



Central Information Commission

Room No. 305, 2nd Floor, 'B' Wing, August Kranti Bhavan,

Bhikaji Cama Place, New Delhi-110066

Web: www.cic.gov.in Tel No: 26167931

Case No. CIC/SS/A/2012/003435

Dated: 12.08.2013

Name of Appellant : Shri M. Yogeshwar Raj
Name of Respondent : Air India
Date of Hearing : 25.06.2013

ORDER

Shri M. Yogeshwar Raj, hereinafter called the appellant has filed the present appeal dated 20.10.2011 before the Commission against the respondent Air India, Mumbai for denial of information in response to his RTI application dated 10.9.2011. The appellant was present whereas the respondent were represented by Shri V.M. Dattar, DY. GM(P).

2. The appellant through his RTI application dated 10.9.2011 sought inspection of relevant files on the Vigilance Report No. No. VIG/UR 28-06/EP/104 dated March 15, 2007 submitted to Shri V.A. Ferreira, the then, Ex. Director (HRD) in respect of employees who have submitted bogus caste certificates. The appellant also wanted copies of documents identified by him after the inspection.

3. Failing to get any response from the CPIO, the appellant filed first appeal before the FAA. The FAA vide order No. E/7482/1180 dated 27.12.2011 advised the appellant to specifically identify the information which he wanted to seek, such requests for handing over of HRD files for blanket scrutiny, pertaining to the action initiated on Vigilance Report dated 15.3.2007, could not be granted.

4. During the hearing the appellant states that he wanted to know the action on the findings of Vigilance Report by the HRD, Air India. According to the respondent CPIO the matter is still under examination.

5. The Hon'ble Supreme Court vide its order dated 3.10.2012 in the matter of Girish Ramchandra Deshpande Vs. CIC in SLP (Civil) No. 27734 of 2012 held: ***"We are in agreement with the CIC and the Courts below that the details called for by the petitioner i.e. 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."***

6. In view of aforementioned decision of Supreme Court of India, the Commission is of the view that the information as sought for by the appellant relating to inspection of relevant files on the Vigilance Report No. No. VIG/UR 28-06/EP/104 dated March 15, 2007 submitted to Shri V.A. Ferreira, the then, Ex. Director (HRD) in respect of employees who have submitted bogus caste certificates, the disclosure of this information is exempted under the provisions of Section 8(1)(j) of the RTI Act.

The matter is disposed of on the part of the Commission with above observations.

(Sushma Singh)
Information Commissioner

Authenticated true copy:

(K.K. Sharma)
OSD & Deputy Registrar

Address of the parties:

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The SBU Head MRO-AF & FAA,
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