

Central Information Commission

Mr.Nachiketa vs Ministry Of Railways on 23 June, 2011

In the Central Information Commission  
at  
New Delhi

File No: CIC/AD/A/2011/0  
CIC/AD/A/2011/000  
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Date of Hearing : June 23, 2011

Date of Decision : June 23, 2011

Parties:

Applicant

Shri Nachiketa  
R/o Gehlota Ka Baas  
Magra - Poonjala  
Jodhpur  
Rajasthan

The Applicant was not present during the hearing

Respondents

North Western Railway  
Divisional Railway Manager's Office  
Jodhpur Division  
Jodhpur

Represented by : Shri A.K.Mehta, APIO & ACM  
Shri Basant Singh, APO  
- NIC Studio, Jodhpur

Information Commissioner : Mrs. Annapurna Dixit

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In the Central Information Commission  
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ORDER

Background CIC/AD/A/2011/000905

1

The Applicant filed an RTI Application dt.24.8.10 with the PIO, DRM Office, North Western Railway, Jodhpur. He wanted to know the position/grade of the officer who can appoint an officer to enquire into the charges against a gangman. The PIO replied on 13.9.10 stating that the enquiry officer should be sufficiently senior to the charged official. The Applicant filed an appeal dt.10.10.10 with the Appellate Authority seeking clarification of the term 'sufficient senior'. The Appellate Authority replied on 28.10.10 stating that the Railway Board has not given any list of officers who are 'sufficient senior' and hence whatever is available in the rules has been provided. Being aggrieved with the reply, the Applicant filed a second appeal dt.10.2.11 before CIC. CIC/AD/A/2011/000906

2

The Applicant filed an RTI Application dt.15.8.10 with the PIO, DRM Office, North Western Railway, Jodhpur seeking the copy of the SI□ form submitted by Sr.Section Engineer/Telecom/East, NWR, Jodhpur for the month of August 2006. The PIO replied on 3.9.10 stating that SI□  
3 f o r m h a s n o t b e e n  
submitted by Sr.SE for the month of August 2006. The Applicant filed an appeal dt.10.10.10 with the Appellate Authority seeking the reasons as to why the form was not submitted by  
S S E . T h e  
Appellate Authority replied on 28.10.10 upholding the decision of the PIO. Being aggrieved with the reply, the Applicant filed a second appeal dt.11.2.11 before CIC. CIC/AD/A/2011/000907

3

The Applicant filed an RTI Application dt.16.8.10 with the PIO, DRM Office, North Western Railway, Jodhpur seeking the copy of the SI□ form submitted by Sr.Section Engineer/Telecom/East, NWR, Jodhpur for the month of Sept. 2006. The PIO replied on 3.9.10 stating that SI□  
3 f o r m h a s n o t b e e n  
submitted by Sr.SE for the month of Sept. 2006. The Applicant filed an appeal dt.10.10.10 with the Appellate Authority seeking the reasons as to why the form was not submitted by  
S S E . T h e  
Appellate Authority replied on 28.10.10 upholding the decision of the PIO. Being aggrieved with the reply, the Applicant filed a second appeal dt.11.2.11 before CIC. CIC/AD/A/2011/000914

4

The Applicant filed an RTI Application dt.26.8.10 with the PIO, DRM Office, North Western Railway, Jodhpur. He stated that a certain office clerk has not processed the case related to his MACPS

benefits within the prescribed time period and queried as to what action has been taken against the office clerk. The PIO replied on 22.9.10 stating that there did not find any reason to take action against the office clerk. Not satisfied with the reply, the Applicant filed an appeal dt.10.10.10 with the Appellate Authority.

The Appellate Authority replied on 1.11.10 providing the required clarification. Being aggrieved with the reply, the Applicant filed a second appeal dt.17.2.11 before CIC. CIC/AD/A/2011/000918

5

The Applicant filed an RTI Application dt.25.8.10 with the PIO, DRM Office, North Western Railway, Jodhpur seeking the copy of his service record for the period from 18.7.1975 till his removal from service. The PIO replied on 13.9.10 enclosing the required information. The Applicant filed an appeal dt.10.10.10 with the Appellate Authority stating that there were several errors in the service record. The Appellate Authority vide his order dt.28.10.10 provided the required clarification. Being aggrieved with the reply, the Applicant filed a second appeal dt.15.2.11 before CIC requesting that the Commission direct the public authority to rectify the errors. CIC/AD/A/2011/000920

6

The Applicant filed an RTI Application dt.25.8.10 with the PIO, DRM Office, North Western Railway, Jodhpur. He wanted to know the No. of candidates for whom call letters were issued for the post of ESM(SM) and also the rules applicable in this case. The PIO replied on 13.9.10 enclosing the desired information. The Applicant filed an appeal dt.10.10.10 with the Appellate Authority seeking further clarification of the rules provided to him. The Appellate Authority replied on 27.10.10 enclosing the copy of the IREM Manual 1989, Part I, Para 183. Being aggrieved with the response, the Applicant filed a second appeal dt.17.2.11 before CIC. Decision CIC/AD/A/2011/000905, /906, /907, /914, /920

7. The Commission on review of the information sought holds that complete information has been furnished to the Appellant and accordingly rejects the appeals and closes these cases. CIC/AD/A/2011/000918

8

During the hearing, the Respondents submitted that the completed service book since 18.7.1975 till his removal and later from his reinstatement till date has already been supplied to the Appellant. With regard to the Appellant's request for rectification of errors in his service book, the Commission is not in a position to grant this relief as the same falls outside the ambit of the RTI Act.

9. This appeal too is therefore rejected and the case closed.

(Annapurna Dixit) Information Commissioner Authenticated true copy (G.Subramanian)  
Deputy Registrar Cc:

1. Shri Nachiketa R/o Gehlton Ka Baas Magra - Poonjala Jodhpur Rajasthan

2. The Public Information Officer North Western Railway Divisional Railway Manager's Office  
Jodhpur Division Jodhpur
3. The Appellate Authority North Western Railway Divisional Railway Manager's Office  
Jodhpur Division Jodhpur
4. Officer in charge, NIC