

DRAFT

F.No.1/1/2013-IR
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi

Dated the 23rd March, 2016

OFFICE MEMORANDUM

Subject: - Uploading of RTI replies on the respective websites of Ministries / Departments.

Attention is invited to para 1.4.1. of this Deptt.'s OM No.1/6/2011-IR dated 15.04.2014 regarding guidelines for implementation of suo-motu disclosure under Section 4 of the RTI Act, 2005, which states as follows:-

"All Public Authorities shall proactively disclose RTI applications and appeals received and their responses, on the websites maintained by Public Authorities with search facility based on key words. RTI applications and appeals received and their responses relating to the personal information of an individual may not be disclosed, as they do not serve any public interest."

2. Further vide OM No.1/1/2013-IR dated 21.10.2014 on the issue of uploading of RTI replies on the respective websites of Ministries / Departments, DoPT had requested that *"RTI applications and appeals received and their responses relating to the personal information of an individual may not be disclosed, if they do not serve any public interest"*.

3. However, keeping in the view the directions dated 20.11.2013 of Hon'ble High Court of Kolkata in Writ Petition No.33290/2013 in the case of Mr. Avishek Goenka Vs Union of India regarding personal details of RTI applications, the public authorities may note that while proactively disclosing RTI applications and appeals received and responses thereto on their website, the personal information of an individual should not be disclosed.


(Gayatri Mishra)
Director (IR)
Tele:23092755

All Public Authorities.

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This Department have been impressing upon the Public Authorities to disclose maximum information, proactively, so that public at large need not file RTI applications to seek information held by the Public Authorities. One of such items was RTI applications, First Appeals and responses thereto. While doing so, it was told that Public Authorities may not disclose personal information of an individual as they do not serve any public interest. Attention, in this regard, is invited to this Department's OM No.1/6/2011-IR dated 15.04.2013 and that of even number dated 21.10.2014.

2. Some of the stakeholders objected to the two OMs and stated that disclosure of personal information would put the life of the information seekers at risk.

3. In the interest of stakeholders and directions dated 20.11.2013 of Hon'ble High Court of Kolkata in Writ Petition No.33290 / 2013 in the matter of Mr. Avishek Goenka Vs UOI, an OM has been drafted and is uploaded for comments of stakeholders.

4. Stakeholders may furnish their comments within 15 days, from the date of uploading the draft OM, to Shri R.K.Girdhar, US(RTI) through e-mail only at usrti-doapt@nic.in.


(Gayatri Mishra)
Director (IR)
Tele.2309 2755