

PUBLIC GRIEVANCES COMMISSION
(Govt. of National Capital Territory of Delhi)
APPELLATE AUTHORITY

[Under Section 7, Delhi Right to Information Act, 2001]

Date of Hearing : 12.12.2018

Date of Decision : 12.12.2018

Applicant : Shri Naresh Chaudhary

Respondent : Deputy Director of Education (East),
Directorate of Education

Appeal No : 269/2018

Appeal filed on : 24.07.2018

DRTI Application filed on : 05.06.2018

Competent Authority replied on : Not Satisfied with the reply

1. Background

Shri Naresh Chaudhary, appellant, vide DRTI application dated 05.06.2018 had sought information from the Deputy Director of Education (East) / Competent Authority under the DRTI Act-2001, on total 2 counts.

The appellant did receive a reply from the Competent Authority i.e. Deputy Director of Education (East), but he was not satisfied with the same. Aggrieved by the same, he filed an appeal before the Appellate Authority, under Section 7 of DRTI Act -2001.

2. Proceedings

The appellant is present and heard.

Shri M.K.Sharma, Deputy Director of Education (Zone-I), Shri Balraj Singh, Assistant Director of Education and Ms. Neha Shankar, SO, O/o DDE (East), are present on behalf of the Competent Authority. They have submitted a revised reply dated 11/12/2018, duly signed by the Competent Authority, a copy of which was handed over to the appellant during the hearing today.

The appellant submits that he is not satisfied with the information provided by the department. In response to query no. 1, the appellant states that the copy of agenda note has not been furnished to him. The Competent Authority shall check whether the agenda note is available in the department and a copy of the same shall be made available to the appellant if it is available in the department.

In response to query no. 2, the appellant states that only copies of annual return for the year 2014-18 has been provided, whereas he has sought copies of annual returns along with all its annexures. The officers present on behalf of the department state that some of the information might be personal and hence,

cannot be provided to the appellant. The appellant counters the submission of the departmental representatives by producing a number of circulars issued by the Directorate of Education in which, he states, that it has been held that all these documents are in public domain and hence, there is no bar in supplying these documents to him. The Appellate Authority / PGC is of the view that the Deputy Director of Education (East) may carefully go through the circulars issued by the Directorate of Education and the information, if any, considered to be personal and which would cause unwarranted invasion of privacy of any individual may not be provided to the appellant. A speaking order should be passed in this regard, otherwise, all the documents as sought by the appellant vide query no. 2 shall be provided to him.

3. Decision

The Competent Authority viz. Deputy Director of Education (East) shall furnish a revised reply in respect of query nos. 1 & 2, as advised above. The revised reply shall be issued within 2 weeks of receipt of this order, under intimation to the office of this Appellate Authority / PGC. The revised reply shall be issued under the signature / stamp of the Competent Authority.

With the above direction, **the appeal case is ordered to be closed before the Appellate Authority / PGC.**

(ASHOK KUMAR)
CHAIRMAN,
PUBLIC GRIEVANCES COMMISSION

Copy to :

1. Smt. Tara Walwekar, Deputy Director of Education, District East, Directorate of Education, Govt. of NCT of Delhi, D-Block, Anand Vihar, Delhi-92.
2. Shri M.K.Sharma, Deputy Director of Education (Zone-I), Directorate of Education, Govt. of NCT of Delhi, D-Block, Anand Vihar, Delhi-92.
3. Shri Naresh Chaudhary