

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

Appeal No. CIC/BS/A/2016/001380

Appellant: Mr. Ashok Kumar,
S/O. Sh. Motilal, A- 2/25, Nand
Nagri, delhi- 110093,
(9810137636).
Delhi

Respondent: Central Public Information Officer
GM (Vig.) MTNL, (Vig. Deptt.),
O/o. The Executive Director, Delhi
Telephone, Khurshid Lal Bhawan, Janpath,
New Delhi- 110050

Date of Hearing: 10.07.2017
Dated of Decision: 10.07.2017

ORDER

Facts:

1. The appellant filed RTI application dated 16.01.2016 seeking information regarding complaints received from Sri Gauri Shankar S/o Sri Ram Narayan and forwarded by CBI and Central Vigilance Commission (CVC) during 10.03.2013 to December, 2014 to MTNL, Mahanagar Telephone office and also inquiry report thereof.
2. The CPIO responded on 25.01.2016 and provided the requested information. The appellant filed First Appeal dated 20.02.2016 with First Appellate Authority (FAA). The FAA responded on 16.03.2016. The appellant filed second appeal on 18.05.2016 before the Commission on the ground that information and copy of enquiry report etc. should be provided to him.

Hearing:

3. Both the parties were present in the hearing in person.

4. The appellant stated that he had made complaints through CBI and CVC. The appellant stated that the inquiry was conducted but the copy of inquiry report has not been provided to him. The appellant stated that no information regarding fake bills has been provided to him. He stated that only when these details are given to him, he can find out what is being suppressed or wrongly given.

5. The respondent stated that the appellant has been informed about the status and outcome of his complaints made against Shri Gauri Shankar vide letter dated 02.07.2015. The respondent stated that the copy of the said letter was also provided in response to his RTI application.

Discussion/ observation:

6. The Hon'ble Supreme Court in Special Leave Petition (Civil) No. 27734 of 2012 (@ CC 14781/2012) in the matter of Girish Ramchandra Deshpande .. Versus Cen. Information Commr. & Ors. .. dated October 3, 2012 held that:

“copies of all memos issued to the third respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression “personal information”, the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right.”

7. The Commission observed that the appellant has not cited any larger public interest in favour of disclosure of the sought for information. Hence, copy of the inquiry report of third party cannot be given to the appellant.

8. The action/steps taken by the respondent in dealing with the RTI application is satisfactory.

Decision:

9. 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