

# CENTRAL INFORMATION COMMISSION

No. CIC/OK/A/2006/00111

Dated, the 3<sup>rd</sup> October, 2006

**Name of the Appellant** : Shri Pramod Mehta,  
President, Programme Staff Welfare,  
Association of AIR & DD, New Delhi.

**Name of the Public Authority** : All India Radio

## DECISION

In its order dated 9<sup>th</sup> August 2006, on the appeal filed by Shri Pramod Mehta for directions to Director General, All India Radio, New Delhi, to allow inspection of files relating to transfer of IBPS Officers between 2001-2005, under the RTI Act. The Commission had directed the CPIO to show the Appellant the relevant file notings within 15 days and also to show cause why penalties under Section 20 of the RTI Act be not imposed on him for negligence of his duties under the Act. The Commission fixed 6<sup>th</sup> September 2006 as the date for next hearing of the case.

The hearing was held as scheduled. The Bench of Dr. O.P. Kejariwal heard the matter. Ms. Grace Kujur, Deputy Director General (P), Shri G.R. Raghavender, Director (Admn.), Shri Ishwar Singh, DDA, Shri B.S. Heet, Section Officer represented the Respondents. Shri Pramod Mehta appeared in person.

The Commission heard both the parties. The Appellant complained that even after the directions of the Commission, the complete information had not been provided. A number of pages from the file were missing, which showed malafide intentions of the Respondents. The Respondents offered their apology for the alleged delay in supply of the requisite information to the Appellant. They stated that the delay arose on account of confusion regarding the scope of the provisions of the RTI Act 2005 and conflicting advice received thereon, particularly regarding the applicability of Section 8(1)(j) of the Act. The Commission ruled that Section 8(1)(j) was not applicable as the information did not pertain to the individuals but was the culmination of the decision taken in an official capacity.

The Commission expressed its grave concern at the lax manner in which the Respondents were implementing the provisions of the Act. The Commission stated that the public authority was bound to fully implement the provisions of the law made by the Parliament. The Commission directed the Respondents in terms of Section 19(8)(a)(iii) of the Act to notify the names of the PIOs at prominent places in the premises of the AIR and also to make firm arrangements for collection of RTI applications and payment of application fees within 15 days of the issue of this order and report compliance within 21 days.

The Commission also directed the Director General, All India Radio to meticulously follow the provisions of Section 4(1) which contains directions for publication of certain information on the website of the organization and also to maintain proper records for promptly facilitating the availability of information with immediate effect. The Appellant was also advised by the Commission to bring any further violations of the RTI Act to the notice of the Commission.

The Commission ordered accordingly.

Sd/-  
(O.P. Kejariwal)  
Information Commissioner

Authenticated true copy:

Sd/-  
(L.C. Singhi)  
Additional Registrar

Cc:

1. Shri Pramod Mehta, President, Programme Staff Welfare, Association of AIR & Doordarshan, Room No.11, B.H. Annexe, All India Radio, New Delhi.
2. Smt. Grace Kujur, Dy. Director General & CPIO, All India Radio, Akashwani Bhawan, Sansad Marg, New Delhi.
3. The Secretary & Appellate Authority, Ministry of Information and Broadcasting, Shastri Bhawan, New Delhi.
4. Officer Incharge, NIC.
5. Press E Group, CIC.