

OFFICE OF THE DIRECTOR GENERAL (PRISONS)
PRISON HEADQUARTERS: GOVT. OF NCT OF DELHI
NEAR LAJWANTI GARDEN CHOWK: NEW DELHI-110064
(PH No- 28520398 (o), 28520989 (Fax), Email: dig-tihar@nic.in)

Name of applicant	Date of applications	Reply given by PIOs	Date of filing of Appeal	Date of Hearing of Appeal	Appeal No.	ID No.
Sh. Sunil Kumar, Ex. Supdt.	04/02/2022	PIO-CJ-10-22/02/2022	08/03/2022	24/03/2022	Appeal General 21/2022	Appeal General

Appellant Sh. Sunil Kumar, Ex. Supdt. is not present for hearing being jail inmate. Sh. Jitender Patel, Asstt. Supdt. is present for hearing on behalf of PIO CJ-10.

Case heard. The Appellant vide his application dated 04/02/2022 has requested the SPIO CJ-10 (Rohini) to provide "the certified copies of the relevant register/record wherein the necessary entries were made to keep the above referred wrist watch in PP Account".

The SPIO vide his order dated 22/02/2022 has denied to provide the requested information seeking exemption from disclosure of the requested information under section 8 (1) (h) & 8 (1) (j) of the RTI Act.

The PIO CJ-10 (Rohini) has filed his rejoinder to Appeal petition vide his communication dated 22/03/2022.

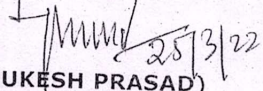
In his rejoinder, the SPIO-CJ-10 has reiterated denied of request of the Appellant on the basis of invoking section 8 (1) (h) and 8 (1) (j) of the RTI Act 2005.

From the record on file, it is observed that the SPIO has failed to justify exemption from disclosure of information by invoking section 8 (1)(h) of the RTI Act 2005. Neither the reply dated 22/02/2022 of the SPIO nor his rejoinder dated 22/03/2022, the SPIO has justified invocation of section 8 (1) (h) of the Act as to how and why the requested information would impede the process of investigation or apprehension or prosecution of offenders. As such in my opinion exemption from disclosure of the requested information under section 8 (1) (h) of the RTI Act 2005 is not justified.

Further, the SPIO has also relied on section 8 (1) (j) of the RTI Act 2005 to deny the requested information to the Appellant. A perusal of 'information' requested by the Appellant reveals that it is an information which relates to personal information the disclosure of which has no relationship to any activity or interest and would cause unwarranted invasion of the privacy of the individual. The SPIO, in his best judgement, has not found it necessary to invoke section 11 of the RTI Act 2005 and has rightly invoked section 8 (1) (j) of the RTI Act 2005 in denying the requested information.

The decision of SPIO-CJ-10 invoking section 8 (1) (j) of the RTI Act 2005 in seeking exemption from disclosure of requested information is upheld.

The case is accordingly disposed off. If applicant is not satisfied with this direction, he/she may file second appeal before the Hon'ble CIC, Baba Gang Nath Marg, Munirka, New Delhi-67.


(MUKESH PRASAD)
ADDL. INSPECTOR GENERAL OF PRISONS/
FIRST APPELLATE AUTHORITY

Sh. Sunil Kumar, Ex. Supdt.
Presently lodged in Central Jail No-2,
Tihar, New Delhi-11064

F10(3476489)/ID-Appeal General/CJ/Legal/2022/485-86 Dated: 25/03/2022

Copy for necessary action/information:-

- 1) PIO CJ-10
- 2) SSA (Phd) to upload on the department website.