

**CENTRAL INFORMATION COMMISSION**

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

**Decision No. CIC/CC/A/2015/002171/SB**

**Dated 30.09.2016**

**Appellant** : Shri Rednam Deepak,  
Vijay Rama Residency,  
Flat No.302, Narasimha Nagar,  
Visakhapatnam, A.P.-530 024.

**Respondent** : Central Public Information Officer,  
Central Vigilance Commission,  
Satarkta Bhawan, GPO Complex,  
Block A, INA, New Delhi-110023.

**Date of Hearing** : 30.09.2016

**Relevant dates emerging from the appeal:**

RTI application filed on : 28.11.2014

CPIO's reply : 06.01.2015

First appeal filed on : 14.01.2015

FAA's order : 19.02.2015

Second appeal filed on : 11.03.2015

**ORDER**

1. Shri Rednam Deepak filed an application dated 28.11.2014 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Vigilance Commission (CVC) seeking information on twenty eight points pertaining to certified copies of entire file related to information held by the CVC in respect of Sh. K. Satyanarayana Rao, Sr.Dy.Traffic Manager, Visakhapatnam Port Trust (VPT).

**2.** The appellant filed a second appeal dated 11.03.2015 before the Commission on the grounds that he is not satisfied with the reply given by CPIO because the reply is not to the point and is evasive under the RTI Act. The appellant requested the Commission to direct the respondent to provide authenticated true certified copies in respect of point nos. 1-4, 11-16 & 21-26.

**Hearing:**

**3.** The appellant Shri Rednam Deepak attended the hearing through video conferencing. The respondent Shri P. Sarkar, Section Officer, CVC was present in person.

**4.** The appellant submitted that no information on point nos. 1 to 4, 11 to 16 and 21 to 26 of his RTI application has been provided to him by the respondent on the grounds that the case has not reached a logical conclusion and hence the disclosure of the information sought is exempted under Section 8(1)(h) of the RTI Act. The appellant further submitted that the High Court of Delhi in WP 3114/2007- Bhagat Singh Vs CIC have held that mere existence of an investigation process cannot be a ground for refusal of information rather, the respondent has to show how the disclosure of information would hamper the investigation.

**5.** The respondent submitted that pointwise information was provided to the appellant vide letter dated 06.01.2015. The respondent further submitted that since the case had not reached its logical conclusion information sought on point nos. 1 to 4, 11 to 16 and 21 to 26 of the RTI application was denied under Section 8(1)(h) of the RTI Act. Further, since no first stage/Second stage advice in this regard was issued by the CVC, information could not be provided on point nos. 5, 6, 7 to 10, 17 to 20 of the RTI application to the appellant. The respondent submitted that the FAA vide order dated 19.02.2015 had observed that the information sought by the appellant in point nos. 1-4, 11-16 and 21-26 of the RTI application relate to a case which is under investigation. In such

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cases, where the investigation is not complete, i.e., the cases are not taken to their logical conclusion, the disclosure of information is exempt as upheld by the CIC in case no. CIC/AT/A/2008/01500 (Shri N Saini Vs LIC of India) “there is also public interest in keeping the proceedings of inquiry against public servant confidential as any premature disclosure of the contents of such inquiry and compromise its objectivity as well as integrity. Hence, information was denied to the appellant under Section 8(1)(h) of the RTI Act.

**Decision:**

6. The Commission, after hearing submissions of both the parties and perusing the records, finds no grounds to interfere with the FAA’s order dated 19.02.2015.
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**