



Central Information Commission

Room No. 305, 2nd Floor, 'B' Wing, August Kranti Bhavan,

Bhikaji Cama Place, New Delhi-110066

Web: www.cic.gov.in Tel No: 26167931

Case No. CIC/SS/A/2011/001705

Dated: 15.02.2012

Name of Appellant : Shri M. Nelson Babu
Name of Respondent : Border Roads Development Board
Date of Hearing : 09.02.2012

ORDER

The present appeal dated 10.8.2011 of the appellant Shri M. Nelson Babu emanates from his RTI application dated 9.1.2010 filed for seeking certain information from the respondent Border Roads Development Board, New Delhi under the RTI Act, 2005. The matter came up for hearing on 09.02.2012. The appellant was absent and the respondent were represented by Smt. Shashi Prabha, Deputy Secretary, Shri Rohtash Kumar, Joint Director & CPIO, Shri Tapas Das, Joint Director and Shri Rampal Singh, Under Secretary.

2. The Commission has considered the submissions made by the parties. The respondent is an exempted organization listed under Schedule II of the RTI Act and, therefore, is not amenable to any provision contained in the RTI Act by virtue of Section 24 of the RTI Act. Furthermore, the information sought by the appellant does not pertain to any violation of human rights and allegations of corruption and, therefore, does not fall under the Proviso (I) of Section 24 of the RTI Act.

3. It has to be appreciated that 'allegation of corruption' does not mean mere conjectures and surmises. Allegations ought to be supported by cogent and sound evidence which can lead the Commission to frame a prima facie view about corrupt or malpractices being involved in any given case. Such element is clearly missing in this

second appeal as no evidence or material has been placed by the appellant before the Commission so as to establish prima facie case of corruption. Even anything to reasonably support the violation of human right is also absent in the appeal preferred by the appellant before the Commission.

4. The Commission is of the view that the information sought for by the appellant, cannot be provided under the RTI Act and, therefore, the present appeal stands dismissed.

(Sushma Singh)
Information Commissioner

Authenticated true copy:

(K.K. Sharma)
OSD & Deputy Registrar

Address of the parties:

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Nagarcoil-629001.

The CPIO,
Directorate General of Border Roads,
Seema Sadak Bhawan,
Ring Road, Delhi Cantt,
New Delhi-110010

The Appellate Authority,
Border Roads Development Board,
Sectt. BRDB, B Wing, 4th Floor,
Sena Bhawan, DHQ PO,
New Delhi-110011.