

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/2015/003277-AB

In the matter of:

Sushil Kumar Tailor
6-D-42/43, Chandsekhar, Azad Nagar,
Bhilwara, Rajasthan- 311001

...Appellant

VS

Central Public information Officer,
CPIO/Vigilance, HQ Office, Vigilance Branch,
North Western Railway, Jaipur, Rajasthan

&

Central Public information Officer,
Sr. Commercial Manager and Sr.Divisional Personnel
Officer, Public Information Cell, Divisional Office,
North Western Railway, Ajmer,, Rajasthan

...Respondents

Dates

RTI application	:	19.03.2015
CPIO reply	:	22.04.2015, 11.05.2015, 30.06.2015
First Appeal	:	01.06.2015
FAA Order	:	07.07.2015
Second Appeal	:	25.07.2015
Date of hearing	:	22.03.2017

Information sought:

The appellant has sought information on 16 points regarding name of the officer who held the post of health inspector in Bhilwara and copy of the note of SIG and copy of the five year report etc.

Grounds for Second Appeal

The CPIO did not provide the desired information.

Order

Appellant : Present

Respondent : Present, Sh. N. C. Sivasia, DPO

During the hearing the appellant submitted that the information provided was incomplete. The CPIO reiterated its earlier replies dated 22.04.2015, 11.05.2015 and 30.06.2015 in connection with the RTI application dated 19.03.2015.

The appellant pressed on Point nos. 2, 3,5,7,9 of the said RTI application. In respect of Point no. 2, he submitted that he wanted copy of the warning letter but the CPIO called him for inspection of the latest documents. On perusal of record, the Commission found that the reply provided was pointwise. However, the name and designation of the officer under whom the appellant was working was not provided. In respect of Point no. 5, the appellant submitted that the reply was misleading. The CPIO contended that a revised reply was also provided. The CPIO also added that there was no inspection by the GM. Hence, the relevant information is not available with the public authority concerned. In respect of Point no 7, he submitted that the reply was not final. In respect of point no 9, he submitted that the reply was not proper. The CPIO is directed to state on affidavit that the reply in respect of Point no 5 was factually correct.

The onus is on the CPIO to collect the information u/s 5(4) of the RTI Act in respect of point no. 7. He shall provide the final reply to the appellant within, a period of 21 days of the receipt of the order.

In respect of point nos 9 to 13, whatever records are available, the same subject to the provisions of the Sec 8 of the RTI Act, will be provided within 21 days from the receipt of the order.

In respect of point nos 15 and 16, the reply is proper.

With the above direction and observation, the appeal is disposed of.

**[Amitava Bhattacharyya]
Information Commissioner**

Authenticated true copy

(A.K. Talapatra)
Deputy Registrar

