



Jagjit Singh
Aman Nagar,
Street – 03, Back Side Green Land School,
Near Jalandhar Bye Pass,
Ludhiana(Punjab)

....Appellant

V/s

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

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

...Respondents

Appeal Case No. 5315 of 2021

Present : None on behalf of the appellant.
Sh. Rajeev Saggarr, Superintendent-cum-APIO of Vigilance Cell, for the respondent.

ORDER

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

The RTI request is dated 19.07.2021. First appeal is dated 26.08.2021. Second appeal has been received in the Commission on 01.11.2021.

Sh. Rajeev Saggarr, Superintendent-cum-APIO of Vigilance Cell, who appeared on behalf of the respondent PIO in today's hearing, states that a reply has been given to the appellant vide letter no. 3668 dated 30.09.2021, intimating him that through RTI request action-taken report on complaint dated 07.06.2021 has been demanded and the enquiry officer(to whom the compliant was marked) has gone on ex-India leave and that complaint dated 07.06.2021 could not dealt and presently it has been marked to an other officer to enquire the compliant. It, alongwith annexure, is taken on record.

The appellant, Sh. Jagjit Singh is not present in today's hearing.

The respondent PIO is directed to send the above-said reply dated 30.09.2021 alongwith enclosure again to the appellant through registered post with a copy to the Commission.

With the above-announced directions, the instant appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date :4th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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



Jagjit Singh
Aman Nagar,
Street – 03, Back Side Green Land School,
Near Jalandhar Bye Pass,
Ludhiana(Punjab)

....Appellant

V/s

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

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

...Respondents

Appeal Case No. 5404 of 2021

Present : None on behalf of the appellant.
Sh. Rajeev Saggarr, Superintendent-cum-APIO of Vigilance Cell, for the respondent.

ORDER

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

The RTI request is dated 12.08.2021. First appeal is dated 13.09.2021. Second appeal has been received in the Commission on 30.11.2021.

Sh. Rajeev Saggarr, Superintendent-cum-APIO of Vigilance Cell, who appeared on behalf of the respondent PIO in today's hearing, states that a reply has been given to the appellant vide letter no. 3670 dated 30.09.2021, intimating him that through RTI request action-taken report on complaint dated 07.06.2021 has been demanded and the enquiry officer(to whom the compliant was marked) has gone on ex-India leave and that complaint dated 07.06.2021 could not dealt and presently it has been marked to an other officer to enquire the compliant. It, alongwith annexure, is taken on record.

The appellant, Sh. Jagjit Singh is not present in today's hearing.

The respondent PIO is directed to send the above-said reply dated 30.09.2021 alongwith enclosure again to the appellant through registered post with a copy to the Commission.

With the above-announced directions, the instant appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date :4th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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



Jaswinder Singh S/o Sh. Jagjit Singh,
Village – Sidhupur Kalan,
Tehsil - Khamano,
Distt. – Fatehgarh Sahib (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Sub Divisional Engineer,
Water Supply & Sanitation,
Sub-Division- 02,
S. A. S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Executive Engineer,
Water Supply & Sanitation,
Division - 03, S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 3396 of 2019

Present : Sh. Jaswinder Singh, the appellant in person with Sh. Dilpreet Singh, Advocate.
Ms. Simran Kaur, Sub Divisional Engineer, in person.

ORDER

Heard in the office of the Commission.

The RTI request is dated 05.12.2018. First appeal is dated 14.12.2018. Second appeal has been received in the Commission on 11.04.2019.

The appellant, Sh. Jaswinder Singh, appeared in person in today's hearing.

Ms. Simran Kaur, Sub Divisional Engineer, who appeared in person, in today's hearing, states that she has brought a reply in an affidavit dated 02.05.2022 and also a cheque (bearing no. 009029 dated 27.04.2022) of Rs. 9324/- (excess amount taken earlier from the appellant as required fee for supply of information) to hand over the same to the appellant during the hearing in the Commission. She also handed over an affidavit dated 02.05.2022 and cheque of Rs. 9324/- to the appellant during the proceeding of the hearing. A copy of an affidavit with a copy of cheque, is taken on record.

As no cause of action is left in this case, hence, the appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date : 4th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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



Jaswinder Singh S/o Sh. Jagjit Singh,
Village – Sidhupur Kalan,
Tehsil - Khamano,
Distt. – Fatehgarh Sahib (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Sub Divisional Engineer,
Water Supply & Sanitation,
Sub-Division- 02,
S. A. S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Executive Engineer,
Water Supply & Sanitation,
Division - 03, S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 3397 of 2019

Present : Sh. Jaswinder Singh, the appellant in person with Sh. Dilpreet Singh, Advocate.
Ms. Simran Kaur, Sub Divisional Engineer, in person.

