

Government of India  
Department of Revenue  
Ad 1A Section

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New Delhi, dated 9<sup>th</sup> April, 2019

To

Shri Arvind Saran,  
Deputy Secretary (Admn),  
Room No. 48 A,  
Department of Revenue, North Block,  
New Delhi-110001

Subject:- Seeking information under Right to Information Act -2005- Regarding

Sir,

With reference to your online RTI registration no. DOREV/R/2019/50808 dated 31.03.2019 on the subject mentioned above and to say that so far as Ad 1 (A) Section is concerned, the information is as follows:-

**Point No. 1 :-** No such separate list for particular category is maintained by the undersigned. Therefore, the requisite information is not available in the format asked by him and the same are scattered in various files and other documents. As per Clause (f) and (j) of Section 2 of the RTI Act, information may not be created and the applicant may access the information available with the public authority in the form of data or analyzed data, with prior appointments and select the required information from the documents and files available in record.

**Point No. 2 :-** The caste and educational certificates of an employee are in the nature of personal information about a third party. Hence, it may not be possible to provide the certified copies of Caste Certificate.

**Point No. 3 :-** Requisite information is given below in para 2.

2. Appeal, if any, against the above reply can be filed before the First Appellate Authority within 30 days of receipt of this letter. The details of the First Appellate Authority is as under:-

Shri Arvind Saran,  
Deputy Secretary (Admn)  
Room No. 48 A,  
Department of Revenue, North Block  
New Delhi-110001

Yours faithfully,

*PS*  
(Raghvendra Singh Kushwah)

CPIO &amp; Under Secretary to the Govt. of India

Tele: 23095368

Copy to RTI Cell, Department of Revenue with reference to their registration no. DOREV/R/2019/50808 dated 31.03.2019

issuance  
10/04/19



Speed Post -

F.No. R-20011/60/2019-Ad.IA  
Government of India  
Ministry of Finance  
Department of Revenue  
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North Block, New Delhi  
Dated the 25 June, 2019

ORDER

Subject: Appeal under Section 19(1) of Right to Information Act-2005 by [Name] Jhap -  
regarding.

Whereas [Name] vide his letter dated 28.05.2019 (received by this Department on 03.06.2019) has filed an Appeal under section 19(1) of the RTI Act - 2005 with the First Appellate Authority & Deputy Secretary (Admn.), Department of Revenue.

2. And whereas an Appeal has been raised on the contention that the applicant not satisfying with the reply of his RTI application.

3. The APPEAL of [Name] was considered in detail and it has been observed that the CPIO/Under Secretary (Ad.IA) vide letter dated 09.04.2019 has already replied that the information sought by the applicant was not available in the format asked by the applicant.

4. It is also reiterated that as per the CIC Judgement in the appeal No.CIC/SB/A/2016/001025/CBECE-BJ dated 03.03.2017, "At the outset the Commission observed that under the provisions of the RTI Act, 2005, only such information as is available and existing and held by the public authority or is under control of the public authority can be provided. The PIO is not supposed to create information that is not a part of the record."

5. Moreover, as per the CIC's decision dated 18<sup>th</sup> September 2013 and 19<sup>th</sup> July 2017, "the caste and educational certificates of an employee are in the nature of personal information about a third party. The employee might have filed these documents before the appointing authority for the purpose of seeking employment, but that is not reason enough for this information to be brought in to the public domain to which anybody could have access. Apart from this, the appellant has not been able to demonstrate any public purpose which the disclosure of this information would serve. Hence, we concur with the submissions of the CPIO's representative that the information is exempt from disclosure."

However, the caste certificates of employees are in the nature of personal information about a third party. Hence, it may not be provided under the provision of section 8(1) (e) and (j) of RTI Act - 2005. Accordingly, the Appeal is disposed off, as CPIO's reply was found in order as per the provisions of RTI Act, 2005 and subsequent orders' of CIC.

Contd./2....

O/c  
Issued  
25/06/2019