

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/YA/A/2014/001152/SB

Dated 26.09.2016

Appellant : ShriP.K. Gupta,
C/o M.Rahman,
Running Shed Colony,
L.D.11-A, Terhi Pulia,
Alambagh, Lucknow-226 005.

Respondent : Central Public Information Officer,
Central Information Commission,
2nd Floor, B-Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110 066.

Date of Hearing : 26.09.2016

Relevant dates emerging from the appeal:

RTI application filed on : 19.09.2013

CPIO's reply : 21.10.2013

First appeal filed on : 11.11.2013

FAA's order : 11.12.2013

Second appeal filed on : 21.03.2014

ORDER

1. ShriP.K. Gupta filed an application dated 19.09.2013 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Information Commission (CIC) seeking information on six points pertaining to the records and decision announced by the First Appellate Authority in File No. CIC/AD/C/2010/000759.

2. The appellant filed a second appeal dated 21.03.2014 before the Commission on the grounds that no information has been provided to him by the CPIO.

Hearing:

3. The appellant Shri P.K. Gupta was not present despite notice. The respondent Shri A.K. Sharma, CPIO, CIC was present in person.

4. The respondent submitted that the appellant was informed vide letter dated 21.10.2013 that the file no. CIC/AD/C/2010/000759 is not available in the registry and therefore the information sought cannot be provided. The respondent further submitted that due efforts were made to retrieve the files, however, the in-charge of record room stated that the file could not be traced vide letter dated 22.09.2016.

Decision:

5. The Commission, after hearing the respondents and perusing the records, observes that the FAA's order dated 17.02.2014 wherein directions were issued to Shri Vijay Kumar Sharma to retrieve file no. CIC/AD/C/2010/000759 from the Commission's software where it is available in electronic form and provide information to the appellant has not been complied with. The Commission, therefore, directs the Deputy Registrar of the Registry dealing with Ministry of Railways to obtain a soft copy of the file in consultation with JS (MR), CIC and provide point-wise information to the appellant free of cost within four weeks from the date of receipt of the copy of this decision.

6. In case, however, the file is not traceable either in physical form or on in soft copy, an FIR may be got registered with the Delhi Police within six weeks from the date of receipt of the copy of this decision.

7. With the above observation, the appeal is disposed of.
8. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer