

This is with reference to my application No.RINLT/R/E/22/00110 dated 28/06/2022 asking for the list of employees belonging to Christian Community. As per the reply from the CPIO in letter No:NIL dated 12/07/2012, I was informed that the said information could not be provided under section 8(1)(J) of the RTI Act-2005 stating that

*“Information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information. Provided that the information which cannot be denied to the Parliament or a State Legislature, shall not be denied to any person”.*

The CPIO has also mentioned in his reply letter that the “details of religion” sought by the applicant falls under exemption from disclosure of information and hence cannot be furnished.

It may please be noted that I did not ask for the “details of religion” but the list of employees belonging to Christian community since there is a lot of difference between the two verbatim – “details of religion” and ‘list of employees belonging to a certain religion’. The definition of religion as per standard dictionaries is “a personal set or institutionalized system of religious attitudes, beliefs and practices, the service and worship of God or the supernatural; and commitment or devotion to religious faith or observance, whereas the list contains only the names of people belonging to a certain category. He has drawn his own interpretation and refused to provide the required information.

As I have mentioned in my application that a group of persons belonging to non-christian community taken over the administration of the Church by force and made their own laws for appointing the Church Pastor and nominate persons for the Executive Committee. Thus the Christian group is completely denied of their right to appoint their religious Pastor. Can a Christian appoint a Priest for Hindu temple / imam to a mosque? Hence, the information sought is in the larger public interest and it does not warrant to invasion of privacy of the individual.

The CPIO’s refusal to make available the list of employees belonging to Christian community was against the provisions of the RTI Act. **In** fact, the Central Information Commission vide its order number CIC/AT/A/2007/01029 & 1263-1270; Date of decision: 29/04/2008 directed the public authorities (Income Tax Departments) holding Income Tax returns of the political parties to make them available to the appellant. It passed the judgement stating that the tax returns of political parties were to be made public and also directed the authorities to furnish copies of the IT returns of the parties to the public.

*Thus information, which is otherwise exempt, can still be disclosed if the public interest so warrants.*

*I am surprised at the manner in which the CPIO chosen to ignore my request without referring directions and decisions of the Central Information Commission in such matters.*

Since the employees are working in the public sector / public domain and getting salaries from public funds, the provisions in section 8 (1) (J) quoted by CPIO for not providing the information, are not applicable in this case and it hence proves that the RTI and this First Appeal is in the larger public interest. Therefore, as per the directions of the Central Information Commission, the information sought by the appellant is clearly to be made available under the Right to Information Act. The CIC in another occasion held that a public authority was obligated under section 4(1) (b) of the RTI Act to disclose information related to the service of its employees.

Hence keeping in mind the above grounds for appeal and the fact that this information is clearly to be given under RTI as per the order of Central Information Commission, I request you to kindly direct the CPIO concerned to provide the requested information to the undersigned at the earliest.