



Arshdeep Singh Sra, Advocate,
H. No. 145, Ground Floor,
Phase – 07, Sector 61,
S. A. S. Nagar (Mohali) (Punjab)

.... Complainant

V/s

Public Information Officer,
O/o The Secretary to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Complaint Case No. 32 of 2021

Present : None on behalf of the complainant.
Ms. Aman Kumar, Senior Assistant(Establishment Branch), on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 04.11.2020. The complaint has been received in the Commission on 24.12.2020.

On the last date of hearing, held on 23.06.2021 ;

- i) Ms. Sunita Rani, Superintendent-cum-PIO (Establishment Branch) of office of Director, Local Government, Punjab, Chandigarh, stated that the requisite information was supplied to the complainant vide letter no. 24255 dated 21.06.2021 by registered post.
- ii) An opportunity was given to the complainant to confirm whether he received the information, which was sent to him by the respondent PIO vide letter dated 21.06.2021 and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

Ms. Aman Kumar, Senior Assistant(Establishment Branch), who appeared on behalf of the respondent PIO in today's, states that the requisite information has already been supplied to the complainant vide letter no. 24255 dated 21.06.2021 through registered post. He also states that the appellant has not pointed out any deficiency in the information supplied to him till date.

The complainant, Sh. Arshdeep Singh Sra, Advocate, was absent on the last date of hearing, held on 23.06.2021. He is again absent from today's hearing without any intimation to the Commission. He has neither pointed out any deficiency in the information supplied to him, to the respondent-PIO, nor approached the Commission with any contrary claim in that regard. In view of the above, it is assumed that the appellant has received the required information and is satisfied with the same.

Since complete information has been supplied by the respondent PIO to the complainant and no cause of action is left in this case, hence, the show-cause issued to the concerned respondent PIO vide orders dated 30.03.2021, is dropped and the case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date : 8th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Karamjeet Singh S/o Sh. Maghar Singh,
1169, Ward – 12, Khanna Nagar,
Byepass Road Lehragaga,
Tehsil – Lehragaga, Distt. - Sangrur(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Council,
Lehragaga, Distt. - Sangrur (Punjab)

First Appellate Authority,
O/o The Director,
Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 4103 of 2020

Present : Sh. Karamjeet Singh, the appellant in person.
i) Sh. Nitin Sood, Senior Assistant(Establishment Branch) of office of Director, Local Government, Punjab, Chandigarh ;
ii) Sh. Balkrishan, Executive Officer, Nagar Council, Lehragaga, in person, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 29.05.2020. First appeal is dated 21.07.2020. Second appeal has been received in the Commission on 16.12.2020.

On the last date of hearing, held on 23.06.2021;

- i) Sh. Balkrishan, Executive Officer, stated that the appellant visited the office with three of his assistants and all of them were attended and given opportunity to inspect the official record and whatever information was identified, was provided to the appellant.
- ii) The appellant stated that he visited the office of the respondent on 15.04.2021 as directed vide orders dated 30.03.2021 and whatever information was given to him is irrelevant.
- iii) Last opportunity was given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request. If any information, to any query/queries raised by the appellant through RTI request, is not available or not maintained in the official record or relates with some other office, directions were given to PIO concerned to send/file a proper point-wise reply, in writing, to the particular query/queries, to the appellant with a copy to the Commission.
- iv) An opportunity was also given to the appellant to confirm whether he received the information/reply or not.

Sh. Nitin Sood, Senior Assistant (Establishment Branch) of office of Director, Local Government, Punjab, Chandigarh, appeared on behalf of First Appellate Authority in today's hearing.

Sh. Balkrishan, Executive Officer, Nagar Council, Lehragaga, who appeared in person in today's hearing, states that complete information has been provided to the appellant vide letter no. 1159 dated 03.09.2021. On that reply, the appellant has put his signatures on 06.09.2021 as an acknowledgement of having received the requisite information. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 1160 dated 03.09.2021, which has been received in the Commission through an e-mail. It is taken on record.

