

**CENTRAL INFORMATION COMMISSION**

2<sup>nd</sup> Floor, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi-110066

**Decision No. CIC/SB/A/2015/000245**

**Dated 22.11.2016**

**Appellant** : Shri Sukhbir Singh Mahal,  
816 Diamond Avenue,  
Majitha Road, Amritsar,  
Punjab.

**Respondent** : Central Public Information Officer,  
Central Vigilance Commission,  
Satarkta Bhawan,  
GPO Complex, Block-A, I.N.A.,  
New Delhi.

**Date of Hearing** : 22.11.2016

**Relevant dates emerging from the appeal:**

RTI application filed on : 13.03.2015

CPIO's reply : 23.03.2015

First appeal filed on : 14.04.2015

FAA's order : 11.05.2015

Second appeal filed on : 04.08.2015

**ORDER**

1. Shri Sukhbir Singh Mahal filed an application dated 13.03.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Vigilance Commission (CVC) seeking (i) action taken report on his complaint dated 27.08.2012 and (ii) names of BSNL/DOT

accused officers alongwith their designations who were involved in the corruption scam.

2. The appellant filed a second appeal dated 04.08.2015 before the Commission on the grounds that the CPIO informed him that the final report in this regard has not been received from the CVO, BSNL even after 3 years and that the First Appellate Authority (FAA) too disposed of his appeal on the grounds that the issues raised by the appellant in his appeal are in the form of seeking redressal of his grievances which is not permissible under the provisions of RTI Act, 2005. The appellant requested the Commission to pass strictures against the erring officials and recommend disciplinary action against them.

**Hearing:**

3. The appellant Shri Sukhbir Singh Mahal attended the hearing through audio conferencing. The respondent Shri P. Sarkar, Section Officer, CVC was present in person.

4. The appellant submitted that he had sought information regarding action taken on his complaint dated 27.08.2012. However, no information has been provided to him by the respondent.

5. The respondent submitted that the appellant was informed vide letter dated 23.03.2015 that the complaint was received under the Public Interest Disclosure and Protection of Informers (PIDPI) Resolution and it was sent to CVO, BSNL for factual report. However, final investigation report was not received from CVO, BSNL at the time of responding to the RTI application. The respondent further submitted that the report has now been received from CVO, BSNL but the same could not be provided to the appellant without verifying the identity of the appellant/complainant. The respondent in respect of point no. 2 of the RTI application submitted that the RTI application for this particular

point was transferred to CPIO, BSNL under Section 6(3) of the RTI Act vide letter dated 23.03.2015.

**Decision:**

6. The Commission, after hearing the submissions of both the parties and perusing the records, observes that the appellant was informed about the factual position existing at the time of responding to the RTI application as the investigation was pending at that time. However, as per the respondent since the investigation has now been completed, the respondent is hereby, directed to provide the action taken report on the appellant's complaint dated 27.05.2012 to him, within a period of four weeks from the date of receipt of a copy of this order.

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

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

**(Sudhir Bhargava)**  
**Information Commissioner**

**Authenticated true copy**

**(V.K. Sharma)**  
**Designated Officer**