



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/2012/001222

Dated: 14.09.2012

Name of Appellant : Shri Mohinder Singh Sidhu
Name of Respondent : Directorate General of Vigilance
Customs & Central Excise, New Delhi
Date of Hearing : 30.08.2012

ORDER

Shri Mohinder Singh Sidhu, hereinafter called the appellant, has filed the present appeal dated 17.2.2012 before the Commission against the respondent Directorate General of Vigilance Customs and Central Excise, New Delhi for not providing information in response to his RTI-application dated 17.10.2011. The matter came up for hearing on 30.8.2012. The appellant was absent whereas the respondent were represented by Shri Hari Shankar, Deputy Commissioner and Shri R.K. Sudan, Superintendent.

2. The appellant has through his RTI petition dated 17.10.2011 sought certified copies of U.O. Note No. 614/08/2006/34 dated 17.4.2009 issued on the subject "RC JCH 2007 A 007 against Shri D.S. Solanki, the then Superintendent, Central Excise and others of the Office of the Chief Commissioner of Central Excise, Jaipur Zone, Jaipur. The CPIO vide letter No. V-500/145/RTI/ 2011/ 4509 dated 9.11.2011 informed the appellant that vigilance case is still pending finalization, hence details as sought can only be furnished only after finalization

of the case. Hence the information sought is exempted u/s 8(1) (h) of the RTI Act, 2005.

3. The FAA, before whom the appellant filed first appeal, vide his order No. V.500/RTI/Appeals/145/2011/6077 dated 26.12.2011 concurred with the reply of the CPIO.

4. During the hearing the respondent submit that the U.O. note No. 614/08/2006/34 dated 17.4. 2009 is a note addressed by the CVO to the CVC for their first stage advice. The U.O. Note sent to the CVC is based on CBI investigation report which contains vital details on an enquiry conducted by them in the matter, which involves a number of officers and it contains vital details about the informers, source of information, views expressed by various officers including the dealing officers. The disclosure of such information may endanger the life of such persons and, therefore, provisions of Section 8(1) (g) of the RTI Act attracts. It also attracts the provisions of Section 8(1) (h) of the RTI Act, 2005, since disciplinary proceedings against the appellant are underway and the appellant has the opportunity to defend himself in the departmental proceedings as per law.

5. Having considered the submissions of the parties and perused the relevant documents on file, the Commission is of the view that the respondent have no disclosure obligation under the provisions of Section 8(1) (g) and (h) of the RTI Act, 2005. The Commission finds no reason to interfere with the replies of the respondent.

(Sushma Singh)
Information Commissioner

Authenticated true copy:

(K.K. Sharma)
OSD & Deputy Registrar

Address of the parties:

Shri Mohinder Singh Sidhu,
Plot No. 215, Sector-6,
Chuna Fatak,
Hanumangarh Jn. 335512 (Rajasthan)

The CPIO,
Directorate General of Vigilance
Customs and Central Excise,
3rd Floor, Hotel Samrat,
Kautilya Marg, Chanakyapuri,
New Delhi.110021.

The First Appellate Authority,
Directorate General of Vigilance
Customs and Central Excise,
3rd Floor, Hotel Samrat,
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