

**Central Information Commission**  
**Appeal No. CIC/WB/A/2007/01091-SM dated 06.08.2007**  
**Right to Information Act-2005 – Under Section (19)**

**Dated 21.10.2008**

**Appellant – Lt. Col. Pavinder Ahluwalia**

**Respondents – DG (DC&W), Integrated HQ of MOD (Army), MOD,  
South Block, New Delhi**

**ORDER**

This is the second appeal of Lt. Col. Pavinder Ahluwalia, HQ, Commander Works Engineer, MOD, Jhansi, against the order of the First Appellate Authority. The appeal, dated 06.08.2007, was received in the Commission on 10.08.2007 and was transferred to us in September, 2008. The brief facts of the case are as under:-

2. Lt. Col. Ahluwalia sent a request on 23.04.2007, to the Additional Director General, Public Information, apparently the CPIO, for some information regarding the legal qualification of Lt. Col. Mahender Singh Yadav. In response to this request, the CPIO in the Army Headquarters wrote to him denying the information on the ground that this was exempt under Section 8(1) (j) of the RTI Act “being personal information the disclosure of which has no relationship to any public activity or interest, or it should cause unwarranted invasion of the privacy of the individual”.

3. Not satisfied with this reply, Lt. Col. Ahluwalia filed his first appeal on 21.05.2007 before the First Appellate Authority and argued that the application of the exemption provisions of the RTI Act to this case was not justified. The main plank of his argument was that the proviso of Section 8(1) (j) mandates that any information under this Section which cannot be denied to the Parliament or a State Legislature may not be denied to any person and, according to him, the information sought by him is such that it is liable to be given to Parliament.

4. The First Appellate Authority disposed off this appeal on 26.06.2007 and rejected the appeal on the same grounds, namely, that these are exempt under Section 8(1) (j) of the RTI Act.

**DECISION**

5. It is against this order that the second appeal has been filed. The Applicant had asked for a number of information regarding the acquisition of a Law Degree by Lt. Col. Mahender Singh Yadav. This included the name of the College, the year of his joining the Law Degree course, the name of the University,

if permission was required/granted for joining the Law Degree in service etc. The Educational qualification of a Government employee, especially if it is acquired in service, cannot be a purely personal matter. For jobs in the Government, clear educational qualifications are laid down. The number of degrees, diplomas and certificates that a Government employee possesses at the time of joining the Government service or later, in service, are facts which are fully in the public domain. Therefore, we feel that denial of this information on the grounds that it is exempt under Section 8(1) (j) of the RTI Act is unjustified. We direct the public authority concerned to provide this information to the Appellant within 15 working days from the receipt of this order. The compliance of the order be communicated to the Commission forthwith.

6. The appeal is thus disposed off. Copies of this order be given free of cost to the parties.

Sd/-  
**(Satyananda Mishra)**  
**Information Commissioner**

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

Sd/-  
**(Vijay Bhalla)**  
**Assistant Registrar**