

**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/2015/000171**

Appellant: Mr. Nepal Chand Mandal  
25/126, Sec-1, LDA Colony, Kanpur Road,  
Lucknow, 226012 UP.

Respondent: Central Public Information Officer  
CPIO, Sr. DFM Northern Rly, Divnl. Office,  
Hazratganj, Lucknow-226001 UP.

Date of Hearing: 04.11.2016

Date of Decision: 04.11.2016

**ORDER**

**Facts:**

1. The appellant filed RTI application dated 11.08.2014 seeking information on 8 points regarding PF withdrawal details of PF No. 00023917, 05496342 and inspection of PF register/records etc.

2. The CPIO responded 28.08.2014. The appellant filed first appeal on 27.10.2014 with the First Appellate Authority (FAA). The FAA responded on 17.11.2014. The appellant filed second appeal on 01.01.2015 before the Commission with the plea that the sought for information has not been provided to him.

**Hearing:**

3. The appellant's representative and the respondent both participated in the hearing.

4. The appellant stated that in the second appeal he is pursuing for only point no. 2, 3, 4 and 8, with regard to the inspection of the records. The appellant stated that he has been informed that the record from 1976 to 1986 is not available. The appellant stated that he has not been given supporting document as why record is not available. The appellant stated

that he has not been informed whether the record has been weeded out or record is misplaced etc.

5. The respondent stated that the appellant was allowed to inspect the record but in terms of section 7(4) of the RTI Act, he was informed that his representative would not be allowed to inspect the record.

6. The respondent stated that when the records were computerised, the Ledger opening balance was transferred. Hence, the record might have been destroyed.

**Discussion/ observation:**

7. It is observed that the respondent misunderstand the provisions of the section 7(4) of the RTI Act. This Section does not bar the appellant to inspect the record along with his representative.

**Decision:**

8. Respondent is directed to allow the inspection of records (physical/ digitised) to the appellant along with his representative on mutually fixed date within 15 days of this order.

9. The respondent is directed to send residual records copy to the appellant within 30 days. If this does not become possible due to non-availability of records. The respondent is directed to give an affidavit to the Commission stating that the records, prior to computerisation have been destroyed.

10. Respondent is directed to send compliance of aforesaid direction to the Commission within 30 days of this order.

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