

Central Information Commission

CIC/OP/A/2009/000032-AD
Dated 2nd March, 2010

Adjunct to the Order in the Case No.CIC/OP/A/2009/000032-AD
Dated 15.12.09 in the case of

Mr. Daryao Singh
v/s.
NR DRM, New Delhi

Hearing was held on 2nd March, 2010

Background

1. The Order given by the Commission on 15.12.09 in the above case is as follows:
 - i) *The Commission after hearing the arguments on both sides directs the PIO to provide a certified copy of duty roster and duty chart to the Appellant by 15.1.2010 and directs the Appellant to submit a compliance report to the Commission by 22.1.2010.*
 - ii) *The Commission also directs the Sr.DCM, Divisional Office, Northern Railway, New Delhi to show cause as to why a penalty of Rs.250/- per day (Maximum Rs.25000) should not be levied on him for not responding to the RTI application within the prescribed period. He is directed to submit response in person on 2.3.2010 at 3.45 pm.*
2. Mr. Vikram Singh, Dy CCM cum Nodal Officer, Mr. R. Lakra Supdt. and Mr. M.K. Kishore represented the Public Authority.
3. The Appellant was not present for the hearing.

Decision

4. The Commission received a letter dated 13.01.10 from the Appellant stating that he has received the information in compliance with the Commission's order and is satisfied with the information.
5. With regard to the showcause notice, the Respondent handed over to the Commission a letter from the Appellant stating that he has received the information and is satisfied with it. The Respondent also assured the Commission that there was no deliberate attempt on the part of the Sr. DCM to hide the information from the Appellant. She explained that the Appellant was called to the chamber of Sr. DCM in the first week of

February, 2009 and in the meeting between the Appellant and the DCM , the issues that were raised by the Appellant in his RTI application were discussed and doubts were clarified to the satisfaction of the Appellant. The Appellant was also informed during the discussion that preparation of the duty roster of all stations would take some more time and hence the furnishing of information would be delayed. According to the Respondent, the Appellant had also agreed during the discussion that there would be no further correspondence with respect to the RTI application as he was satisfied with the outcome of the discussions during the meeting. Hence, convinced that the Appellant was satisfied, no reply was sent to the Appellant and the Public Authority got busy in the preparation of the duty roster in an attempt to expedite furnishing of information to him. However, the Appellant had gone back on his word and had filed an appeal complaining about the non-receipt of information. The Respondent further submitted that the a copy of the completed duty roster was provided to the Appellant on 13.01.10. It is obvious from the explanation given by the Respondent that there was no denial of information to the Appellant and that the delay was due to the time taken to reconstruct the duty roster. The Commission therefore drops the penalty proceedings against the CPIO and closes the case.

(Annapurna Dixit)
Information Commissioner

Authenticated true copy:

(G. Subramanian)
Deputy Registrar

Cc:

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4. Officer in charge, NIC
5. Press E Group, CIC