

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)

Appellant Name : Ms. Monika Gupta
RTI ID No. : 11137-K dated 14.11.2023
Online RTI Registration No. : (CJAIL/R/2023/60147 dated 14.11.2023)
Appeal ID No. : 83 dated 18.12.2023
Online Appeal Registration No. : (CJAIL/A/2023/60021 dated 18.12.2023)

Perused the RTI application, reply of PIO/SCJ-2, Tihar and appeal filed.

Through the appeal, the appellant has sought the information with regard to the result of tender Ids 2022_CJT_215211_5, 2020_CJT_197103_5, 2018_CJT_157161_5 and 2023_CJT_239300_4.

The SCJ-2/PIO has stated in his reply dated 14.12.2023 that Tihar Baking School does not fall under the purview of 'Public Authority' because this unit is being run through its own funds initially generated through NGO's and no government fund are involved for running its operation' This unit also does not fall under the definition of 'industry' as this is a training school for convicts and not a commercial unit. Hence, desired information cannot be shared with the RTI applicant.

The comments of Supdt./PIO-CJ-2 has also been called with regard to the 1st Appeal and I am in the opinion that the status of tender IDs may be disclosed to the appellant to be kept in mind the exemption mentioned in Section 8 of the RTI Act 2005. Moreover, the information sought in Point No- 1, 2 & 4 can not be disclosed in view of section 8 (1) (d) of the RTI Act 2005.

Further, a Public Authority cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of justification. Hence, the information on Point No-3 of the application cannot be answered.

The PIO/Supdt. CJ-2 is directed to provide the status of tender IDs mentioned in the RTI application to the appellant within 15 days of receipt of this order

Accordingly, appeal is disposed off.

In case, the appellant is not satisfied with the order, he may prefer second appeal before the Hon'ble CIC, CIC Bhawan, Baba Gang Nath Marg, Munirka, New Delhi-110067 within 90 days.


**DY. INSPECTOR GENERAL OF PRISONS/
FIRST APPELLATE AUTHORITY** O/c

Ms. Monika Gupta

F10(3476489)/ID-11137-K/CJ/Legal/2023/342-43 Dated: 12/01/2024

Copy for necessary information/action:-

PIO/SCJ-2, Tihar, New Delhi.