

CENTRAL INFORMATION COMMISSION
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi -110066
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Appeal No. CIC/BS/A/2016/000708

Appellant: R Amudavanan
11, Vembuliamman Kiol ST,
Technoclan Flat No.-8, K K
Nagar, West Chennai-600078.

Respondent: Central Public Information Officer
Sr. GM (A/HR)
BSNL, O/o. Chief General
Manager Chennai Telephones,
No. 89, Millers Road,
Chennai- 600010.

Date of Hearing: 13.07.2017

Dated of Decision: 13.07.2017

ORDER

Facts:

1. The appellant filed RTI application dated 19.10.2015 seeking information on 7 points regarding name of officer with department at whose instances the mobile no. 9444809930 being used by his daughter, has been kept under surveillance regarding incoming and outgoing call from the said number; name of officer who has supplied the surveillance details of the above said number along with the forwarding letter; file notings and endorsement made by BSNL; copy of written application of person who demanded call record of above mentioned no., etc.
2. The CPIO responded on 27.11.2015 disposing off the application. The appellant filed first appeal dated 28.11.2015 with First Appellate Authority (FAA). The FAA responded in 31.12.2015 disposing off the first appeal. The

appellant filed second appeal on 18.02.2016 before the Commission on the ground that information has not been provided to him.

3. The appellant and the respondent participated in the hearing through VC.

4. The appellant stated that the sought for information regarding surveillance has not been provided to him. The appellant stated that the CPIO had denied the information on false grounds. The appellant stated that the mobile no. 9444809930 was kept under surveillance by BSNL staff in an unauthorised manner. The appellant stated that the CPIO did not provide information within the stipulated time of 30 days as per section 30 of the RTI Act. The appellant requested that a penalty be imposed upon CPIO and also disciplinary action be recommended against the CPIO.

5. The respondent stated that the appellant has been replied to vide their letter dated 27.11.2015 stating that the requested information is exempted from disclosure in accordance with the provisions of section 8(1)(a) of the RTI Act. The respondent stated that the disclosure of the sought for information would affect the national security interest. The respondent stated that the mobile can be kept under surveillance only on the request of certain authorised security agencies by following the prescribed procedure. The respondent stated that they cannot disclose as to whether the said mobile was kept on surveillance or not. The respondent stated that there was a delay of 7 days in responding to the RTI application. The respondent stated that the sought for information related to commercial wing. Therefore, they had to take up the matter with them; hence, they could not reply in time. However, they have called for an explanation from concerned officials for not responding to the RTI query in time.

Discussion/ observation:

6. The sought for information cannot be provided to the appellant as national security concerns are involved in disclosure of the information. The steps/action taken by the respondent in dealing with the RTI application is satisfactory.

Decision:

7. No intervention is required in the matter at the level of this Commission.

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