

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/NFCOM/A/2024/630085.**

Shri. Chandan Singh.

... अपीलकर्ता/Appellant

VERSUS/बनाम

PIO,
Department of Atomic Energy
National Fuel Complex

...प्रतिवादीगण /Respondent

Date of Hearing : 24.02.2025

Date of Decision : 24.02.2025

Chief Information Commissioner : Shri Heeralal Samariya

Relevant facts emerging from appeal:

RTI application filed on : 23.03.2024

PIO replied on : 29.04.2024

First Appeal filed on : 01.06.2024

First Appellate Order on : 12.06.2024

2ndAppeal/complaint received on : 16.07.2024

Information sought and background of the case:

The Appellant filed an RTI application dated 23.03.2024 seeking information on following points:-

"1) you may Kindly provide the name, correspondence address and permanent address of selected candidate "Candidate against advertisement no. NFC/01/2016 referred in original application no: 611/2020 before central administrative tribunal, Hyderabad.

2) you may kindly provide me name, correspondence address and permanent address of selected candidates referred in original application No. 611/2020 filed before central administrative tribunal, Hyderabad against advertisement no. NFC/01/2016

3) you may kindly provide me true and certified copy of disability certificate of different selected candidate against advertisement no. NFC/01/2016"

The CPIO vide letter dated 29.04.2024 replied as under:-

"The information sought cannot be furnished under Section 8 (1) (j) of RTI Act, 2005 since the information is related to the personal information and disclosure of which would cause un-warranted invasion of the privacy of the individual. Also, there is no larger public interest involved for justifying the disclosure of the same."

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 01.06.2024. The FAA, Deputy Chief Executive (A&A), Nuclear Fuel Complex, Department of Atomic Energy vide order dated 12.06.2024 stated as under :-

“6. NOW THEREFORE it is hereby informed that the correspondence address, permanent address & the certified copy of disability certificate of selected candidates against advertisement no. NFC/01/2016 form a part of Personal Information as far as official records of the Department is concerned and hence, the same cannot be disclosed under Section 8(1)(j) of RTI Act, 2005 since, the disclosure of such information would cause un-warranted invasion of the privacy of the individual. Moreover, there is no larger public interest found in justifying the disclosure of such information and hence the undersigned doesnot find any scope of further intervention in the matter. Accordingly, the reply provided by CPIO vide his letter dated 29.04.2024 stands good and the appeal is thus disposed off.”

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

Written submission dated 10.02.2025 has been received from the CPIO and same has been taken on record for perusal.

Facts emerging in Course of Hearing:-

Appellant: Present through video-conferencing.

Respondent: Mr. D. Srinivas Rao, AO-III- participated in the hearing.

The Appellant stated that the relevant information has not been furnished to him till date. He stated that he has sought name, correspondence address and permanent address etc of selected candidate "Candidate against advertisement no. NFC/01/2016 but same has been wrongly denied under Section 8(1)(j) of the RTI Act.

The Respondent reiterated the averments made in their written submission and stated that the Appellant has sought information related to the personal details of the selected candidates which is exempted under Section 8(1)(j) of the RTI Act. He stated that the disclosure of information sought would cause unnecessary invasion of privacy of an individual.

Decision:

Commission has gone through the case records and on the basis of proceedings during hearing observes that the information sought by the Appellant qualifies as third-party information and same is exempted from disclosure as per Section 8(1)(j) of the RTI Act, 2005. Further no larger public interest has been invoked by the Appellant. In view of this, Commission finds it pivotal to highlight a landmark judgement of the Hon'ble Supreme Court, wherein aspect of "personal information" has been explained in a highly structured manner. In this regard, ratio laid down in the matter of **Central**

Public Information Officer, Supreme Court of India Vs. Subhash Chandra Agarwal in Civil Appeal No. 10044 of 2010 with Civil Appeal No. 10045 of 2010 and Civil Appeal No. 2683 of 2010. The relevant portion of the said judgment is as under:

“...59. Reading of the aforesaid judicial precedents, in our opinion, would indicate that **personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information.** Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive...”

[Emphasis Supplied]

Adverting to the supra, the Hon'ble Supreme Court in the aforementioned case has categorized a variety of aspects that comes under the purview of “personal information” which are exempt from disclosure under Section 8(1)(j) of the RTI Act. Commission taking into account the facts of the referred case deny the request of Appellant for disclosure of the information and upholds the submission of the PIO. No further action lies

Appeal is disposed off accordingly.

Heeralal Samariya (हीरालाल सामरिया)
Chief Information Commissioner (मुख्य सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. K. Chitkara (एस. के. चिटकारा)
Dy. Registrar (उप-पंजीयक)
011-26186535

Recomendation(s) to PA under section 25(5) of the RTI Act, 2005:-

Nil