ORDER

Heard in the office of the Commission.

The RTI request is dated 06.12.2018. First appeal is dated 14.12.2018. Second appeal has been received in the Commission on 03.04.2019.

The appellant, Sh. Jaswinder Singh, appeared in person in today's hearing.

Ms. Simran Kaur, Sub Divisional Engineer, who appeared in person, in today's hearing, states that she has brought a reply in an affidavit dated 02.05.2022 and also a cheque (bearing no. 009030 dated 27.04.2022) of Rs. 10816/- (excess amount taken earlier from the appellant as required fee for supply of information) to hand over the same to the appellant during the hearing in the Commission. She also handed over an affidavit dated 02.05.2022 and cheque of Rs. 10816/- to the appellant during the proceeding of the hearing. A copy of an affidavit with a copy of cheque, is taken on record.

As no cause of action is left in this case, hence, the appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date : 4th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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

Jagjit Singh
Aman Nagar,
Street – 03, Back Side Green Land School,
Near Jalandhar Bye Pass,
Ludhiana(Punjab)

....Appellant

V/s

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

First Appellate Authority,
O/o The Director,
Public Instructions (Sec.) Pb.,
Vidya Bhawan, P.S.E.B. Complex,
Sector 62,S.A.S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 4192 of 2021

Present : None on behalf of the appellant.
Sh. Jiwan Singh Saroy, Senior Assistant, on behalf of the respondent.

ORDER

Heard in the office of the Commission.

The RTI request is dated 11.06.2021. First appeal is dated 11.07.2021. Second appeal has been received in the Commission on 15.09.2021.

On the last date of hearing, held on 13.04.2022 ;

- i) The appellant was not present but through telephonic communication, had requested for an adjournment in this case.
- ii) Sh. Charanjit Singh, District Education Officer (Sec.), Ludhiana, who appeared in person with Sh. Jiwan Singh Saroy, Senior Assistant, stated that a reply was sent to the appellant vide letter no. 591 dated 12.04.2022 and also submitted a reply vide letter dated 12.04.2022 during the proceeding of this case, stating that information demanded by him (appellant) is 'personal information', appended to which is a judgment, announced by the 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 holding that 'personal information 'as defined under clause (j) of Section 8 (1) of the RTI Act can not be given to the information-seeker.
- iii) Last opportunity was given to the appellant to clear the fact what 'public interest' is involved in the disclosure of information, which has been sought by him through RTI request.
- iv) Both the parties i. e. the appellant and the respondent PIO were directed to remain present during the proceedings of the instant appeal-case on the next date fixed in the office of State Information Commission, Punjab so that facts of this case could be cleared.

The appellant, Sh. Jagjit Singh is not present in today's hearing but through a letter dated 03.05.2022, which has been received in the Commission through an e-mail, has made a submission that the information, demanded by him through RTI request carries 'public interest'. He has not specified what public interest is there. It is taken on record.

Sh. Jiwan Singh Saroy, Senior Assistant, who appeared on behalf of the respondent PIO in today's hearing, states that a reply at point no. 05 and 06 has already been given to the appellant vide letter no. 590 dated 12.04.2022 and rest of the information at remaining points is 'third party' information and a reply vide letter no. 591 dated 12.04.2022 has also been sent to the Commission, It, alongwith annexure, is placed in the case-file.

Examined the replies (sent by both the parties i. e. appellant and the respondent) placed in the case-file.

Moreover, the 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 established the fact that information sought for by him is in larger public interest. An operative part of that Judgment is re-produced as under :

- “ 12) *The petitioner herein sought for copies of all memos, show cause notices and censure/punishment awarded to the third respondent from his employer and also details viz movable and immovable properties and also the details of his investments, lending and borrowing from Banks and other financial institutions. Further, he has also sought for the details of gifts stated to have accepted by the third respondent, his family members and friends and relatives at the marriage of his son. The information mostly sought for finds a place in the income Tax returns of the third respondent. The question that has come up for consideration is whether the above mentioned information sought for qualifies to be 'personal information' as defined in clause (j) of Section 8 (1) of the RTI Act.*
- 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.*
- 15) *The petitioner in the instant case has not made a bona fide public interest in seeking information, the disclosure of such information would cause unwarranted invasion of privacy of the individual under Section 8 (1) (j) of the RTI Act.*

After 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' , moreover, the appellant is also not present during the hearing to clarify the fact what public interest is involved in the disclosure of information (demanded through RTI request) in this case, hence, the instant appeal-case is announced as **disposed of and closed**.

Copies of the orders be sent to the parties.

