

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

File No. : CIC/HIDES/C/2017/157077/SD

Venkatesh Nayak

.... शिकायतकर्ता /Complainant

VERSUS

बनाम

CPIO,

HQ Integrated Defence Staff,
IHQ of MoD,
Room No.55, Kashmir House,
Rajaji Marg,
New Delhi-110011.

... प्रतिवादीगण /Respondents

RTI application filed on	:	24/11/2010
CPIO replied on	:	14/12/2010
First appeal filed on	:	13/01/2011
First Appellate Authority order	:	01/02/2011
Complaint dated	:	16/08/2017
Date of Hearing	:	01/10/2018
Date of Decision	:	01/10/2018

Information sought:

The Complainant sought copy of following documents:

- Joint Doctrine for Perception Management and Psychological Operations;
- Joint Doctrine for Air and Land Operations; and
- Reforming the National Security System.

Grounds for the Complaint:

The CPIO has not provided the desired information.

Relevant Facts emerging during Hearing:

The following were present:-

Complainant: Present in person.

Respondent: Col. Abhinandan Singh, Col (Doctrine) & Rep. of CPIO, HQ Integrated Defence Staff, Kashmir House, New Delhi present in person.

Complainant stated that the denial of information under Section 8(1)(a) of the RTI Act on paras 1 & 2 is unsubstantiated to begin with, further that he has had access to similar published doctrines in the past. He furthermore brought the attention of the bench to the issue of external links not functioning properly on the HQ IDS website and in this context referred to the guidelines of GOI stipulating web maintenance by public authorities. Complainant prayed that directions be ordered to provide the *Manual of Departmental Security Instructions, 1966* as both CPIO & FAA have reasoned that disclosure of the Joint Doctrines is exempted as they contain materials that are essentially meant for official use only and which should not be communicated to anyone except for official purposes. He urged that the security classification accorded to both documents render it as “*Restricted*” and for him to contest the same he needs access to the aforesaid Manual to have knowledge about the qualifying criteria laid down therein for classifying such documents. Complainant also stated that he is not pressing for information on para 3 of the RTI Application upon Commission’s observation regarding the lack of knowledge of the Respondent to identify the probable holder of information for the said para.

Commission summarily rejected the prayer of the Complainant seeking the Manual as it amounts to seeking additional information which was not part of the original RTI Application.

CPIO presented the Joint Doctrines for Commission’s perusal to weigh in the exemption of Section 8(1)(a) of RTI Act while submitting that the primary reason for denying the same was that it pertains to specific Land & Air operations.

Decision

Based on the nature of relief sought in the Complaint, the instant case is treated as Second Appeal.

Commission observes from the perusal of relevant record presented by the CPIO that denial of information under Section 8(1)(a) of RTI Act is completely

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unwarranted. The rationale of the CPIO to invoke Section 8(1)(a) of RTI Act is far from convincing and rather appears labored.

Commission directs the CPIO to provide copy of Joint Doctrine for Perception Management and Psychological Operations as well as Joint Doctrine for Air and Land Operations as sought in para 1 & 2 of the RTI Application to the Appellant free of cost within 15 days from the date of receipt of this order. A compliance report to this effect shall be duly sent to the Commission by the CPIO.

The complaint is disposed of accordingly.

Divya Prakash Sinha (दिव्य प्रकाश सिन्हा)
Information Commissioner (सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

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दिनांक / Date