

**CENTRAL INFORMATION COMMISSION**  
**2nd Floor, 'B' Wing, August Kranti Bhawan,**  
**Bhikaji Cama Place, New Delhi -110066**  
**Tel : +91-11-26186535**

**Appeal No. CIC/VS/A/2015/001284**

Appellant: Mr. Satish Malik  
S/o Shri Dayanand VPO Mokhra  
Khas, Pana Shyam, Teh- Meham,  
Siat- Rohtak, Haryana- 124022

Respondent: Central Public Information Officer  
DRM, Northern Rly, RTI Cell, Baroda  
House, New Delhi

Date of Hearing: 05.01.2017

Dated of Decision: 05.01.2017

**ORDER**

**Facts:**

1. The appellant filed RTI application dated 13.01.2015, seeking information on 14 points regarding the employment notification no 220-E open Mkt/RRC/2012 for group D posts viz the attendance sheet of written examination of the candidate, the relevant OMR sheet of the candidate etc..
2. The CPIO response is not on record. The appellant filed First Appeal dated 17.03.2015, with First Appellate Authority (FAA). The response of FAA is not on record. The appellant filed second appeal on 05.05.2015 before the Commission on the ground that information should be provided to him.

**Hearing:**

3. The respondent participated in the hearing. The appellant did not participate in the hearing.
4. The respondent stated that the pointwise reply has been given to the appellant vide letter dated 04.01.2017. The respondent stated that except forensic document examiner report and third party candidates' information all other information has been provided to the appellant. The respondent

stated that the candidature of the appellant was rejected for the reasons of mismatch in handwriting on relevant papers during the recruitment process. The matter is presently subjudice before the CAT in the form of OA no. 126/2005 after being remanded by Hon'ble High Court of Delhi on the WP of the applicant against Tribunal Orders in favour of Railways. Similarly, Hon'ble High Court of Chandigarh has decided another case WP (C) No. 12264/2016 in Railway's favour, and the appellant was not provided handwriting mismatch report.

5. The respondent stated that the Railway Board vide circular No. E(NG)-II/2006/RR-1/SECR/18 dated 15.06.2015 has engaged retired forensic examiners for checking the cases of suspected impersonation and list of such examiners is treated as confidential.

**Discussion/ observation:**

6. The Hon'ble High Court of Delhi in WP(C) 499/2012 Union of India & Ors. Vs Col. V.K. Shad judgment dated 09.11.2012 held that: file notings and opinions of the JAG branch are information, to which, a person taking recourse to the RTI Act can have access, provided it is available with the concerned public authority. Provision of Sec 8(1)(e) of RTI Act is not restriction for Govt. to provide information in the interest of public. Hence, the file notings & correspondence of case file, letters of complaint, record after redacting the names of officers involved in the decision making process can be disclosed.

**Decision:**

7. The respondent is directed to provide to the appellant a copy of handwriting expert report in the appellant's case after redacting the names of officers involved in giving report within 30 days of this order.

The appeal is disposed of. 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