



By Registered AD

Ref. No.L000135579/RTI/A-11/2018

November 14, 2018

**APPEAL No.11/2018-19 BEFORE
FIRST APPELLATE AUTHORITY UNDER
RIGHT TO INFORMATION ACT (RTI ACT), 2005**

Background:

The Appellant, Ms. Renu Singh, U-74, Tirupati Complex, 1st Floor, Room No. 103, Shakar Pur, Delhi- 110092, has preferred the present appeal dated October 22, 2018 under section 19(1) of RTI Act (received by office of First Appellate Authority (FAA) on October 30, 2018) against the Order No.2479 dated October 10, 2018 passed by CPIO requesting intervention of FAA in providing information sought by her in the RTI application.

Observations :

I have gone through the contents of his Appeal dated October 22, 2018, as also the order No.2479 dated October 10, 2018 passed by CPIO in the matter. It is observed that vide her RTI application dated August 06, 2018, the appellant had sought various information regarding i.e. 1) How many persons are working at present in the Schedule Tribe Category in groups (A, B, C, D) in Ministry of Delhi and office / offices of all Nationalized Banks, Insurance Companies, IFCL Ltd., NHB, Income Tax Offices, Custom & Excise Offices and all Directorates, Departments etc. in Delhi and all States of India under Administrative Control of your Ministry, 2) Kindly furnish list of ST Employees Group-wise in typed copy. Name of the Employee, E. No., DOB, Designation, Office Address and Present Address, 3) Name of Tribe, Details of Issuing Authority of ST Certificate, Date and S. No. of Caste Certificate, OR Certified copy of Caste Certificate may be provided and 4) Kindly provide Details of Appellate Authority.

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The Appellant has made this appeal on the following grounds i.e. 1) CPIO has failed to provide the requisite information. The information provided by CPIO is incorrect, incomplete and misleading. I am not satisfied from reply, 2) CPIO deliberately has not transferred my RTI application to other PIO/CPIO under section 6(3) of RTI Act-2005. I would like to inform and confirm you that section 6(3) of RTI Act-2005 still not omitted. So, you are requested to at least transfer my RTI application to other PIO/CPIO, 3) Name of employee, Emp. No., DOB, Designation, Office Address and name of tribe do not personal information. If the same is personal information and fall under section 8(1)(e) and 8(1)(j) then, please provide copy of Supreme Court order and CIC decisions. All information is available in service book of employee. The requisite information may be provided to me in hard copy. This information is large public interest, and iv) As per CIC decision No. CIC/SG/A/2008/002481596 dt. 11.02.2009, if person is using caste certificate / community certificate to secure job in central / PSU / State Government and take all advantage on that document then it is a public document. It is not personal and third party information under section 8(1)(j) of RTI Act, 2005. So, information cannot be denied and the same may be provided to applicant.

I observe that information with respect to the query at Sl. no. (1) of RTI Application dated 06/08/2018, CPIO has already provided the information as available with Public Authority. The question of transferring of RTI application to other Public Authority under section 6(3) of RTI Act, 2005 does not arise as claimed by the Appellant. Therefore, the Appellant's claim that the information provided by CPIO is incorrect, incomplete and misleading is totally wrong and the ground for appeal is not maintainable.

With respect to query no. (2) i.e. Kindly furnish list of ST Employees Group-wise in typed copy [Name of the Employee, E. No., DOB, Designation, Office Address and Present Address and query no. (3) i.e. Name of Tribe, details of issuing Authority of ST Certificate, Date and S. No. Caste Certificate, OR Certified copy of Caste

Certificate may be provided, CPIO has rightly claimed the exemption under section 7(9) of RTI Act as the requested information is not available in the requisite format and the said information relates to various offices/departments/branches of the Bank spread across the country and the task of compiling them is laborious, time consuming and would disproportionately divert Bank's resources. Further, CPIO has rightly claimed the exemption under section 8(1)(j) of RTI Act as the said information contains personal records of third party, the disclosure of which has no relationship to any public interest and cause unwarranted invasion of the privacy of individuals. The obligation of CPIO to furnish the information arises in case the information is available with the Public Authority and the same is not exempted from the disclosure under the provisions of RTI Act. Further, this information is exempted for disclosure as per SIDBI's disclosure policy. The Appellant is free to refer the disclosure policy on SIDBI's website i.e. www.sidbi.in. Therefore, there is no merit found on the ground for appeal.

Order :

The appeal is accordingly disposed of.

Copy of this order be sent to the appellant and CPIO.

जी. सम्पत कुमार

(जी सम्पत कुमार / G. Sampath Kumar)
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Chief General Manager and
First Appellate Authority