The appellant, Sh. Karamjeet Singh, who appeared in person in today's hearing, states that irrelevant information has been given to him till date but could not point out specific discrepancies.

Since complete information has been supplied by the respondent PIO and the appellant has also acknowledged that he has received the required information.

Moreover, after going over the queries raised by the appellant through his RTI request and the response given by the respondent PIO concerned and finding it satisfactory, no cause of action is left in this case, hence, the case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date : 8th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Ms. Rajwant Kaur W/o Sh. Surinder Singh,
H. No. 81, Phase – 1,
Urban Estate, Dugri,
Ludhiana - 141013(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The District Education Officer(Elem.),
Ludhiana (Punjab)

First Appellate Authority,
O/o The District Education Officer(Elem.),
Ludhiana (Punjab)

...Respondents

Appeal Case No. 01 of 2021

Present : Ms. Rajwant Kaur, the appellant in person.
Sh. Swaran Singh, Senior Assistant, for the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 28.08.2020. First appeal is dated 28.10.2020. Second appeal has been received in the Commission on 18.12.2020.

On the last date of hearing, held on 23.06.2021,

- i) The appellant stated that no information was given to her by the respondent PIO till date.
- ii) Sh. Rajpal Jain, Senior Assistant, stated that a reply was given to the appellant vide letter dated 17.06.2021, intimating him that service book of Ms. Krishna Devi (regarding whom information has been demanded through RTI request) has gone to office of Accountant General (A. D. A.) with her pension-case and whenever it would come back the required information would be given to the appellant and sought an adjournment in this case.
- iii) Another opportunity was given to the respondent PIO concerned that whenever service book (which has gone to office of Accountant General (A. D. A.) with pension-case) of Ms. Krishna Devi would come back, the required information regarding dates of promotions of Ms. Krishna Devi except her service book be given to the appellant.
- iv) The appellant was advised to confirm whether she received the information or not.

Sh. Swaran Singh, Senior Assistant, who appeared on behalf of the respondent PIO in today's, states that in compliance to the order dated 23.06.2021, givable information regarding dates of promotion of Ms. Krishna Devi, B. P. E. O. (Retd.) has been provided to the appellant vide letter no. 91651 dated 30.06.2021.

The appellant, Ms. Rajwant Kaur, who appeared in person in today's hearing, states that information regarding promotion of Ms. Krishna Devi, B. P. E. O. (Retd.) has been received but information regarding her pay scale has not been given to him by the respondent .

Heard the parties.

As through Para 59 of Decision dated 13.11.2019, the Hon'ble Supreme Court of India, in Civil Appeal no. 10044 of 2010 titled Central Public Information Officer, Supreme Court of India Vs. Subash Chander Agarwal, has defined 'Personal Information' under RTI Act, 2005 and the relevant operative part of the Judgment is reproduced below ;

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“Reading of the aforesaid judicial precedents, in our opinion, would indicate that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as Personal Information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings etc. are all Personal Information’ . Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, detail of investments, lending and borrowing, etc. are Personal Information’ . Such ‘Personal Information’ is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation invasion ‘Larger Public Interest’ is satisfied. This list is indicative and not exhaustive.”

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After hearing both the parties and examining the documents placed in the case-file, it is found that information sought for by the appellant through his RTI request is 'personal information' in nature and during the hearing, when the appellant was asked that what public interest is involved in the disclosure of information, she has also failed to disclose the fact that what public interest involved in the instant appeal-case. Moreover, under clause (j) of Section 8 (1) of the RTI Act 'personal information' can not be given to the information-seeker where the information-seeker failed to establish the fact that remaining information sought for by him is in larger public interest, hence, the above-mentioned appeal-case is announced as **disposed of and closed**.

Copies of the orders be sent to the parties.

Date : 8th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

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