

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.	28/02/2022	PIO-CJ-10 - 09/03/2022	30/03/2022	21/04/2022	32/2022	Appeal General

Appellant Sh. Sunil Kumar, Ex. Supdt. is present for hearing through video conferencing being jail inmate. Sh. Praveen Kumar, Dy. Supdt. and Sh. Jitender Patel, Asstt. Supdt. are present for hearing on behalf of PIO CJ-10.

Case heard. Through the appeal, the Appellant has stated that the PIO CJ-10 has provided unsatisfactory reply on RTI application.

The appellant vide his application dated 28/02/2022 has sought the information as under:-

- (1) Provide certified copies of the order issued by Superintendent CJ-10 (undersigned) or Dy. Superintendent CJ-10 vide which the duty deployment of all the following jail staff issued from time to time during the period of 31/12/2019 to 10/12/2020.

- 1) Warder
- 2) Head Warder
- 3) Assistant Superintendent
- 4) Deputy Superintendent

The PIO CJ-10 vide his communication dated 16/03/2020 has replied that

"Duty register taken into custody by the investigation agency. Hence, the same could not be provided as per section 8 (1) (g) & 8 (1) (h) of RTI Act 2005".

During the course of hearing, the appellant has stated that the PIO has mentioned in his reply that the Duty register taken into custody by the investigation agency, however, he has sought the certified copies of the order issued by Superintendent (undersigned) or Dy. Superintendent CJ-10 vide which the duty deployment of all jail staff issued time to time during the period 31/12/2019 to 10/12/2020.

The PIO CJ-10 (Rohini) has filed his rejoinder to Appeal petition vide his communication dated 19/04/2022 vide which he stated that the roster contains sensitive information regarding name of Officer/Official and their deployment in various sections of the jail. Sharing of which would endanger the life and safety of the Officers/Officials concerned, hence, the same could not be shared as per provision of section 8 (1) (g) of RTI Act 2005.

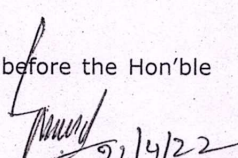
Further, it is also submitted that duty register for the period, wherein deployment of staff as per duty roster are recorded has been taken into custody by the investigation agency, hence sharing of duty roster may impede the process of the investigation, hence, the same also could not be shared as per provision of section 8 (1) (h) of RTI Act 2005.

From the facts available on file and oral submission made during the hearing by the Petitioner and the Respondent, it is observed that the reply provided by PIO CJ-10 is not appropriate as the appellant has sought **"the copies of the orders issued by SCJ-10 (undersigned) or Dy. Supdt. CJ-10 with regard to deployment of jail staff"** and not copy of duty register. The submission through rejoinder has also not justified the denial of information.

It is, therefore, directed that the PIO CJ-10 shall provide exactly the requested information available with it subject to the provision of section 8 (1) of the RTI Act 2005 within fifteen days of the receipt of this order. The PIO CJ-10 is also advised to be careful in future while dealing with the application under RTI Act 2005.

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/2022/1549-50 Dated: 22/4/2022-

Copy for necessary action/information:-

PIO CJ-10