

Appeal dated 13.07.2020 by Sh.Anil Kumar Kataria ("Appellant") against the CPIO Reply furnished on 13.06.2020 under Right to Information Act, 2005 ("Act")

ORDER

RTI appeal having registration no. PGCIL/A/E/20/00032 received through online on 13/07/2020 from the "appellant" against the RTI reply furnished on 13.06.2020. The appellant has appealed against the RTI Reply of the CPIO dtd 13.06.2020, wherein the CPIO had denied the information sought by the applicant vide query nos. 1 to 4 of the RTI Application dated 11.05.2020.

On perusal of the RTI "Application", "Reply" & the "Appeal" filed by the Appellant, it is observed that the Appellant had sought for information pertaining to the details of Tours performed by Head of Personnel for the period of 01.07.2018 to 31.08.2018, details of expenditure of various tours performed by HOP during those period, what was the reason for those tours performed & do there any approval of competent authority for those tours performed and if so copy of those approvals. The CPIO has denied the information vide its reply uploaded on 13.06.2020. The appellant had preferred the "appeal" on aggrieved with the said RTI "Reply".

I have carefully examined the "Application", the "Reply" and the "Appeal" and find that the matter can be decided on merit based on the material available on record and the judicial precedents in this regard. The grounds raised by the "appellant" and its reply are discussed in the succeeding paragraphs.

Query nos. 1 & 3 of the application: - I note that the "appellant" had sought for the information pertaining to the details of tours performed by Head of Personnel for the period of 01.07.2018 to 31.08.2018 & the details of expenditure of various tours performed by HOP during those period vide query no.1 & 3 of the "application" for which the CPIO has denied the information as the same are exempted under sec 8 (1)(j) of the Act. It is noted that the performance of official tours by an employee/officer of an organization is primarily a matter between the employee and the employer and the same are governed by the Service Rules which falls under the expression "personal information", the disclosure of which has no public activity or public interest. I note that the Hon'ble Apex Court in SLP (Civil) No.27734 of 2012 had also upheld the said view vide its judgment. In addition to the above, applicant has not made out any larger public interest which would justify the disclosure of the same. Further, the official tour details and its expenditure details of employees posted at RHQ, Vadodara office, that too for a span of two or more months are spread over different departments like HR Deppt., & Finance and Accounts Deppt., and are not readily available as in the form as sought by the "Applicant". I note that the Hon'ble CIC in the matter of *Shri Praveen Agarwal Vs. SEBI (Order dated October 1, 2008)* wherein it held that it is not open to appellant to saddle a public authority with elaborate queries about past actions, response to which could not be given without the public authority straining itself to wade through large volumes of information and data. Section 7(9) clearly forbids this form of disclosure. If specific information sought by the appellant is not available, the



respondent did not have any obligation to create the same for the appellant. Hence, in my view, the reply of the CPIO with regard to the query nos.1 & 3 are in line with the provisions under Sec 8(1)(j) & 7(9) of the RTI Act, 2005, and nothing required to be interfered with.

Query nos. 2 & 4 of the application: - I note that the "appellant" had sought for the information that what was the reason for those tours performed by the HOP & do there any approval of competent authority for those tours performed and if so copy of those approvals. I note that applicant has not sought for any information which is readily available as in the form as defined as "information" under Sec 2 (f) of the RTI Act, 2005, instead cast upon a duty/obligation on the CPIO by putting *Roving Enquiries* to gather information as regards to the reason for certain actions performed by an employee/officer in an organization, which is not permitted under the RTI, Act, 2005. I note that the provisions of RTI Act would not be available to an employee seeking information as regards to public officials which is otherwise personal in nature and the same would certainly afford a reason to believe/apprehend an element of personal vendetta, for which the tools of RTI Act cannot be mis-utilized. The same was upheld by the Hon'ble High Court of Punjab & Haryana vide its judgment dated 07.03.2013 in Civil Writ Petition No.4930 of 2011. I find that the reply of the CPIO to the query nos.2 & 4 of the "applicant" is in line with the provisions of RTI Act, 2005 and judicial precedents, and do not find any reason to interfere with.

On the above grounds, the "Appeal" filed by the "appellant" does not hold good and is liable to be rejected.

With this order, the Appeal stands disposed of.

A copy of the Order may be sent to the Appellant.

Date: 10.08.2020.


Executive Director
First Appellate Authority

Power Grid Corporation of India Ltd., Vadodara.