

Central Information Commission

**Appeal No. 20/IC(A)/2006
F.No. 11/97/2006-CIC**

Dated, the 29th March, 2006

Name of the Appellant : A.X.S. Jiwan, Superintendent of Central Excise & Customs, Room No. 304, 3rd Floor, Central Excise Building, Race Course, Near GEB Office, Vadodara-390007, Gujarat.

Name of the Public Authority : Commissioner, Central Excise & Customs, Surat-II Commissionerate, New Central Excise Building, II Floor, Race Course, Near GEB Office, Vadodara-390007, Gujarat.

DECISION

Grounds of appeal:

The appellant has sought information that relates to sanction of leave and payment of salaries of one of his colleagues. The appellate authority has refused to part with the information on the ground that disclosure of such information is exempt under Section 8(1) (j). The appellant has contended that due to non-payment of salary, his colleague is facing financial hardship and therefore it concerns life and liberty of his colleague.

Commission's Decision :

RTI Act enables every citizen to take change of his/her life. A citizen can seek relevant information that can be used for betterment of the information seeker. It is not understandable why the affected person has not sought information about the public action affecting her life. Information sought is to be provided in the form in which it exists. It does not have to be created afresh by the public authority to supply the requester.

In the present case, information seeker has asked several questions, expecting the CPIO to reply in yes or no, which the CPIO ought not to do. As the information sought does not exist in the form in which it is requested and that it relates to another employee, the exemption from disclosure under Section 8(1)(j) has been correctly applied by the appellate authority.

The appeal is therefore dismissed.

Sd/-
(M.M. Ansari)
Information Commissioner

Authenticated true copy :

(P.K. Gera)
Registrar

Cc:

1. Shri A.X.S. Jiwan, Superintendent of Central Excise & Customs, Room No. 304, 3rd Floor, Central Excise Building, Race Course, Near GEB Office, Vadodara-390007, Gujarat.
2. Shri K.L. Goyal, CPIO & Commissioner, Central Excise & Customs, Surat-II Commissionerate, New Central Excise Building, II Floor, Race Course, Near GEB Office, Vadodara-390007, Gujarat.