

CENTRAL INFORMATION COMMISSION

Room No. 308, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066

File No.CIC/LS/A/2009/001293

Appellant : Shri D.P. Singh

Public Authority : Indian Army
(through Brig Ved Prakash & Col C.A. Ajay)

Date of Hearing : 8.2.2010

Date of Decision : 8.2.2010

FACTS :

Vide RTI application dated 25.6.2009, the appellant had sought information on 04 paras relating to the promotion from Brigadier to Major General. This was responded to by CPIO through letters dated 20.7.2009 and 30.7.2009. The first appeal was disposed of by AA vide order dated 3.9.2009.

2. Aggrieved with the decisions of CPIO/AA, the appellant has filed the present appeal.

3. Heard on 8.2.2010. Appellant not present. The public authority is represented by the officer named above. It is the submission of Col Ajay that information regarding paras (a) & (b) has already been provided to the appellant. As regards para (c), he would submit that file notings regarding calculation of vacancies in a particular year can not be provided to the appellant as the file notings deal with the profile of entire batches including their strengths and weaknesses. In a certain sense, it assumes the character of third party information. As regards para (d), he would submit that some information has already been provided to the appellant and the policy circulars regarding the matter are available in the environment but he has no objection to provide copies thereof to the appellant.

4. The appellant has not appeared before the Commission to canvass his case. Para 02 of the appeal memo suggests that the appellant is interested in seeking the file notings regarding calculation of vacancies etc. As mentioned above, Col Ajay has taken the stand that the file notings contain information not only about the appellant but also about the entire batches dealt with therein and, therefore, to disclose the profile of entire batches to any individuals would amount to disclosure of third party information. It is, however,

to be noted that third party information can also be disclosed if it is in the larger public interest so to do. Needless to say, the larger public interest is to be established by the appellant who has not appeared before the Commission.

DECISION

5. In view of the above, the CPIO is hereby directed to furnish copies of the policy circulars regarding para (d) of the RTI application.

6. The matter is decided accordingly.

Sd/-
(M.L. Sharma)
Central 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.

(K.L. Das)
Assistant Registrar

Address of parties :-

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