



Sh. Ashok Kumar
S/o Sh. Late Sh. Ram Lal,
Bank Street, New Basti,
Nabha, Distt. - Patiala(Punjab)
(M. 9780150888)

....Appellant

V/s

Public Information Officer,
O/o The Director ,
Vigilance Bureau,
Sector 68, PB,
S. A. S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Director ,
Vigilance Bureau,
Sector 68, PB,
S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 5064 of 2022

Present : None on behalf of the appellant.
Sh. Karamjeet Singh, Inspector-cum-APIO(M.-9417143660) for the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 12.07.2022. First appeal is dated 25.08.2022. Second appeal has been received in the Commission on 31.10.2022.

3. This case was earlier heard on 27.02.2023.

4. The appellant, Sh. Ashok Kumar is not present in today's hearing.

5. Sh. Karamjeet Singh, Inspector-cum-APIO, who appeared on behalf of the respondent PIO in today's hearing, states that a reply has been sent to the appellant vide letter 20.03.2023, intimating him that the information sought through RTI request is 'third party' information and exempted from disclosure under clause (g) and (h) of Section 8 (1) of the RTI Act. He also intimates that a copy of judgment announced by division bench comprising of Hon'ble Mr. Justice Sh. Radha Krishnan and Hon'ble Mr. Justice Dipak Misra of Hon'ble Supreme Court of India in a Special Leave Petition no. (Civil) 27734 of 2012 : Girish Ramchandra Deshpande V/s Central Information Commissioner and Others, has held that personal information can not be disclosed to the information-seeker where the information-seeker failed to establish the fact that information sought for by him is in larger public interest. Moreover, an operative part of that Judgment is re-produced as under :

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Appeal Case No. 5064 of 2022

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"13. We are in agreement with the CIC and the courts below that the details called for by the petitioner i. e. copies of all memos issued to the third respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in clause (j) of Section 8 (1) of the RTI Act. The performance of an employer/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner can not claim those details as a matter of right."

6. He (Sh. Karamjeet Singh, Inspector-cum-APIO) also states that a reply has also been sent to the Commission (received vide Diary No. 7352 dated 20.03.2023). It, alongwith annexure, is taken on record.

7. 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, the instant appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date :22nd March, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab