OFFICE OF THE FIRST APPELLATE AUTHORITY
FILM AND TELEVISION INSTITUTE OF INDIA
LAW COLLEGE ROAD, PUNE – 411 004
Tel. 25433360 (O)

No.FTII/Reg/RTI/2/2017 **Date : 19.04.2017**

IN THE MATTER OF : I.D. NO.04

Shri K. Jagdeeswaran **Appellant**

V/s

PIO/Administrative Officer **Respondent**

FTII, Pune

O R D E R

Date of RTI Application	– 21.12.2016 & 22.12.2016
Date of RTI Reply (inspection)	- 19.01.2017
Date of RTI Appeal	- 21.03.2017
Date of Hearing	- 13.04.2017

This order shall dispose off the appeal filed by Shri K. Jagdeeswaran in respect of I.D. No.04.

1. Present Shri K. Jagdeeswaran, Appellant on 13.04.2017

2. Present Shri S.K. Dekate, PIO/Administrative Officer

3. All present heard.

4. In his RTI Application, the Appellant had asked for inspection of notings/correspondence relating to appointment of Group `B' and `C' employees appointed in FTII on regular/permanent basis from January 2000 to December, 2015 i.e. spanning over a period of 15 years. He had asked for the following information.

1. The details of Group `B' and `C' employees appointed in FTII, Pune

2. All Group B and C employees, name and designation along with their application, academic experience and other related qualifications for the post applied for.

3. Advertisement notification, selection committee approval, Call letters for Interview, appointment procedures of Group B and C employees at FTII, Pune

4. Group B and C employees recruitment rules (RR) for the post called for interview and filled up were approved by competent authority Government of India, Ministry of I & B, Governing Council of FTII

5. In case of malpractice/violation of stipulated recruitment rules (RR) and regulations regarding permanent Group B and C employees appointment at FTII, Pune, Kindly provide the officer's name and designation with contact details who is/was accountable/fully responsible for not following and executing FTII Recruitment Rules and regulations during the period of January 2000-December 2015.

The appellant was called for inspection of the related record by the PIO (Administration matters) on 19.01.2017.

After inspection, the appellant asked for photocopies of some of the pages of information and also asked for photocopies of original application, academic experience certificate, educational certificates etc.

The appellant has been provided with 136 pages of information by the PIO after inspection and deposition of requisite fees.

The appellant contends that he has not been provided with all information by the PIO. The PIO has contended that many of the details sought by the applicant such as academic experience certificates and educational qualifications certificates fall in the category of personal information and hence deniable under Section 8 of RTI Act.

In this context, reference is invited to the observations of Hon'ble Supreme Court of India in the Central Board of Secondary Education & Anr Vs. Aditya Bandopadhyay & Ors. (Civil Appeal No.6454 of 2011 arising out of SLP (C) No.7526/2009]

"....if A entrusts a document or an article to B, to be processed, on completion of processing B is not expected to give the document or article to anyone else but is duty bound to give the same to A who entrusted the document or article to B for processing."

The apex court has also observed that

"...If on the request of the employer or official superior or the head of department, an employee furnishes his personal details and information, to be retained in confidence, the employer, the official superior or departmental head is expected to hold such personal information in confidence as a fiduciary, to be made use of or disclosed only if the employee's conduct or acts are found to be prejudicial to the employer..."

Therefore, this presents a case for invoking Section 8(1)(e) of the RTI Act, 2005. In view of the foregoing, copies of educational qualification certificates, academic experience certificates, original application forms of the concerned cannot be provided to the Appellant.

Reference is also invited to S.K. Ranga vs. Container Corporation of India Ltd. (Appeal No.CIC/OK/A/2006/00260, dated 2/1/2007), the applicant had asked for inspection of all Dak registers of the Corporation from 1/1/2003 onwards, pertaining to various departments.

The Commission held that the applicant under the RTI Act should clearly specify the information sought in terms of Section 2(f) of the RTI Act.

In the present case, the applicant in item no. 3 had asked for inspection of all Advertisement notifications, selection committee approvals, Call letters for Interview, appointment procedures of Group B and C employees at FTII, Pune from January 2000-December 2015. The appellant has not been specific and the information sought comes in the category of being vague.

In view of the foregoing, the appellant's contention that he has not been provided information as per provisions of RTI Act, does not hold ground. The appeal is therefore disposed off.

5. Ordered accordingly.

If you are not satisfied with the information provided, you may file an appeal before **Central Information Commission, August Kranti Bhawan, Bhikaji Cama Place, New Delhi – 110 066** within the stipulated time.

Varun Bhardwaj 19/4/17

(Varun Bhardwaj)
Registrar
First Appellate Authority

Encl. : As above

Shri K. Jagdeeswaran
Assistant Professor Cinematography
FTII
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Copy to :

1. PIO/Administrative Officer, FTII, Pune
2. Incharge Multi Media, FTII with a request to upload the order on the FTII website.

Varun Bhardwaj 19/4/17

(Varun Bhardwaj)
Registrar
First Appellate Authority