Date :4th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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

Lacchman Singh,
H. No. 27723, Phase -2,
Urban Estate,
Patiala(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Block Primary Education Officer,
Bhunerheri -2,
Distt. Patiala (Punjab)

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

...Respondents

Appeal Case No. 1058 of 2021

Present : Sh. Lacchman Singh, the appellant in person.
Ms. Neeru Bala, Block Primary Education Officer, Block Bhunerhari, in person.

ORDER

Heard in the office of the Commission.

The RTI request is dated 19.10.2020. First appeal is dated 10.12.2020. Second appeal has been received in the Commission on 24.02.2021.

On the last date of hearing, held on 19.04.2022 ;

- i) Ms. Neeru Bala, Block Primary Education Officer, Block Bhunerhari, stated that the information was already supplied to appellant.
- ii) The appellant stated that incomplete information was given to him by the respondent PIO.
- iii) The concerned parties were directed to remain present during the proceedings of the instant appeal-case on the next date fixed before the bench of the undersigned.

The appellant, Sh. Lacchman Singh, appeared in person in today's hearing.

Ms. Neeru Bala, Block Primary Education Officer, Block Bhunerhari, who appeared in person, in today's hearing, states that she has brought information at point no. 04 of the RTI request i. e. copy of office letter no. 17262 dated 15.01.2020 to hand over the same to the appellant during the hearing in the Commission. She also handed over the remaining information to the appellant during the proceeding of the hearing. A copy of the same is taken on record.

As no cause of action is left in this case, hence, the show-cause issued to the concerned respondent PIO vide orders dated 08.11.2021, is dropped and the appeal-case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date :4th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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

(Regd. Post) **Munish Kaushal**
S/o Sh. N. D. Kaushal,
H. No. 13 – D, Passi Road,
Patiala - 147001(Punjab) **...Appellant**

V/s

(Regd. Post) **Public Information Officer,**
O/o The Deputy Secretary,
Pb. State Power Corporation Limited(P.S.P.C.L.),
Patiala (Punjab)

(Regd. Post) **First Appellate Authority,**
O/o The Chief Engineer/H.R.D.,
Pb. State Power Corporation Limited(P.S.P.C.L.),
Patiala (Punjab) **...Respondents**

Appeal Case No. 385 of 2020

Present : Ms. Rashi Kaushal on behalf of the appellant.
i) Sh. Sehajbir Singh, Counsel for respondent-PIO ;
ii) Sh. Jaskaran Singh, Deputy Secretary-cum-PIO ;
iii) Sh. Rahul Prashar, Junior Engineer O/o S. E.(Technical) ; , on behalf of the respondent.

ORDER

Heard in the office of the Commission.

The RTI request is dated 01.10.2019. First appeal is dated 26.11.2019. Second appeal has been received in the Commission on 20.01.2020

On the last date of hearing, held on 16.03.2022 ;

- i) Sh. Gurinder Singh, Senior Assistant and Sh. Amrinder Singh, Clerk (Sports Section), sought an adjournment in the instant appeal-case as Sh. Sehajbir Singh (Counsel of the respondent-PIO) was unable to attend the hearing.
- ii) Sh. Navdeep Gupta (Handwriting & Finger Print Expert), who stated that tempering was done in the attendance registers and submitted a report to the Bench of the undersigned and also submitted the attendance registers, which were handed over to him on the earlier hearing i. e. 18.11.2021.
- iii) When asked, Sh. Amrinder Singh, Clerk (Sports Section), stated that he is not the custodian of the attendance register and the attendance registers remains in the staffroom or in the custody of Senior Sport Officer, who is Ms. Madhuri Saxena.
- iv) Ms. Rashi Kaushal, representative of the appellant stated that whatever information given by the respondent PIO to the appellant is not satisfactory. She also pointed out that on the earlier hearings of this case, it was brought in the notice of the Commission that on some of the documents, the concerned person's name (regarding whom information was demanded through RTI request) is written as Madhuri Saxena and on some documents written as Madhuri A. Singh but till date no reply has been received from the respondent, clarifying that whether it is legally permissible to have more than one name of a same person. She (Ms. Rashi Kaushal) further intimated that no reply or no decision/order was received from the respondent clarifying that Ms. Madhuri Saxena, Senior Sports Officer's was changed from Foreman to Sport's Officer.

