

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/CISFO/A/2021/127479**

Shri Rajeev Kumar Agarwal

... अपीलकर्ता / Appellant

VERSUS/बनाम

PIO,  
CISF

...प्रतिवादीगण / Respondent

Date of Hearing : 01.11.2022

Date of Decision : 01.11.2022

**Chief Information Commissioner : Shri Y. K. Sinha**

**Relevant facts emerging from appeal:**

RTI application filed on : 22.02.2021  
PIO replied on : 06.03.2021  
First Appeal filed on : 19.03.2021  
First Appellate Order on : 31.03.2021  
2<sup>nd</sup>Appeal/complaint received on : 12.07.2021

**Information sought and background of the case:**

The Appellant filed an RTI application dated 22.02.2021 seeking information on the following points:-

1. रामपाल सिंह, भू.पू. ए.आई-714270021 के सम्बन्ध में कार्यालय उप महानिरीक्षक सी.आई.एस.एफ. आर.एस.पी. राउरकेला की दिनांक 06.05.1971 से आरक्षी के पद पर नियुक्ति होती है तथा दिनांक 30.06.2002 को ए.आई. के पद से सेवानिवृत्ति हुई है तो सर्वथा सामान्य परिस्थितियों में उक्त कार्मिक को प्रत्येकवर्ष यथासमय संशोधित वेतन नियमावली के अनुसार होने वाले निर्धारित वेतन व वेतनमान बनाने व उसकी नियुक्ति से लेकर वर्तमान तक समस्त प्रतिलिपियाँ ।
2. वेतन निर्धारण से सभी सम्बन्धित नियमों व आर.पी.आर. निर्देशों की प्रतिलिपि ।
3. वेतन निर्धारण के बाद ड्यू ड्रोन स्टेटमेंट बनाकर एरियर का विवरण और भुगतान करने की प्रमाणित प्रतिलिपियाँ ।

The CPIO/DIG, CISF, Rourkela vide letter dated 06.03.2021 replied as under:-

2. It is to inform you that under the provisions of Section-24 of RTI Act-2005, the information sought by you cannot be provided as the CISF is an Armed Force of the Union and is exempted from providing information except for categories specified in the Act. The information sought by you does not precisely fall within the ambit of specified categories.

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 19.03.2021. The FAA/Inspector General, CISF, Kolkata vide order dated 31.03.2021 stated as under:-

02. Your appeal has been carefully considered by the Competent Authority and it is to inform you that by virtue of provision contained in Section-24 read with Second Scheduled of RTI Act-2005, the information sought for by you, cannot be provided as the CISF being an Armed Force of the Union is exempted from providing information except the one that related to cases of corruption & human rights violation. Since the information sought for by you does not fall under the two categories stated above, your appeal is not maintainable.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

### **Facts emerging in Course of Hearing:**

The Appellant participated in the hearing through video conference. At the outset he stated that the information sought did not pertain to a third party but to his client Rampal Singh and that he possessed a copy of the vakalat nama signed by his client, a copy of which was forwarded to the Commission after the hearing. With regard to the reply provided, he stated that exemption u/s Section 24 (1) r/w the Second Schedule of the Act was incorrectly claimed since the information sought did not pertain to the sensitive activities of the exempted organisation.

The Respondent represented by Shri Shikhar Sahay, DIG, CISF, Rourkela participated in the hearing through video conference and reiterated the replies available on record.

### **Decision**

Keeping in view the facts of the case and the submissions made by both the parties the Commission at the outset observes that the CRPF is an organization exempted from the purview of the RTI Act, 2005 as per Section 24 (1) r/w the Second Schedule of the Act and information can only be disclosed in such cases where allegations of corruption or violation of human rights is alleged which the Appellant in the instant case has not justified. The only contention of the Appellant is that the information sought does not pertain to the core activities of the organization which may jeopardize the security of the state and no substantive arguments are made to justify as to how the information sought pertains to allegations of corruption or violation of human rights.

The Hon'ble High Court of Punjab and Haryana in its decision in Palwinder Sondhi v Central Information Commission and Ors WP (C) No. 13211 of 2010 dated 28.07.2010 and the Hon'ble High Court of Delhi in the matter of CPIO, Directorate of Enforcement vs. Mr. Bimal Kumar Bhattacharya WP (C) No. 345/2018 dated 19.02.2018 have held that the only exception carved out from the exclusionary clause of Section 24(1) of the Act relates to information pertaining to allegations of corruption and human rights violation which has not been justified in the present instance.

Thus, no further intervention of the Commission is required in the instant Second Appeal which stands disposed off accordingly.

**Y. K. Sinha** (वाई. के. सिन्हा)  
Chief Information Commissioner (मुख्य सूचना आयुक्त)

Authenticated true copy  
(अभिप्रमाणित सत्यापित प्रति)

S. K. Chitkara (एस. के. चिटकारा)  
Dy. Registrar (उप-पंजीयक)  
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