

**CENTRAL INFORMATION COMMISSION**

2<sup>nd</sup> Floor, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi-110066

**Decision No. CIC/SB/C/2015/900006**

**Dated 20.09.2016**

**Complainant** : Shri Hareram Mishra,  
C/o Balbhadra Mishra,  
VIII. Lakshmipur, P.O. Raiyam,  
P.S. Bhairav Sthan, Block Jhanjharpur,  
District Madhubani,  
Bihar.

**Respondent** : Central Public Information Officer,  
Ministry of Rural Development,  
Rural Connectivity Division,  
Krishi Bhawan,  
New Delhi-110001.

**Date of Hearing** : 20.09.2016

**Relevant dates emerging from the complaint:**

RTI application filed on : 20.03.2014

CPIO's reply : 21.04.2014

First appeal filed on : 13.04.2014

Complaint filed on : 17.07.2014

**ORDER**

1. Shri Hareram Mishra filed an application dated 20.03.2014 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer, (CPIO), Ministry of Rural Development(MoRD) seeking status of road constructed in East Panchayat which is in block-Jhanjharpur District

Madhubani, P.S. Bhairav Sthan (Bihar). The RTI application has been transferred by the MoRD to the Secretary, Rural Engineering Organisation, Government of Bihar for providing information pertaining to Pradhan Mantri Gram Sadak Yojna held by it directly to the applicant.

**2.** Shri Hareram Mishra filed a complaint dated 17.07.2014 before the Commission on the grounds that he has not been provided the information and requested the Commission to provide him the required documents.

**Hearing:**

**3.** The complainant Shri Hareram Mishra was not present despite notice. The respondent Shri Akhil Khare, Superintending Engineer, Ministry of Road Transport and Highways (MoRTH) was present in person.

**4.** The respondent submitted that he has been directed by the MoRD to attend the hearing. However, the matter pertains to a rural road which is not the domain of MoRTH as MoRTH is responsible for construction and maintenance of National Highways only.

**Decision:**

**5.** The Commission, after hearing the respondent and perusing the records, observes that the MoRD has transferred the RTI application to the State Government of Bihar and therefore, the matter falls within the jurisdiction of the Bihar State Information Commission (SIC). The Commission also takes serious note of the fact that once the RTI application was transferred to the State Government of Bihar, MoRD should not have directed the MoRTH to attend the hearing. This has resulted in wastage of public money and time of the Government servant as MoRTH is not the concerned public authority in the matter. In view of this, the Commission would like the FAA, MoRD to counsel the

CPIO, MoRD so that such lapses do not recur. Since, the matter is beyond the jurisdiction of the Commission, therefore, no action is warranted on part of the Commission.

6. With the above observations, the complaint is disposed of.
7. Copy of decision be given free of cost to the parties.

**(Sudhir Bhargava)**  
**Information Commissioner**

**Authenticated true copy**

**(V.K. Sharma)**  
**Designated Officer**