



Sh. Pawan Kumar,
S/o Sh. Birbal,
R/o Tilak Nagar, Street No. 8,
Sri Muktsar Sahib.

Appellant

Versus

Public Information Officer,
O/o District Education Officer (EE),
Ferozepur.

First Appellate Authority,
O/o District Education Officer(EE),
Ferozepur.

Respondents

Appellant Case Nos.2087&2534 of 2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
31.03.2018	Nil	07.05.2018	Nil	20.06.2018

Present:

Appellant- None;
Respondents- Sh. Harmesh Lal, BPO, Gurharsahai;
Sh. Madan Mohan, BPO, Guruharsahai II.

ORDER:

The following order was made by the bench on 13.08.2019:

As the appellant and the respondents are the same and the information sought essentially is identical, the single order shall dispose both the appeals.

The appellant had sought the copies of the testimonials of the elementary training teachers, head teacher, Central head teacher on the basis of which they have procured the employment in department of education. The appellant through his communication suggests some irregularities in the aforesaid recruitments.

The third party represented by Sh. Rajinder Pal Singh, President, All India Raisikh, Mahatam, Sirki band, Welfare Association, Reg., expresses its reservations about imparting the information by the respondents on the ground that the appellant is vexatiously seeking information with a view to harass them. Besides, they say that it is their personal



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information and in terms of section 8 (1) (J) of the RTI Act 2005, it has got nothing to do with public activity and tantamount to intrusion into their privacy.

The third party quotes a citation of the the Hon'ble Supreme Court of India titled Sh. Girish Ramchandra Deshpandey vs. Central Information Commissioner & Ors., (2013), which has established a dictum that the matters of disciplinary proceedings inter-se employer and employee are personal in nature and as such are exempted from revelation. It has also been contended by the third party that the appellant is a habitual complainant and is seeking the information only to harass them.

The Commission has given its thoughtful consideration to the issue and has gone through the record and has heard the respective submissions of the parties. The Commission is of the view that the authorities invoked, do not apply in the case in hand as it refers to the disciplinary proceedings of an official in the public authority. In the instant case, the documents which have been sought refer to the basic qualification required for the eligibility of the public offices and cannot be claimed as a personal information. Even so, the appellant had alluded in his submissions that some scandalous ploys have been used in the procurement of the job. In the face of such allegations which have not been expressly denied



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by the respondents, the Commission is inclined to invoke the proviso to section 8 of the Act, wherein, the information is required to be divulged in the larger public interest.

The Commission further feels that information, if provided in entirety, will be quite a voluminous chunk. It directs the respondents to allow the appellant the inspection of the documents involved in his original application and provide him the certified copies of them to a maximum extent of one hundred pages only within a month from today after giving him a definite date and time.”

The case has come up today. The respondents are present. They have produced before us the copies of the memos issued to the appellant to inspect the record in compliance with the directions passed in the aforesaid order. Despite having afforded more than couple of opportunities, the appellant has failed to avail it. Seemingly he is no more interested to pursue the matter. The issue cannot be kept hanging by summoning public authority again and again which becomes counterproductive in public interest. The appeal is accordingly disposed for want of appropriate prosecution.

Disposed.

01.10.2019	Sd/- (Avtar Singh Kaler) S.I.C.	Sd/- (Pawan Kumar Singla) S.I.C.	Sd/- (Yashvir Mahajan) S.I.C.
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CC: PS/SIC (Sh. Pawan Kumar Singla), for necessary information.

CC: PS/SIC (Sh. Avtar Singh Kaler), for necessary information.