

CENTRAL INFORMATION COMMISSION
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi -110066
Tel : +91-11-26186535

Appeal No. CIC/VS/A/2015/000882

Appellant: Mr. Ankur Jindal,
F-28, G Flr, Prashant Vihar, Delhi-110085

Respondent: Central Public Information Officer
Sr. DPO, West Central Railway,
DRM Office, Kota, Rajasthan

Date of Hearing: 04.01.2017

Dated of Decision: 04.01.2017

ORDER

Facts:

1. The appellant filed RTI application dated 02.02.2015 seeking information regarding: 'copies of corresponding documents among railway to all parties regarding construction of Limited Height Subway in lieu of Level Crossing-258 under GGC-MTJ Section, Kota Division West Central Railway between 21.05.2013 to till date'.
2. The CPIO responded on 03.03.2015. The appellant filed First Appeal dated 10.03.2015 with First Appellate Authority (FAA). The FAA responded on 24.03.2015. The appellant filed second appeal on 21.04.2015 before the Commission on the ground that information should be provided to him.

Hearing:

3. The appellant was personally present in the hearing. The respondent participated in the hearing through VC.
4. The appellant referred to his RTI application dated 02.02.2015 and stated that no information has been provided to him by the respondent.
5. The appellant stated that the respondent vide his reply dated 03.03.2015 informed that his queries were not clear and CPIO asked the appellant to clarify the information he wants.

6. The appellant further stated that on 10.03.2015, he has filed first appeal in which he has clearly stated about the information sought. He further stated that no information has been provided to him on his application dated 10.03.2015.

7. The respondent referred to the FAA's order dated 24.03.2015 and stated that the case of 'Construction of LHS in lieu of Level Crossing-258 under GGC-MTJ Section' is under arbitration. Hence, required information may not be provided to the party, as the same may adversely affect the interests of railways.

8. The respondent stated that the information sought by the appellant is exempted under Section 8(1)(a) of the RTI Act.

Discussion/ observation:

9. The Commission observed that the defense taken by the respondent under Section 8(1)(a) of the RTI Act is vague, as no case of impact on national security etc. has been made out.

10. The Commission is of the view that the information should be provided to the appellant on his application dated 10.03.2015, as this is not barred under RTI Act.

Decision:

11. The respondent is directed to furnish information to the appellant on his application dated 10.03.2015, within 15 days from the date of receipt of this order.

The appeal is disposed of. Copy of the order be given to the parties free of cost.

(Radha Krishna Mathur)
Chief Information Commissioner

Authenticated true copy

(S.C. Sharma)
Dy. Registrar