

OFFICE OF THE DIRECTOR GENERAL (PRISONS)
PRISON HEADQUARTERS: GOVT. OF NCT OF DELHI
NEAR LAJWANTI GARDEN CHOWK: NEW DELHI-110064

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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.	14/01/2022	PIO-CJ-10-04/02/2022	08/03/2022	24/03/2022	Appeal General 24/2022	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 SPIO CJ-10 has communicated his decision vide his communication dated 04/02/2022.

The Appellant has submitted as follows:-

"Reply with regard to the information sought against S. No. 1 (a) and 1 (b) are not satisfactory as per the provisions under RTI Act 2005."

The reply of the PIO CJ-10 (Rohini) is as follows:-

- 1 (a) Copy of Darban Outside OPD Register cannot be provided as per section 8(h), 8 (i) and 8 (j) of RTI Act 2005.
- 2 (b) All the relevant record of the UTP Sukesh Chandrashekhar S/o sh. Vijayan Chandrashekhar has been transferred to Central Jail No-4, Tihar. Hence, the information sought is not available in this office.

No rejoinder has been filed by the PIO CJ-10.

From the perusal of record it is observed that the PIO CJ-10 in response to reply to requested information at S. No. 1 (a) has wrongly invoked sections of the RTI Act 2005. A perusal of the RTI Act 2005 reveals that there is no provision as cited by the PIO CJ-10 (Rohini) (i.e. 8 (h), 8(1) and 8 (j) under the RTI Act 2005.

Besides, it is not clear from reply of the SPIO CJ-10 whether he transferred the application to SPIO CJ-4 for reply to para 1 (b) of the RTI Application of the appellant.

Directions are passed:-

1. The SPIO CJ-10 (Rohini) shall, within seven days of receipt of this order, reply to the part of information held by him (i.e. 1(a) of the RTI Application dated 14/01/2022 of the Appellant) and take appropriate decision after invoking correct statutory provisions of the RTI Act 2005 and after following due process.
2. The SPIO CJ-10 shall, also forward the application to the concerned SPIO for reply to Point 1 (b) of the application of the appellant for reply by him under the RTI Act 2005, within seven days of the receipt of this order.

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/2022/20326

Dated: 25/3/2022

Copy for necessary action/information:-

- (1) PIO CJ-10
- (2) SSAC (Pne) to upload on the department website