

**Central Information Commission, New Delhi**  
**File No.CIC/SM/A/2011/001808 & 2916**  
**Right to Information Act-2005-Under Section (19)**

**Date of hearing** : **31 July 2012**

**Date of decision** : **31 July 2012**

**Name of the Appellant** : **Shri Prakash Singh,  
Quarter No. 845, F Type II,  
Govt. Residential Colony, Timarpur,  
New Delhi – 110 054.**

**Name of the Public Authority** : **CPIO, Central Bureau of Investigation,  
Anti Corruption Branch, Plot No. 5-B,  
1<sup>st</sup> Floor, A & B Wing, CGO Complex,  
New Delhi – 110 003.**

**CPIO, Defence Research and  
Development Organisation, DRDO  
Bhawan,  
Rajaji Marg, New Delhi.**

The Appellant was present in person.

On behalf of the Respondent, the following were present:-

- (i) Shri Ravi Gambhir, ASP,
- (ii) Shri Deepak Mishra

**Chief Information Commissioner** : **Shri Satyananda Mishra**

We heard both these cases together. Both the parties were present during the hearing and made their submissions.

2. Out of these two cases, in one case, namely, case number CIC/SM/A/2011/002916, the RTI application had been filed on 10 October

2011, that is, after the Central Government placed the CBI in the second schedule to the Right to Information (RTI) Act. Consequently, the provisions of the RTI Act would no longer be applicable to the CBI except in respect of information concerning allegations of corruption or human rights violation. Since the RTI application had been filed after the date of the notification, the CPIO was not obliged to provide any information in this case.

3. The Appellant argued that the CPIO should have provided the information since it was about corruption. We do not agree with his contention. The obligation of the CPIO of an exempted organisation to provide information is limited to only that information where any allegation of corruption is made against its own employees and not about general acts of corruption by anyone else. Many intelligence and security organisations collect information having direct or indirect nexus with acts of corruption by others and if they would be obliged to disclose such information in the public domain under the proviso to section 24 of the RTI Act, their inclusion in the second schedule would be infructuous and all the information held by them, painstakingly and confidentially collected as an intelligence agency would be out in the public. Surely, this cannot be the interpretation of the proviso. Thus, we do not see any reason why the CPIO of the CBI should provide any information in this case.

4. As far as the other case is concerned, we think that the CPIO should provide all available documents including file noting, if any, relating to the disposal of the Appellant's complaint dated 7 March 2011. We direct the CPIO to send this information to the Appellant within 10 working days of receiving this order. In case, there is no record or document or file noting available in respect of this particular complaint, the CPIO shall inform the Appellant suitably.

5. Both the appeals are disposed off accordingly.
6. Copies of this order be given free of cost to the parties.

**(Satyananda Mishra)**  
**Chief Information Commissioner**

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

**(Vijay Bhalla)**  
**Deputy Registrar**