

Central Information Commission

Mr. M.G.Jogdand vs Central Railway on 4 May, 2009

CENTRAL INFORMATION COMMISSION

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Decision No. CIC/SG/A/2009/000458/3

Appeal No. CIC/SG/A/2009/000

Relevant Facts

emerging from the Appeal Appellant : Mr. M.G.Jogdand Advocate 81, 'Pitamahi' Gokulpeth Nagpur-440 010.

Respondent	:	Mr.P.M. Motwani APIO Central Railway General Manger's Office, Public Information Cell (HQ), CST, Mumbai-400 001.
RTI application filed on	:	29/09/2008
PIO replied	:	27/10/2008
First appeal filed on	:	04/02/2009
First Appellate Authority order	:	Not replied
Second Appeal filed on	:	12/03/2009

The Details of required information:-

The Appellant had asked regarding his son Mr.Prakash Madhav Jogdand currently working as Helper/Khalasi under Senior Section Engineer/AEE/TRD/Akola H.Q. at Akola in Bhusaval Division of Central Raliway for last 13 years and is denied any promotion even though he had served C.Rly for more than 10 years before joining this post. He was appointed as Crane Driver/Motor Driver/Tower Wagon Driver in Railway Electrification Projects at Nagpur, Bezwada and Ranchi and was granted Temporary grade Status with effect from 1.10.1988. During his service as Crane Driver/Motor Driver/Tower Wagon Driver he appeared for trade test and was declared successful to continue as Crane Driver/Motor Driver/Tower Wagon Driver. Project employees are absorbed in the regular cadre, but he was shown as MRCL and was posted as Helper/Khalasi (Lower Grade-Lower Pay Scale) in Bhusaval Division of Central Railway, H.Q at Manmad for no fault of him and is still continuing in the same post for last 13 years. After prolonged correspondence with higher authorities without any positive result, I had to step- in in his help by invoking the provisions of RTI Act, 2005 and seeking information for inaction on the part of the Railway authorities.

The PIO's reply.

PIO had replied that "It is observed from your application that you have put forth your grievances regarding service matters of your son, Sh.Prakash M.Jogdand in your application which are not coming under the purview of the RTI Act, 2005. You may appreciate that the purpose of the RTI Act, 2005 is to provide the information available in material form and any grievances cannot be dealt under the Act. You may, therefore, advise to approach appropriate authority for redressal of your grievances."

The First Appellate Authority ordered.

Not replied.

Relevant Facts emerging during Hearing:

The following were present Appellant : Mr. M.G.Jogdand Respondent : Mr. Meena First appellate authority Bhusawal Div. The appellant would like to inspect the relevant records.

Decision:

The Appeal is allowed.

The PIO will facilitate an inspection of the records on 12 May 2009 and give photocopies of documents which the appellant wants free of cost upto 100 pages.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Shailesh Gandhi Information Commissioner 4th May, 2009 (In any correspondence on this decision, mentioned the complete decision number.)