



भारतीय वन्यजीव संस्थान
Wildlife Institute of India



No. WII/RTI/APPEAL/2020-21 (part)

(An Autonomous Institute under Ministry of Environment, Forest & Climate Change, Govt. of India)

पत्रपेटी सं०/Post Box No. 18, चन्द्रबनी, देहरादून/Chandrabani, Dehradun - 248001, उत्तराखण्ड, भारत/Uttarakhand, INDIA

Dated ___ May, 2022

To,

Ms. Sangeeta Dogra,
Eros Sampooranam Tower H1 1001,
Sector 2 Noida Extension,
Uttar Pradesh 201307
Email: aradiya.bisht@gmail.com

Sub: Appeal under Section 19 (1) of RTI Act, 2005 against RTI reply dated 21.04.2022 - reg.

Ref: Your RTI Appeal bearing No. WLIOI/A/E/22/00002 dated 22.04.2022.

Madam,

Personal information of any employee would only be shared if it is in larger public interest as per ruling of Hon'ble Supreme Court judgment and CIC decision (copy enclosed)

Since RTI Appellant has not provided any valid reason or cause of larger public interest, the personal information of WII employees cannot be shared under RTI.

Hence, the appeal is disposed off. If the Appellant is not satisfied with the above decision, she may approach to Hon'ble Central Information Commission, New Delhi for second appeal.

Yours faithfully,

(Dr. Y.V. Jhala)

Dean & First Appellate Authority

Copy for information to:

- (1) CPIO, WII, Dehradun
- (2) PA to Director, WII, Dehradun



The Supreme Court has ruled that service details of an employee can't be shared with an RTI applicant as 'personal information' is exempt from disclosure under the Right to Information Act, unless there was larger public interest involved.

Terming the RTI application as "wholly misconceived", a Bench of Justice RK Agrawal and Justice AM Sapre set aside an order of the Kerala High Court on this point.

Citing its earlier verdicts on the issue, the top court said personal information was exempt from disclosure under Section 8(1)(j) of the Act and can't be shared with RTI applicants, unless there was larger public interest involved.

By an order dated September 20, 2007, the High Court had directed the Deputy General Manager of Canara Bank to part with information regarding transfer and posting of the entire clerical staff from January 1, 2002, to July 31, 2006, in all the branches in Mallapuram district sought by CS Shyam, a clerk with the bank.

The High Court had upheld the order of the Central Information Commission which had reversed the decisions of the Chief Public Information Officer and Public Information Officer not to part with the information asked for by Shyam.

Allowing the bank's appeal against the High Court's order, the top court restored the decisions of Chief Public Information Officer and Public Information Officer. It rejected Shyam's contentions on the grounds that the information sought by him regarding individual employees working in the bank was personal in nature and it was exempt from being disclosed under Section 8(1)(J) of the RTI Act.

The Bench said the RTI applicant failed to disclose any public interest "much less larger public interest involved in seeking such information of the individual employee" and there was no such finding recorded by the CIC or the High Court either.

"We are of the considered view that the application made by respondent No.1 (Shyam) under Section 6 of the Act was wholly misconceived and was, therefore, rightly rejected by the Public Information Officer and Chief Public Information Officer whereas wrongly allowed by the Central Information Commission and the High Court," the Bench said.

Central Information Commission

Room No. 305, 2nd Floor, 'B' Wing, August Kranti Bhavan, Bhikaji Cama Place, New Delhi 110066

Web: www.cic.gov.in Tel No: 26167931

Case No. CIC/SS/A/2011/000434

Dated: 31.10.2012

Name of Appellant: Shri Harbhajan Singh Toor

Name of Respondent: Shipping Corporation of India Ltd.

Date of Hearing: 03.10.2012

ORDER

Shri Harbhajan Singh Toor, hereinafter called the appellant, has filed the present appeal dated 14.02.2011 before the Commission against the respondent Shipping Corporation of India Ltd., Mumbai for denial of information in reply to his RTI-application dated 22.11.2010. The matter came up for hearing on 03.10.2012 through videoconferencing. The appellant was absent whereas the respondent were represented by Shri Dipankar Haldar, CPIO at NIC Videoconferencing Facility Centre, Mumbai.

2. The appellant has through his RTI application dated 22.11.2010 sought inspection of service record file of Mr. Jalani A.K. E.C. No. 4240 from 1.1.1990 till date. The CPIO vide his letter No. A10-SEC-BD-5005/RTI-315 dated 8.12.2010 informed the appellant that inspection of the service record of Mr. Jalani, cannot be allowed under the provisions of Section 8(1) (j) of the RTI Act.

3. The FAA, before whom the appellant filed first appeal, has vide his order No. PADir/22.2/L-06/11 dated 25.1.2011 has concurred with the reply of the CPIO.

4. Having considered the submissions of the parties the Commission is of the view that the appellant has sought inspection of service records of Shri A.K. Jalani, the respondent have no disclosure obligation under the provisions of Section 8(1)(j) of the RTI Act, 2005. The Commission finds no reason to interfere with the replies of the respondent.

The matter is disposed of on the part of the Commission.

(Sushma Singh)

Information Commissioner