

ORAL

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD

(This the **16th Day** of **November**, 2018)

Hon'ble Mr. Justice Bharat Bhushan, Member (Judicial)
Hon'ble Mr. Mohd. Jamshed, Member (Administrative)

Original Application No.330/1148/2018
(U/S 19, Administrative Tribunal Act, 1985)

Bhakt Prahalad patel son of Ram Narayan Resdient of Village – Jamkhuri
Kaluapur Post Harisenganj, District Allahabad.

..... **Applicant**

By Advocate: Shri Vinod Kumar Baranwal

Versus

1. The General Manager, North Central Railway, Allahabad.
2. The Chairman, Railway Recruitment Board, Allahabad.

..... **Respondents**

By Advocate: Shri Shesh Mani Mishra

ORDER

Delivered by Hon'ble Mr. Justice Bharat Bhushan, Member (Judicial)

Shri Vinod Kumar Baranwal, Advocate, is present for the applicant. Shri Shesh Mani Mishra, Advocate is present for the respondents.

2. Present Original Application (OA) has been filed by the applicant under Section 19 of the Central Administrative Tribunals Act, 1985 (in short 'Act,1985') for the following relief(s):-

"a. issue an order or direction to the respondent No.2 to provide the question booklet bearing No.4129720 to the applicant in which examination the applicant appeared on 03.06.2012 for the post of Group D under the employment notice No.01/2010.

b. issue an order or direction to the respondent No.2 to decide the representation dated 12.07.2018 submitted by the applicant within some stipulated period.

c. to grant any other suitable relief which may be fit and proper under the circumstances of the case and in the interest of justice.

d. Award the cost of the application to the applicant."

3. It appears that applicant appeared in some recruitment examination advertised in the year 2010 and conducted in June 2012. The applicant has not yet been given any employment but he has filed this OA for information. He wants to receive Booklet No.4129720 for which he had moved several applications under Right to Information Act, 2005 (in short 'RTI Act'). These applications were responded to and some information were given, however, some information were not given claiming that under Rule that was not possible.

4. Now, the applicant has moved this Tribunal for similar relief. On last occasion i.e. on 31.10.2018, this Tribunal directed the parties to address this Tribunal on the ground of maintainability especially relief clause (a).

5. Fact of the matter is that 'RTI Act' is a comprehensive Act, wherein superior forums are provided in case, applicant is not satisfied with the information given to him. This Tribunal is not a superior forum for the same.

6. Relief clause makes it very clear. No order of respondents has been challenged under this Tribunal. He has not sought any relief for

setting aside any order of respondents. He simply wants to receive Booklet bearing No. **4129720** which has been denied to him when he moved application under R.T.I. Act.

7. We believe this OA for aforesaid relief is not maintainable in the present form. There is also no representation available on record which needs to be decided by the respondents.

8. The applicant has failed to amend this OA despite suggestion of this Tribunal.

9. Considering all facts and circumstances of the case, we believe this OA is not maintainable in its present form. OA is dismissed finally at the admission stage itself. No costs.

(Mohd. Jamshed)
Member (A)

(Justice Bharat Bhushan)
Member (J)

Sushil