerned CPIO, Vigilance.

During the hearing the respondent CPIO admitted that reply to the abovestated RTI application was never provided to the complainant. However reply to a similar RTI application was provided to the complainant on 06.01.14. The reason for this was because similar RTI applications were replied to a number of times in the past, reply to this particular RTI application was somehow missed by the CPIO.

The complainant was not present to plead her case.

From the perusal of record, it is seen that the charge of the complainant that the RTI application was not replied to was established. However, since the respondent CPIO admitted during the hearing in a frank and guileless manner about the miss and expressed his unqualified apology, the Commission tends to take a lenient view in this case and issues the following order:-

The then respondent CPIO is issued warning/advisory that full and final reply to an RTI application should be provided within the time period as stipulated under the RTI Act and he should ensure that in future in every case reply to an RTI application is invariably provided within 30 days of receipt of the said RTI application.

The respondent CPIO should note that in future if the same mistake is noticed by the Commission, more stringent action will be taken against the respondent PIO.

The present respondent CPIO is directed to serve a copy of this warning to the then CPIO and a copy of the service of the above said warning be submitted to the Commission within 10 days of the receipt of the order.

With the above warning/advisory, the complaint is disposed of.

Copies of the order be sent to both the parties free of cost.

[Amitava Bhattacharyya]
Information Commissioner

Authenticated true copy

(A.K. Talapatra)
Deputy Registrar

