

CENTRAL INFORMATION COMMISSION

Club building, Opposite Ber Sarai Market, Old JNU Campus, New Delhi- 110067.

Tel: 011 - 26182593/26182594

Email: registrycab@gmail.com

File No : CIC/VS/A/2015/002759-AB

In the matter of:

Yashwant Singh
House No. 552/N, "Vijaya" Ganga Nagar
P.O Arogya Mandir Gorakhpur, U.P- 273003 ...Appellant

Vs

Central Public Information Officer,
M/o Railways CPIO- 37, Railway Board,
Rail Bhawan, New Delhi. ...Respondent

Dates

| | | |
|------------------------|---|-------------------|
| RTI application | : | 02.03.2015 |
| CPIO reply | : | 30.04.2015 |
| First Appeal | : | 26.05.2015 |
| FAA Order | : | Not on record |
| Second Appeal | : | 18.08.2015 |
| Date of hearing | : | 15.03.2017 |

Information sought:

The appellant had sought information regarding date(s) of receipt of undernoted office Memoranda issued by the Department of personnel and training on **ad hoc** promotions, letter number and date through which the letter mentioned in the RTI application had been forwarded by the competent authority concerned etc.

Grounds for Second Appeal

The CPIO has provided the information.

Order

| | | |
|-------------------|----------|--|
| Appellant | : | Present |
| Respondent | : | CPIO, Shri S.R. Kanojia, Jt. Director |

During the hearing the respondent CPIO stated that they had provided the requisite reply vide their letter dated 30.04.2015 in connection with the RTI application dated 02.03.2015. The respondent CPIO also handed over the categorical reply of FAA order dated 18.08.15 during the hearing. The appellant received the replies of the respondent CPIO and the FAA but he was not satisfied with either of them. The respondent CPIO submitted that they did not receive the DoPT circular mentioned in the RTI application and further submitted that they had their own rule(s) regarding implementation of ad hoc promotions. The appellant submitted there was delay of more than 14 days in giving the reply. The respondent CPIO stated that due to administrative work, there was delay of about 14 days in replying to the aforesaid RTI application. This delay of 14 days should be condoned.

On perusal of the case record, it was seen that FAA had also confirmed the response of the respondent CPIO in which it was stated that the said DoPT circular was never received in the Railway Board.

In view of the above, the respondent CPIO is directed to file a clear affidavit in this regard that the above stated DoPT circular was never received in the Railway Board or any other office/unit of the concerned public authority, to the Commission with copy to the appellant within 30 days of the receipt of the order.

For this purpose, CPIO/PIO, may take assistance of any other office/department u/s 5(4) of the RTI Act.

The respondent CPIO is further directed to send a report containing the copy of the reply and the date of despatch of the same to the RTI appellant within 07 days thereafter to the Commission for record.

With the above direction, the appeal is disposed of.

**[Amitava Bhattacharyya]
Information Commissioner**

Authenticated true copy

(A.K. Talapatra)
Deputy Registrar