

Details about RTI:

1.Particulars of the CPIO against whose order, appeal is preferred	Mr. Arvind Pal, Manager & CPIO Order dated 11.08.2021, received on 20.08.2021 (STC/CO/HCO/CON/13702/2018)
2.Date of submission of Application	02.08.2021
3.Brief facts leading to appeal	<p>The CPIO has wrongly invoked the Clause 8 (1) (H) of the RTI Act because exemption from releasing the information is granted, if it would impede the process of investigation-process, cannot be a ground for refusal of the information. The authority withholding information must show satisfactory reasons as to why the release of such information would hamper the investigation process. Such reasons should be 'germane', and the opinion of the process being hampered should be reasonable and based on some substantive-material, sans this consideration, Section 8(1)(h) and other such provisions would become the heaven for dodging demands for information.</p> <p>Reference case : Hon'ble High Court of Delhi in B.S.Mathur Vs. PIO held that:</p> <p>-The mere reproducing of the wording of the statute would not be sufficient when recourse is had to 8(1)(h) RTI Act.</p>

	<p>-The burden is on the public authority to show in what manner the disclosure of such information would 'impede' the investigation.</p> <p>-The mere pendency of an investigation or inquiry is by itself not a sufficient justification for withholding information. It must be shown that the disclosure of the information sought would 'impede' or even on a lesser threshold 'hamper' with investigation.</p> <p><i>-Moreover, please note that the RTI application was prepared & submitted, in order to promote transparency and accountability which is the need-of-hour, in the working of STC – a public authority. Hence, the public-authority has to honour transparency of information which will promote accountability to the needs of citizen of India.</i></p>
4. Prayer or relief sought	In the light of the grounds cited under para 3 above, kindly provide the information/documents as CPIO has wrongly invoked the clause 8(1)(h) RTI Act, 2005
5. Last date of filing the appeal	18.09.2021