

OFFICE OF THE FIRST APPELLATE AUTHORITY
(Appointed under the Right to Information Act, 2005) National
Institute of Educational Planning & Administration
17-B, Sri Aurobindo Marg, New Delhi-110016

Appeal No. NUEPA/A/E/24/00008
Dated 06.09.2024

IN THE MATTER OF:

SH. RAJKUMAR
HOUSE NO. 330, BEGUM BAAG
MEERUT – 251 001 (UTTAR PRADESH)
(email: maggicmaggi15@gmail.com)

Appellant

Vs.

Central Public Information Officer
National Institute of Educational Planning &
Administration (NIEPA)
17-B, Sri Aurobindo Marg, New Delhi-110016

Respondent

Date of Order: 18th September, 2024

ORDER

- (a) The Appellant has filed first appeal on 06/09/2024 Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. RTI Reg.No.NUEPA/A/E/24/00025 dated 10-08-2024 against the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the NIEPA.
- (b) The text of the RTI Appeal is “Reply to point 1 does not fall under the ambit of Section 8 of RTI Act, as mentioned by the PIO. Info regarding number of candidates applied for the post cannot increase or decrease competition and is also not confidential. All government bodies like SSC or Railway provide info about applicants data via RTI, just after the last date of form. I can provide you the copy of the same via mail, if required. Same rules of this ACT cannot be interpreted in a different way by two different bodies. I will be forced to approach CIC and request them to impose penalty on PIO for using RTI ACT as per his own discretion. Kindly provide info at the earliest.”
- (c) The Appellant has informed in the instant appeal that “Refused access to Information Requested.”
- (d) The appellant vide email dated 10th September, 2024 was requested to appear for hearing in the Office of FAA.
- (e) The Appellant vide his email dated 11.09.2024 requested for online hearing. The online hearing was held on 18.09.2024.
- (f) The reply of the Respondent against the instant appeal is as under: -
1. It is submitted that the information sought by the Applicant (Appellant hereinafter) on 06.09.2024 in response to his RTI Application No. NUEPA/R/E/24/00025 dated 10.08.2024 falls under clause 8(i)(d) of RTI Act 2005, which states that “information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information” hence cannot be provided.

2. The contents as above made in the RTI reply stands as it is and are candid”.

(g) This Office has carefully considered the application, the response, the appeal and the records made available and the matter was decided based on the material available on record.

(h) The office directs the CPIO to provide the desired information to the appellant.

The appeal is accordingly disposed of.

Sd/-

(Mr. Surya Narayana Mishra)
First Appellate Authority

Copy to:

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2. Central Public Information Officer
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