- v) As the respondent had requested for an adjournment in this case and the authorized Counsel of the respondent is not present, hence, an adjournment was given in the instant appeal-case with the directions to file a reply clarifying the fact whether it is legally permissible to have more than one name of a same person and also to file a reply a proper reply as status report specifying the fact that whether cadre of Ms. Madhuri Saxena, Senior Sports Officer's was changed from Foreman to Sport's Officer and if cadre was changed from Foreman to Sport's Officer then the respondent PIO was directed to submit/send a copy of the office order/copy of (BOD) Board of Director's decision, through which the cadre of Ms. Madhuri Saxena was changed from Foreman to Sport's Officer, to the Commission.
- vi) Sh. Navdeep Gupta, submitted the attendance registers, which were handed over to him on the earlier hearing i. e. 18.11.2021, hence, directions were given to Joint Secretary to remain present during the proceedings of the instant appeal-case on the fixed date of hearing so that the above-said attendance registers (returned by Sh. Navdeep Gupta) could be handed over to him during the hearing.
- vii) The concerned parties were directed to remain present during the proceedings of the instant appeal-case on the next date fixed before the bench of the undersigned.
- viii) With the above observations, the judgment was kept pending to be announced on the fixed date i. e. today 04.05.2022.

Ms. Rashi Kaushal, who appeared on behalf of the appellant, Sh. Munish Kaushal, in today's hearing, states that whatever information given by the respondent PIO to the appellant is not satisfactory.

Sh. Sehajbir Singh, Counsel, Sh. Jaskaran Singh, Deputy Secretary-cum-PIO and Sh. Rahul Prashar, Junior Engineer office of Superintending Engineer office of Pb. State Power Corporation Limited (Technical), appeared on behalf of the respondent PIO in today's hearing.

In compliance to the orders dated 16.03.2022, Sh. Rahul Prashar, Junior Engineer office of Superintending Engineer office of Pb. State Power Corporation Limited (Technical), appeared and Two (02) attendance registers, which were handed over to Sh. Navdeep Gupta (Handwriting & Finger Print Expert) on the earlier hearing i. e. 18.11.2021 was returned back by him (Sh. Navdeep Gupta) during the proceeding of the Court held on 16.03.2022, which are hereby handed over to him (Sh. Rahul Prashar, Junior Engineer), during the proceeding of the Court today i. e. 04.05.2022 and receipt of the same is taken on record.

The judgment was kept pending on the hearing, held on 16.03.2022, to be Announced.

The documents placed in the case-file are examined, which reflects that three points were raised on the earlier hearings of the instant appeal-case :

- i) whether cadre of Ms. Madhuri Saxena, Senior Sports Officer was changed from Foreman to Sport's Officer and if cadre was changed from Foreman to Sport's Officer, copy of the office order/copy of (BOD) Board of Director's decision, through which the cadre of Ms. Madhuri Saxena was changed from Foreman to Sport's Officer,;
- ii) whether it is legally permissible to have more than one name of a same person/an employee ;
- iii) whether tempering was found in the attendance registers.

Till date no satisfactory reply to the above-said queries (at point (i) regarding cadre of Ms. Madhuri Saxena, Senior Sports Officer and (ii) regarding permission/rules/provision for more than one name of a same person) has been received from the respondent.

Moreover, at point no. (iii) In an earlier hearing, held on 23.09.2020, Sh. Rakesh Kokria, Superintending Engineer(Technical) submitted a reply as status report vide letter no. 150 dated 14.08.2020 through which he verified that the information (regarding attendance sheets i. e. attested by Ms. Yogita Sharma earlier (which were later cancelled by her) and the information was supplied later, after getting it certified from Ms. Madhuri Saxena, Senior Sports Officer) given to the appellant is correct as per the original record of the office of Sports Cell, Patiala.

Not finding the reply satisfactory, further, in an earlier hearing, held on 18.11.2021, two attendance registers of the Sports Section were handed over to Sh. Navdeep Gupta (Handwriting & Finger Print Expert) on 18.11.2021 to give report whether tempering is done in the attendance registers and Sh. Navdeep Gupta (Handwriting & Finger Print Expert) through his report (submitted to the Commission) during the proceeding of the hearing, held on 16.03.2022, has intimated that tempering was found in the attendance registers.

As two attendance registers of the Sports Section (which remained in the staffroom or in the custody of Senior Sport Officer, who is Ms. Madhuri Saxena as per statement given by Sh. Amrinder Singh, Clerk (Sports Section) during the proceeding of hearing held on 16.03.2022) were found tempered (as per report given by Sh. Navdeep Gupta (Handwriting & Finger Print Expert), hence, a copy of this order be sent through registered post to Chairman-cum-Managing Director, Pb. State Power Corporation Limited(P.S.P.C.L.), Patiala with the directions to intervene into the matter for making functionaries of Pb. State Power Corporation Limited(P.S.P.C.L.), Patiala more sensitive and recommend suitable action against the concerned responsible person, who would be found at fault.

With the above-said directions, the instant appeal-case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date :4th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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

(Regd. Post)

- i) The Chairman-cum-Managing Director,
Pb. State Power Corporation Limited(P.S.P.C.L.),
The Mall, Patiala (Punjab),
- ii) The Joint Secretary,
Pb. State Power Corporation Limited(P.S.P.C.L.),
Patiala (Punjab)