

Central Information Commission

No.CIC/OK/C/2006/00079

Dated, the 13th December, 2006

Name of the Appellant : Smt. Bhudevi
Head Clerk
RB-III, 932A, West Railway Colony
Jhansi (Uttar Pradesh)

Name of the Public Authority : North Central Railway, Jhansi

DECISION

Background:

The Complainant, Smt. Bhudevi, appeared in a Departmental examination for the post of Office Superintendent II on 26th July 2004 and was declared unsuccessful. She felt that her answer paper might not have been properly examined. In this connection, she filed an application dated 1st February 2006 with the PIO and Senior D.C.M, Jhansi of North Central Railway. She sought copies of Attendance Sheet of the examination held on 26th June 2004 along with a copy of her answer sheet. Besides, she sought copies of the answer sheets of some other candidates who appeared for the same examination. Not getting any reply from the PIO even after the expiry of 30 days from the date of filing the application, she filed a first appeal with the first Appellate Authority, ADRM, Jhansi, North Central Railway on 15th March 2006. Again, there was no reply and she filed a complaint before this Commission.

2. The case was fixed for hearing on 7th December, 2006
3. The bench of Dr. O.P. Kejariwal, Information Commissioner, heard the matter.
4. No one appeared on behalf of the Respondents.
5. The Complainant, Smt. Bhudevi, was present in person.

Decision:

6. The Commission heard the matter and now directs the Public Information Officer to show the Complainant, Smt. Bhudevi, the answer sheet which she had written in the said examination, as she stated that she had some doubt whether the paper examined was actually the paper which she had submitted. However, copies of the answer sheets of other employees may not be shown to the Complainant as they relate to third parties. A copy of the Attendance sheet for the examination should also be provided to the Complainant Smt. Bhudevi.

7. It has been observed by the Commission that there is a proper lack of understanding and implementation of the RTI Act in the Jhansi Division of the North Central Railway. The PIO and the Appellate Authority not only remained silent on the application of the Applicant but also did not bother to appear before the Commission on the date of hearing. The matter has been viewed by the Commission very seriously. Under the powers conferred under Section 20(1) of the RTI Act-2005, the Commission now directs Shri Ram Avtar, PIO of Jhansi Division, North Central Railway, to show cause before 8th January 2007 in writing or appear in person on 8th January 2007 at 11.45 a.m. and explain as to why a penalty @ Rs. 250/- per day starting from the completion of 30 days from the date of receiving the application till the actual date of furnishing the information, should not be levied on the PIO for his failure to supply information to the Applicant within the stipulated period of 30 days.

8. The Commission ordered accordingly.

Sd/-
(O.P. Kejariwal)
Information Commissioner

Authenticated true copy:

Sd/-
(Pankaj K.P. Shreyaskar)
Assistant Registrar

Cc:

1. Smt. Bhudevi, Head Clerk, RB-III, 932A, West Railway Colony, Jhansi (Uttar Pradesh)
2. Shri Ram Avtar, Public Information Officer, Office of Divisional Railway Manager, North Central Railway, Jhansi
3. Officer Incharge, NIC
4. Press E Group, CIC