CENTRAL INFORMATION COMMISSION
Room No.-6, Club Building ,Old JNU Campus,
New Delhi-110067, Tel No.-011-26182597,26182598

Appeal No.:­CIC/VS/A/2014/000705/BJ-Adjunct

Appellant: Shri Satya Prakash Singh
B 32/84A-1 Nariya Saket Nagar
P.O.-B.H.U
Varanasi-221 005 (UP)

Respondent(s): CPIO
DY. GM Law
Northern Railway HQ,
Baroda House
New Delhi

Date of Hearing : 23/05/2016
Date of Decision : 23/05/2016
Date of showcase hearing: 10/08/2016
Date of adjunct Decision : 10/08/2016

Date of filing of RTI application 23.01.2013
CPIO’s response Not on record.
Date of filing the First appeal 29.09.2013
First Appellate Authority’s response Not on record.
Date of filing second appeal before the Commission 26.12.2013

ORDER

FACTS:

The appellant had sought information on the fate of his request for condoning the delay in submission of transfer/packing allowance after retirement. Despite submission of the claim papers in original as desired by the concerned authorities, no information was forthcoming either from CPIO or FAA. The appellant had repeatedly knocked at the doors of the Railway Board to seek justice. According to him none of the authorities had been responsive in the matter. Therefore, the second appeal.

As per the record available with the Commission, in a response dated 26.02.2013 from the DRM Office, the appellant was informed that his claim for Composite Transfer Grant (CTG) had not been received in the concerned office in original. Hence, no action could be taken on the basis of photocopies of documents.
HEARING:

Facts emerging during the hearing on 23/05/2016:

“The following were present:

Appellant: Shri Satya Prakash Singh (M:9415820489) through VC;
Respondent: Absent;

The appellant stated that he retired as a booking supervisor in May 2011. After retirement, he applied for composite transfer grant (CTG) but the officials kept it pending and later on replied that it has not been filed within time limit and informed him that it would require a condonation of delay by the competent authority. He further stated that he approached Shri K. K. Dixit, APO (NR) Lucknow, for condoning the delay. Official communications were also made for condonation of delay but no action had been taken till date. He further stated that he only received a call from Shri Meena (a clerk) who informed him that his application for CTG claim and condonation of delay had been forwarded to Baroda House for further action. At the time of the hearing he appeared distressed over the whole episode.

DECISION:

Keeping in view the facts of the case and the nature of information sought, it is apparent that the matter was handled with utmost callous and careless attitude and total disregard and disrespect to the provisions of the RTI Act, 2005. The absence of the respondents further reflects their callousness in the matter. From the above it is evident that the CPIO needs to be issued a showcause notice explaining why disciplinary action should not be recommended to be taken against him for total apathy and neglect not only in dealing with the RTI application but also the irresponsible behaviour exhibited by not appearing at the hearing on appointed day and time. The reply of the CPIO must reach this office within a period of 15 days, from the receipt of this order. The CPIO is further directed to provide information sought by the appellant within 15 days and report compliance to the Commission.

The appeal stands disposed accordingly.”

Note: Since no communication/explanation had been received till the appointed date, the Commission vide its letter dated 18/07/2016 decided to give an opportunity of personal hearing to the respondent before the Commission on 10/08/2016.

Facts emerging during the showcause hearing on 10/08/2016:

“The following were present:

Appellant: Shri Satya Prakash Singh (M:9415820489) through VC;
Respondent: Absent;

The appellant stated that the order of the Commission dated 23/05/2016 had not yet been complied with. No response of the CPIO had also been received in the matter. The Commission therefore, places on record its utter displeasure to the CPIO, Northern Railway Baroda House for his extreme disregard and disrespect displayed towards the implementation of the RTI Act, 2005. The Dy. Registrar, CIC is directed to fix a date and time for personal hearing of the CPIO, Northern Railway in the matter.

ADJUNCT DECISION:

Chairman, Railway Board, Rail Bhawan, New Delhi is advised to instruct the concerned CPIO, Northern Railway to appear personally before the Commission on the appointed date and time.
Authenticated True Copy:

(K.L.Das)
Deputy Registrar