

**CENTRAL INFORMATION COMMISSION**  
**2nd Floor, 'B' Wing, August Kranti Bhawan,**  
**Bhikaji Cama Place, New Delhi -110067**  
**Tel : +91-11-26717355**

**Appeal No. CIC/VS/A/2015/001022**

Appellant: Mr. Ganesh Prasad Pandey  
R/o Vill- Juhli, PO- Juhla, PS- New Katni Junc.,  
Teh/Distt. Katni-483501, MP (9575162821)

Respondent: 1. Central Public Information Officer  
M/o Rly, RTI Cell, Northern Rly, Rly Board, New  
Delhi.  
2. Central Public Information Officer  
Dy. General Manager, West Central Railway, ,  
Indra Market, Jabalpur (MP)

Date of Hearing: 03.11.2016  
Dated of Decision: 03.11.2016

**ORDER**

**Facts:**

1. The appellant filed RTI application dated 09.12.2014 seeking information regarding action taken on his complaint dated 05.11.2014 against Dr.Akhilesh Kumar Shukla etc.
2. The CPIO response is not on record. The appellant filed first appeal on 13.01.2015 with the First Appellate Authority (FAA). The FAA response is not on record. The appellant filed second appeal on 24.03.2015 before the Commission with the plea that the sought for information has not been provided to him.

**Hearing:**

3. The appellant and the respondent No. 2 participated in the hearing.
4. The appellant stated that he has not received any reply from the CPIO and the First Appellate Authority till date.
5. The respondent stated that the the Complaint/letter against Dr. Akhilesh Kumar was addressed to Minister of Railway and copy of the same was marked to the MD and GM also. The respondent stated that he has not received RTI application 09.12.2014 hence reply to the instant RTI

application could not be given. However, the appellant, in response to his earlier correspondences, has been provided the inquiry report and all other information. The respondent stated that three times reply has been given to the appellant. The respondent stated that they again send all the information to the appellant.

6. The appellant stated that he has complained against Dr. Akhilesh at all levels but no action has been taken against the Dr. Akhilesh. The appellant stated that he was injured while on duty and no benefit has been given to him.

**Discussion/ observation:**

7. The respondent agreed to provide the information.

8. From the documents sent by the respondent no. 1 (through fax) to the Commission, it appears that the file/documents along with the notice of hearing was forwarded to the respondent no. 2 on 24.10.2016. Prima facie, this shows the negligence on the part of the respondent no. 1.

**Decision:**

9. Respondent no. 2 is directed to provide the information to the appellant within 7 days of this order and send a compliance report to the Commission within 30 days of this order, including the date of receiving the RTI application from the Railway Board.

10. Respondent no. 1 is directed to show cause why action should not be taken against them for contravening the provisions of the RTI Act including not attending the hearing before the Commission.

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