

**ODISHA INFORMATION COMMISSION  
BHUBANESWAR**

**Present : Shri Sunil Kumar Misra,  
State Chief Information Commissioner  
Date 11<sup>th</sup> February, 2019  
Second Appeal No. 612 / 2016**

Pradip Pradhan,  
Plot No.-D-27,  
Maitree Vihar,  
PO- Rail Vihar,  
C.S. Pur, Bhubaneswar-23.....Appellant

**-Vrs-**

1. Public Information Officer,  
Office of the Director-cum-Addl.  
DG of Police, Vigilance,  
Odisha, Buxi Bazar,  
Dist.- Cuttack.
2. First Appellate Authority,  
Office of the Director-cum-Addl.  
DG of Police, Vigilance,  
Odisha, Buxi Bazar,  
Dist.- Cuttack.....Respondents.

**Decision**

1. Appellant, Pradip Pradhan, is present. Aswini Kumari Pattanayak, PIO-cum-Superintendent of Police, Coordination, Vigilance Directorate, Cuttack is not present. However, Rabindra Kumar Panda, APIO-cum-DSP, office of the Director, Vigilance, Odisha, Cuttack is present on her behalf.
2. Vide an application in form-A dated 03.06.2015 filed with the PIO of Home Department, Government of Odisha, Bhubaneswar, the appellant had requested the PIO to provide him names of the employees (technical and non-technical) of the Engineering Department against whom vigilance cases had been filed. He had also sought to be informed about the designations of the employees, the present status of the cases, whether or not charge-sheets had

been filed and dates of filing of charge-sheets wherever applicable. The above information had been sought for the period 2004 to 2014.

**2.1.** The PIO, Home Department, vide a letter dated 06.06.2015 transferred the application in form-A to the PIO, office of the Director General of Police, Vigilance, Odisha, Cuttack.

**3.** The appellant followed up his application in form-A by filing first appeal vide an appeal memo in form-D dated 01.07.2015. The appellant stated in the first appeal that the transferee PIO in a letter dated 29.06.2015 denied the information by referring to Section 7(9) of the RTI Act. It was contended by the appellant that such denial was unwarranted as the PIO could have collected the information and intimated the same to him. He urged the First Appellate Authority to direct the PIO to provide the information by taking the required time to collect the same.

**3.1.** The First Appellate Authority took up the appeal for hearing and observed that, as per records, the Vigilance Directorate was not maintaining separate information in respect of the Engineering Departments of the State Government. He also observed that the appellant had sought information for a very long period i.e. 2004-2014. During that period, large number of Vigilance cases would have been registered against various Engineering Departments of the State Government. Furnishing such information would require scrutiny of voluminous records through out the State and shall also require obtaining up-to-date status of these cases from the concerned Courts. Thus the entire exercise would be very time and man-power consuming and would involve disproportionate diversion of the resources of the public authority. Observing thus, the First Appellate Authority agreed with the stand taken by the PIO in declining to provide information by invoking Section 7(9) of the RTI Act, 2005. The first appeal was accordingly rejected.

