

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. CIC/CCFLT/A/2017/130438

Pushpa Devi

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO, Central Coalfield Limited,
Ramgarh, Jharkhand

...प्रतिवादीगण /Respondents

Relevant dates emerging from the appeal:

RTI : 03.12.2016	FA : 04.01.2017	SA : 29.04.2017
CPIO : No reply	FAO : No order	Hearing : 12.02.2019

ORDER

1. The appellant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Coalfield Limited (CCL), Ramgarh, Jharkhand seeking a certified copy of service records of her late husband Shri Budhnath Badhwar (PIS No. 12129086).

2. The appellant filed a second appeal before the Commission on the grounds that no information has been provided to her. The appellant requested the Commission to direct the CPIO to provide the information sought for and to take action against the erring official. She also requested the Commission to award her compensation of Rs. 10,000/- for the financial loss and mental agony suffered by her.

Hearing:

3. The appellant Ms. Pushpa Devi and the respondent Shri Rajmohan Jarika, Staff Officer (Pers.), Central Coalfield Limited, Ramgarh, Jharkhand attended the hearing through videoconferencing.

4. The appellant submitted that she has sought a certified copy of the service records of her late husband Shri Budhnath Badhwar. She stated that as she is the legal heir of her deceased husband, the information sought should have been provided to her. However, the CPIO has not provided the information to her, so far.

5. The respondent submitted that as per the available records name of the wife of late husband Shri Budhnath Badhwar is not Ms. Pushpa Devi (the appellant). Hence, the appellant was requested to submit documents to show that she is the legal heir of the deceased. He, however, admitted that in response to the RTI application no reply has been provided to the appellant so far. He stated that at the time of receiving the RTI application Shri G.S. Sanyal, Staff Officer was the CPIO, who retired in September 2017.

Decision:

6. The Commission, after hearing the submissions of both the parties and perusing the records, observes that the appellant is seeking information pertaining to the deceased Shri Budhnath Badhwar. The Commission observes that the legal heir of a deceased is entitled to receive information pertaining to the deceased person. However, the appellant should produce a valid document(s) to show that she is a legal heir of the deceased to get the information. The Commission, therefore, directs the CPIO to provide information to the appellant within a period of four weeks from the date of receipt of a copy a death certificate of late Shri Budhnath Badhwar and a document to establish that the appellant is his legal heir.

7. The Commission also observes that no reply in response to the RTI application was furnished to the appellant. The Commission, therefore, directs the Registry of this Bench to issue a Show Cause Notice to the CPIO, Central Coalfield Limited, Ramgarh, Jharkhand for explaining as to why action under Section 20(1) of the RTI Act should not be initiated against him.

8. With the above observations, the appeal is disposed of.

9. Copy of the decision be provided free of cost to the parties.

Sd/-

Sudhir Bhargava (सुधीर भार्गव)
Chief Information Commissioner (मुख्य सूचना आयुक्त)
दिनांक / Date 13.02.2019

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. S. Rohilla (एस. एस. रोहिल्ला)
Dy. Registrar (उप-पंजीयक)
011-26186535 / do.cicsb@cic.nic.in

Addresses of the parties:

1. The Central Public Information Officer (CPIO),
Central Coalfield Limited
Rajrappa Region, Vill & Post
Rajrappa Project, Ramgarh
Jharkhand-829150
2. Smt. Pushpa Devi