

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
अनुसंधान भवन, 2 रफी मार्ग, नई दिल्ली-110001
Anusandhan Bhawan, 2, Rafi Marg, New Delhi-10001



No. 5-1(17)/08-PD

Dated: 18.10.2013

From

संयुक्त सचिव (प्रशासन)

Joint Secretary (Admn.)

To,

The Directors/Heads of all
National Labs./Instts. of CSIR

महोदय/Sir,

मुझे भारत सरकार के कार्यालय ज्ञापन आपकी सूचना, अनुपालन एवं आवश्यक कार्रवाई हेतु अग्रेषित करने का निर्देश हुआ है।

I am directed to forward herewith the following Office Memoranda issued by Government of India for information, guidance and compliance:-

S.No	Govt. of India, DP & PW, DoE, DoPT OM No. & date.	Subject
(1)	(2)	(3)
1.	Dept. of P& PW OM No. 1/10/2012-P&PW (E) dated 27.06.2013.	Enhancement of amount of Ex-gratia payable to pre-1986 CPF retirees and dependent family members of the deceased pre-1986 CPF employees -regarding.
2.	DoE OM No. 19024/1/2012-E.IV dated 09.07.2013.	Guidelines on Air Travel on Official Tours/Leave Travel Concession (LTC) -reg.
3.	DP&PW OM No. 1/22/2012-P&PW (E) dated 10.07.2013.	(i) Payment of arrears of pension in cases where valid nomination has not been made under the Payment of Arrears of Pension (Nomination) Rules, 1983; (ii) payment of arrears of family pension-reg.
4.	DP&PW OM No. 4/30/2010-P&PW (D) dated 11.07.2013.	Revision of 1/3 rd commuted portion of pension in respect of Government servants who had drawn lump sum payment on absorption in Central Public Sector Undertakings/ Central Autonomous Bodies- Implementation of Government's decision on the recommendations of the 6 th CPC.
5.	DoPT OM No. 12011/01/2012-Estt.(AL) dated 31.07.2013.	Children Education Allowance- Reimbursement of Examination Fee.
6.	MoF, DoE OM No. 21-1/2011-E.II(B) dated 05.08.2013.	Grant of Transport Allowance to Orthopaedically handicapped Central Government employees.
7.	DP&PW OM No. 1/27/2011-P&PW (E) dated 20.09.2013.	Submission of Form 14 by the spouse to the pension disbursing bank after the death of the pensioner-instructions reg.
8.	DoPT OM No. 11/2/2013-IR (Pt.) dated 14.08.2013.	Disclosure of personal information under the RTI Act, 2005.

भवदीय

Yours faithfully

D. Vijayalakshmi

डी विजयालक्ष्मी
D. Vijayalakshmi

उप सचिव

Deputy Secretary

Encl. As above.

Copy to:

1. Head, IT Division with the request to make this circular available on the website & Policy Repository.
2. Office copy

Phone : EPABX-23710138, 23710144, 23710158, 23710468, 23710805, 23711251, 23714238, 23714249, 23714769, 23715303
Fax : 91-11-23714788, Gram : CONSEARCH, NEW DELHI, E-mail : csirhg@sirnetd.ernet.in

(14)

No. 11/2/2013-IR (Pt.)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi,
Dated the 14th August, 2013

OFFICE MEMORANDUM

Subject: Disclosure of personal information under the RTI Act, 2005.

The Central Information Commission in one of its decisions (copy enclosed) has held that information about the complaints made against an officer of the Government and any possible action the authorities might have taken on those complaints, qualifies as personal information within the meaning of provision of section 8 (1) (j) of the RTI Act, 2005.

2. The Central Information Commission while deciding the said case has cited the decision of Supreme Court of India in the matter of Girish R. Deshpande vs. CIC and others (SLP (C) no. 27734/2012) in which it was held as under:-

"The performance of an employee/Officer in an organisation is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression 'personal information', the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which could cause unwarranted invasion of the privacy of that individual." The Supreme Court further held that such information could be disclosed only if it would serve a larger public interest.

3. This may be brought to the notice of all concerned.

Encl: As above.

Mang Joshi
(Mang Joshi)
Joint Secretary (AT&A)
Tel: 23093668

1. All the Ministries / Departments of the Government of India.
2. Union Public Service Commission /Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Vice-President's Secretariat/ Prime Minister's Office/ Planning Commission/Election Commission.
3. Central Information Commission/ State Information Commissions.
4. Staff Selection Commission, CGO Complex, New Delhi.
5. O/o the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
6. All officers/Desks/Sections, DOP&T and Department of Pension & Pensioners Welfare.

Central Information Commission, New Delhi
File No.CIC/SM/A/2013/000058
Right to Information Act-2005-Under Section (19)

15

Date of hearing : 26/06/2013

Date of decision : 26/06/2013

Name of the Appellant : Sh. Manoj Arya,
(RTI Activists and Social Worker) 67, Sec-
12, CPWD Flats, R K Puram, New Delhi
-110022

Name of the Public Authority : Central Public Information Officer,
Cabinet Secretariat,
(Vigilance & Complaint Cell), 2nd Floor,
Sardar Patel Bhawan, New Delhi -110001

The Appellant was not present in spite of notice.

On behalf of the Respondent, Shri M.P. Sajeevan, DS & CPIO was present.

The third party, Shri S B Agnihotri, DG (DEF. ACQ) MoD was present.

Chief Information Commissioner : Shri Satyananda Mishra

2. We heard the submissions of both the respondent and the third party in the case.

3. In his RTI application, the Appellant had sought the copies of the complaints made against the third party in the case and the details of the action taken including the copies of the enquiry reports. He had also wanted the copies of the correspondence made between the Cabinet Secretariat and the Ministry of Shipping in respect of the third party in the case. The CPIO after consulting the third party under Section 11 of the Right to Information Act, had

refused to disclose any such information by claiming that it was personal in nature and thus exempted under the provisions of section 8(1) (j) of the Right to Information (RTI) Act. Not satisfied with this decision of the CPIO, the Appellant had preferred an appeal. The Appellate Authority had disposed of the appeal in a speaking order in which he had endorsed the decision of the CPIO.

4. We have carefully gone through the contents of the RTI application and the order of the Appellate Authority. We have also considered the submissions of both the respondent and the third party in the case. The entire information sought by the Appellant revolves around the complaints made against an officer of the government and any possible action the authorities might have taken on those complaints. The Appellate Authority was very right in deciding that this entire class of information was qualified as personal information within the meaning of the provisions of Section 8 (i) (j) of the RTI Act. In this connection, it is very pertinent to cite the decision of the Supreme Court of India in the SLP(C) No. 27734 of 2012 (Girish R Deshpande vs CIC and others) in which it has held that "the performance of an employee/Officer in an organisation is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression personal information, the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which could cause unwarranted invasion of the privacy of that individual." The Supreme Court further held that such information could be disclosed only if it would serve a larger public interest.] The information sought by the Appellant in this case is about some complaints made against a government official and any possible action the authorities might have taken on those complaints. It is, thus, clearly the kind of information which is envisaged in the above Supreme Court order. Therefore, the information is completely exempted from disclosure under the provisions of the RTI Act which both the CPIO and the Appellate Authority have

CIC/SM/A/2013/000058

rightly cited in their respective orders.

5. We find no grounds to interfere in the order of the Appellate Authority.

The appeal is rejected.

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