

**BEFORE THE FIRST APPELLATE AUTHORITY
(Under the Right to Information Act, 2005)
POWER GRID CORPORATION OF INDIA LTD,
WESTERN REGION-II, RHQ-VADODARA.**

RTI Appeal Registration No: PGCIL/A/E24/00019

Prabhat Ratan Pathak

: Appellant

Vs.

CPIO, POWERGRID, WR-II

: Respondent

ORDER

Facts of the Appeal

- | | |
|------------------------------|---------------------|
| 1) Date of RTI Application | : 01/04/2024 |
| 2) RTI Request Reg No. | : PGCIL/R/E24/00186 |
| 3) Date of RTI Reply by CPIO | : 28.04.2024 |
| 4) Date of First Appeal | : 07/05/2024 |

The Appellant Shri Prabhat Ratan Pathak, who is an ex-employee of POWERGRID, WR-2 has sought the following information.

- 1) A detailed copy of the approved note sheet of the resignation letter dtd 05.12.2023 of the appellant along with all its annexures.
- 2) Detailed information regarding the settlement amount, including the calculation methodology for each component such as Performance Related Pay, Earned Leave, Salary, Gratuity, Reimbursement of Cost of Uniform etc.
- 3) A copy of the oath that the appellant undertook under the Constitution of India upon joining of the respondent.

The respondent-CPIO has provided the information vide its letter dated 28.04.2024 containing the information readily available and held with the respondent public authority and this appellate authority found that the same is well within the time period as stipulated under Sec 7(1) of RTI Act, 2005. Dissatisfied with the reply of the respondent-CPIO, the appellant has filed the instant first appeal before this appellate authority.

I have carefully examined the RTI application, the response and the appeal and find that the matter can be decided on merit based on the material available on record. The grounds now raised by the appellant are discussed in the succeeding paragraphs.

- 1) In regard to point number-1 of the RTI Application, the appellant had sought for the copy of approved note sheet with file notings on every aspect of his Resignation Letter dated 05.12.2023. The respondent furnished the readily available information which is held with the public authority such as copy of the acceptance of the resignation of the

appellant along with all its annexures and not furnished copy of the approved note sheet containing the file notings.

- 2) In this regard, this appellate authority is of the considered opinion that the approved note sheet with file notings initiated and finally approved by the office of the respondent for acceptance of the resignation letter of the appellant contains names and designations of the concerned officials of the respondent and the same is personal information which are exempted under sections 8(1)(g) and 8(1)(j) of the RTI Act. I found that the decision-making process in the office of the respondent is a collective affair in which officers of different levels contribute, and the names of respondent's officials who are handling the matter are internal to the functioning of the respondent and the said information relates to personal information, the disclosure of which has no relation to any public activity or interest. If the approved note sheet containing file notings are disclosed, the notings that could be denied, but could not be severed, may also reach to the appellant. This would defeat the very basis of the role of the respondent under the provisions of the RTI Act. I am, therefore, of the view that the disclosure of approved note sheet with file notings with regard to the acceptance of resignation letter dated 05.12.2023 of the appellant under the provisions of RTI Act would certainly defeat the decision-making power of the respondent.
- 3) I note that in the case of *Shri V. Raj Vs. Dr. G. Narayana Raju*, the Hon'ble CIC, vide order dated August 22, 2007, had ruled that a public servant contributing to a decision is entitled to his anonymity. Similarly in *Shri Gurbax Singh Vs. Shri Vijay Kumar, CPIO*, Hon'ble CIC vide order dated September 25, 2007, held that it is a well-founded assumption that employees who contribute to a given decision should remain anonymous and at least in the higher echelons of administration in the parliamentary set up, anonymity of civil servants subserves the key element of the system- the ministerial responsibility to the Legislature. I found that the response of the respondent on request no.1 of the appellant is in line with the above decisions.
- 4) As regards to point nos.2 & 3 of the RTI Application and its reply, I found that the respondent-CPIO has furnished the copies of two payslips containing the item wise payment details of the appellant and also informed the appellant that the payment of Performance Related Pay and Earned Leave are under process, the appellant has not been allowed the cost of reimbursement of Uniform as the same was not applied during the respective calendar years, the appellant is not eligible for Gratuity as per the provisions of the Gratuity Act, No such procedure of taking oath as mentioned by the appellant is prevalent in the respondent office.
- 5) I found that the respondent provided the readily available information to the appellant in the manner that could be done by him within the scope of the RTI Act. I do not find any larger public interest for a direction to collate and compile the details of information and to provide the same to the appellant in the manner as he desires. Despite this, if the respondent resorts to provide such roving information after collating and compiling the same in a single point, it would have to devote very large number of resources and time. Such exercise would defeat 'the practical regime of Right to Information' as envisaged in the preamble of the RTI Act and would disproportionately divert the resources of respondent's office. 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 response of the respondent with regard to points 2 & 3 is in line with provisions of section 7(9) of the RTI Act which permits the respondent to provide the information in a manner other than that insisted by the appellant in these situations.

On the above grounds, I do not find any reason to interfere with the RTI Reply and the "Appeal" filed by the "Appellant" does not hold good and accordingly disposed of with the above order.

Copy of this order be supplied to Appellant and respondent-CPIO, WR-2.

Date: 31.05.2024



**First Appellate Authority & ED (WR-II)
Western Region -II,
Power Grid Corporation of India Ltd.**