

Atul Saxena

From: [REDACTED]
Sent: 20 March 2024 18:44
To: Atul Saxena
Subject: Appeal against the Disposal of the RTI Application No IFCIL/R/E/24/00006

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Dear Shri Atul Saxena

Pl refer to the disposal of the above mentioned RTI Application by the CPIO vide his letter dated 20/03/2024. As I am aggrieved by the said reply, the following appeal is preferred against the decision of the CPIO. The Appeal is preferred only against those items (Items 4 to 7) which are untenable as per the RTI Act

Item 4. The status of conduct of staff accountability against the officials of IFCI stating whether they are pending or concluded

The CPIO has quoted Section 8(1) (j) of the RTI Act to deny the information.

This is one more instance of CPIO failing to apply his mind to the issue and disposing of the RTI Application with a singular purpose of denying information to the RTI Applicant. The CPIO is either ignorant of the proviso to Section 8(1)(j) of the RTI Act or has purposefully and deliberately overlooked the same. The Proviso as you would appreciate places an applicant on the same pedestal as that of the Parliament by stating they what cannot be denied to the Parliament or to a state legislature cannot be denied to any person.

Secondly as you may observe that in my application , I have not sought any personal information of any official. As the CPIO failed to distinguish personal information from non personal information, the recourse to Section 8(1)(j) is completely misplaced and misconceived.

A cursory glance of the information sought at items 4 to 7 would show that none of the information sought by me relates to any personal information of any individual

Thirdly the CPIO also failed to weigh the balance between personal interest and public interest. The Act casts a duty on the officials entrusted with the responsibility of administering the RTI by balancing information sought with public interest . The CPIO has failed to take note of the basic tenet of the RTI Act which is transparency ,and transparency is achieved by making disclosure rather than invoking untenable grounds in denying the information.

Item 5. Date of commencement of Staff Accountability exercise and conclusion of the exercise

Same as above.: These are dates and I fail to understand as to how section 8(1)(j) can be invoked.

Item 6 Number of Officials found guilty of Staff lapses

Same as above


Item 7. Nature of punishment given to the responsible officers stating

Same as above

Minor penalty given : PI furnish the Number of officer

Major penalty given. PI furnish the Number of officers

In view of the above, the First Appellate Authority may like examine the issues raised and direct the submission of the information requested.


Appellant

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