

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या /Second Appeal No. CIC/MLABE/A/2025/623282

Prasanta Kumar Sahoo

....अपीलकर्ता/Appellant

VERSUS
बनाम

CPIO,
Ministry of Labour and Employment
New Delhi

... प्रतिवादीगण /Respondents

Date of Hearing : 23/04/2026
Date of Decision : 23/04/2026

INFORMATION COMMISSIONER : Ashutosh Chaturvedi

Relevant facts emerging from Second Appeal/Complaint:

RTI application filed on	03/04/2025
CPIO replied on	30/04/2025
First appeal filed on	08/05/2025
FAA's order dated	22/05/2025
Second Appeal dated	22/05/2025

Information sought:

The appellant has filed RTI application dated 03/04/2025 seeking the following information:

“Kindly provide the copy of the investigation report of CVC complaint No. 19309/2023, which was investigated by the CVO, Ministry of labour and Employment, Govt. of India Certified that ESIC Corporation has not provided any information ESICO/R/T/25/00014 (Ref No. MLABE/R/E/2500193) rather informed that the same is not available with the ESIC (copy enclosed)...”

2. The CPIO has furnished a reply to the appellant on 30/04/2025 stated as:

“...2. With regard to seeking copy of investigation report under RTI Act, information about the complaints made against an officer of the Government and any possible action the authorities might have taken on those complaints, qualifies as personal information within the meaning of provision of Section 8(1) (j) of the RTI Act, 2005 in terms DOPT's OM No. 11/2/2013-IR (Pt.) dated 14.08.2013 (copy enclosed). Therefore, the copy of the preliminary enquiry report in the aforesaid complaint could not be shared with the complainant.”

3. Aggrieved and dissatisfied, the appellant filed the First Appeal with the first Appellate Authority and the First Appellate Authority vide order dated 22/05/2025 stated as under:

“...I have gone through the records and found that the CPIO/US, Vigilance Section has already intimated that complaints made against an officer of the Government and any possible action the authorities might have taken on those complaints, qualifies as personal information within the meaning of provision of Section 8(1) (j) of the RTI Act, 2005. Therefore, the copy of the preliminary report in the aforesaid complaint could not be shared with the complainant.

The reply given by CPIO/US, Vigilance Section is in accordance with the provisions of the RTI Act and hence, no action is warranted in respect of the appeal. Accordingly, the first appeal dated 08.05.2025 is hereby disposed of.”

4. Aggrieved, the Appellant filed the Instant Second Appeal on 22/05/2025.

Written Submission of the Respondent dated 15/04/2026 is taken on record.

5. Relevant Facts emerged during Hearing:

The following were present:-

Appellant: Absent

Respondent: Mohammad Ayub Undersecretary and Hanikanta Upputuri Section Officer participated in the hearing in person.

The Appellant has not availed the opportunity to participate in the hearing despite due notice of hearing. The Respondent submits that with regard to seeking copy of investigation report under RTI Act, information about the complaints made against an officer of the Government and any possible action the authorities might have taken on those complaints, qualifies as personal information within the meaning of provision of Section 8(1)(j) of the RTI Act, 2005 in terms DoPT's OM No. 11/2/2013-IR(Pt.) dated 14.08.2013. Therefore, the copy of the preliminary enquiry report in the aforesaid complaint could not be shared with the complainant.

DECISION

The Commission, after reviewing the records and hearing the Respondent's submissions, observes that the CPIO's reliance on Section 8(1)(j) and the DoPT OM dated 14.08.2013 to deny the full investigation report is legally sound however, in the interest of administrative transparency, the CPIO is directed to provide a revised reply to the Appellant within 15 days, strictly limited to disclosing the broad outcome of the investigation without disclosing the report itself or any underlying records, and accordingly a compliance report to this effect be sent to the commission within 7 days thereafter. No further intervention of the commission is warranted.

The Appeal stands disposed of.

Sd/-

Ashutosh Chaturvedi (आशुतोष चतुर्वेदी)
Information Commissioner (सूचना आयुक्त)

दिनांक/ Date: 23.04.2026

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

Ram Singh Meena (राम सिंह मीना)
Dy. Registrar (उप पंजीयक)
011- 26715467

Address of the Parties:

1. CPIO, Ministry of Labour and
Employment, Shram Shakti Bhawan,
Rafi Marg, New Delhi 110001

2. Prasanta Kumar Sahoo

Recomendation(s) to PA under section 25(5) of the RTI Act, 2005:-

Nil