

Central Information Commission

Block No.IV (5th Floor), Old JNU Campus,
New Delhi – 110 067

website: www.cic.gov.in

Decision No.883/IC(A)/2007

F. No.CIC/PB/A/2007/00373

Dated, the 14th June, 2007

Name of the Appellant : Dr. K.C. Vijayakumaran Nair

Name of the Public Authority: Department of Posts

DECISION

Facts:

1. The appellant, Chief Post Master General, who is working at a senior level with the respondent, has sought the following information:

- The name of the officer who raised the query as to whether the appellant had taken permission of the respondent for joining a Ph.D. course; and
- The name of the officer who took the decision to relieve the appellant while he was posted at Shimla and whether the officer was competent to take such decision.

He had also sought 'file notings' with respect to the above.

2. The CPIO informed him that his relieving order was issued in compliance with the orders of DG (Posts). As regards disclosure of 'file notings', the information was denied u/s 8(1)(j) of the Act, on the ground that 'file notings' was confidential. The appellant made his first appeal and the appellate authority upheld the decision of the CPIO.

3. The comments received from the respondent have been duly forwarded to the appellant, who, in turn, has submitted his rejoinder, in which he has also raised issues relating to the study leave availed of by some senior officers. He has alleged that the officers have availed of study leave, but have not completed the courses for which they took leave.

Commission's Decision:

4. The information sought has been furnished, except the 'file notings' with regard to the official who raised the query as to whether the appellant had obtained the official permission for doing the Ph.D course. The part of 'file notings' containing the orders of the DG (Posts) for relieving him from the post, the then held by the appellant has been similarly denied. The 'file notings' in the instant case, contain information relating to transfer/posting. The competent authority of the respondent may have taken the decision keeping in view of the overall interests of the respondent. It is, therefore, not for any employee, how-so-ever he may be affected, to know as to why or how the decision was taken by the competent authority. The disclosure of such information is not in the public interest as the appellant has asked for the information for promotion of his personal interest. Therefore, the CPIO is justified in denying the information sought, u/s 8(1)(j) of the Act.

5. The information seeker, being an employee of the respondent, is a part of the information provider. Under the RTI, the employees are not expected to question the decisions of the superior officers in the garb of seeking information. Such employees have access to internal mechanisms for redressal of their grievances. Unfortunately, a large number of the government employees are seeking information for promotion of their personal interest. This is done on the pretext of serving the public cause, without realizing the extent of distortions that it causes in use of public resources due to putting up frivolous applications by them for self-interest. This appeal is in no way exception.

6. In the instant case, the information seeker and the provider being part of the same system should work together for evolving approaches to remove irritants in their mutual interaction, as a lot of public resources devoted to provide service to the entire Indian community is thus un-productively used. They ought to exercise restraints in misusing the Act, lest they should dilute the mandate of RTI Act to empower the common man

7. With these observations the appeal is disposed of.

Sd/-

(Prof. M.M. Ansari)
Information Commissioner

Authenticated true copy:

(L.C. Singhi)
Additional Registrar

Name & address of Parties:

1. Dr. K.C. Vijayakumaran Nair, Chief Postmaster General, Himachal Pradesh Circle, Shimla – 171 009.
2. Shri. P.T. S. Kumar, Deputy Director General (Personnel), M/o Communications & IT, Department of Posts, Dak Bhavan, Sansad Marg, New Delhi – 110 001.