

S. S. Sharma
S/o Sh. Kishan Singh,
H. No. 552, Gali Nayian,
Katra Parja, Amritsar (Punjab)

....Appellant

V/s

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

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

...Respondents

Appeal Case No. 1232 of 2021

Present : Sh. S. S. Sharma, the appellant in person.
Sh. Mannveer Singh Sidhu, Senior Assistant-cum-APIO, for the respondent.

ORDER

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

The RTI request is dated 03.12.2020. First appeal is dated 12.01.2021. Second appeal has been received in the Commission on 05.03.2021.

On the last date of hearing, held on 01.06.2021,

- i) The respondent PIO concerned was directed to supply the certified copies of the required information to the appellant through registered post with a copy to the Commission.
- ii) An opportunity was given to the appellant to confirm whether he has received the information and also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

The appellant, Sh. S. S. Sharma, who appeared in person in today's hearing, states that no information has been supplied to him by the respondent PIO so far.

Sh. Mannveer Singh Sidhu, Senior Assistant-cum-APIO, who appeared on behalf of the respondent PIO in today's hearing, states that information could not be supplied to the appellant as information demanded through RTI request is regarding appointment and category of Sh. Sanjay Kanwar, Superintending Engineer(Civil) with a copy of his Medical Certificate as Handicapped candidate, which is 'personal information' and through Para 59 of Decision dated 13.11.2019, the Hon'ble Supreme Court of India has defined 'Personal Information' under RTI Act, 2005 in a Civil Appeal no. 10044 of 2010 titled Central Public Information Officer, Supreme Court of India Vs. Subash Chander Agarwal and relevant part of the 'para 59' has been forwarded by Under Secretary to Government of Haryana, Department of Administrative Reforms vide letter dated 05.01.2021, which has been forwarded to the Commission vide letter no. 505 dated 20.05.2021. It has been received in the Commission vide Diary no. 11264 dated 25.05.2021, which is taken on record.

During the hearing when the appellant was asked that what public interest is involved in the disclosure of information, which has been sought by him through RTI request, he could not come with satisfactory answer.

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 ;

xxx

xxx

xxx

"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."

xxx

xxx

xxx

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 he has also failed to disclose 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 information sought for by him is in larger public interest, hence, the above-mentioned appeal is not maintainable and dismissed.

In view of all the above, the instant appeal-case is announced as closed.

Copies of the orders be sent to the parties.

Date : 18th August, 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'



Ashok Kumar Joshi
S/o Sh. Hari Kishan Joshi,
Mohalla Sarafa,
Near Baba Pura ji Maharaj
Rahon,
Distt. – Shaheed Bhagat Singh Nagar(Punjab)

V/s
....Appellant

Public Information Officer,
O/o The Senior Supdt. of Police,
Shaheed Bhagat Singh Nagar (Punjab)

First Appellate Authority,
O/o The Inspector General of Police, Pb.,
Ludhiana Range,
Ludhiana (Punjab)

...Respondents

Appeal Case No. 1224 of 2021

Present : None on behalf of the appellant.
None on behalf of the respondent.

ORDER

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

The RTI request is dated 20.10.2020. First appeal is dated 03.12.2020. Second appeal has been received in the Commission on 18.03.2021.

Neither the appellant, Sh. Ashok Kumar Joshi nor the respondent is present in today's hearing.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 2381 dated 08.06.2021 which has been received in the Commission vide Diary no. 12988 dated 08.06.2021, has intimated the Commission that complete information has been given to the appellant vide letter no. 2352 dated 07.06.2021, appended to which is a note signed by the appellant as an acknowledgement of having received the requisite information, through which he claimed that he is satisfied with the information supplied and asked for filing of this case. It, alongwith annexure, is taken on record.

Since complete information has been supplied by the respondent PIO and the appellant has also acknowledged that he has received the required information, hence, the case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date : 18th August, 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'



Bhola Singh
S/o Sh. Joginder Singh,
Village – Nagla,
Tehsil – Lehragaga,
Distt. - Sangrur(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Superintending Engineer,
Water Supply & Sanitation Department,
Sangrur (Punjab)

First Appellate Authority,
O/o The Punjab Water Supply and
Sewerage Board,
Plot No. 1-B, Sector 27-A,
Chandigarh

...Respondents

Appeal Case No. 1147 of 2021

Present : None on behalf of the appellant.
Ms. Rajwant Kaur, Dealing Official, on behalf of the respondent.

ORDER

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

The RTI request is dated 27.10.2020. First appeal is dated 08.12.2020. Second appeal has been received in the Commission on 03.03.2021.

Ms. Rajwant Kaur, Dealing Official, who appeared on behalf of the First Appellate Authority in today's hearing, states that complete information has been given to the appellant.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 3470 dated 08.06.2021, signed by Executive Engineer, Water Supply and Sanitation Division, Sangrur, has been received in the Commission through an e-mail dated 01.06.2021, has intimated the Commission that complete information has been given to the appellant vide letter no. 1023 dated 24.11.2020 by Sub Divisional Engineer, Water Supply and Sanitation Sub Division, Lehragaga through registered post. It, alongwith annexure with a copy of postal receipt, is taken on record.

The appellant, Sh. Bhola Singh was absent on the last date of hearing, held on 09.03.2021. 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 and hence the case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date : 18th August, 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'



Amarjit Singh Dhamotia,
H. No. 60-35-P-376-1,
Street – 08, Maha Singh Nagar,
P. O. - Dhandari Kalan,
Ludhiana - 141014(Punjab)

....Appellant

V/s

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

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

...Respondents

Appeal Case No. 3527 of 2020

Present : None on behalf of the appellant.
Sh. Vikas Kumar, Senior Assistant, on behalf of the respondent.

ORDER

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

The RTI request is dated 21.08.2020. First appeal is dated 21.09.2020. Second appeal has been received in the Commission on 13.11.2020.

On the last date of hearing, held on 09.06.2021,

- i) The respondent PIO concerned was directed to supply the certified copies of the required information to the appellant through registered post with a copy to the Commission.
- ii) An opportunity was given to the appellant to confirm whether he has received the information and also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

Sh. Vikas Kumar, Senior Assistant, who appeared on behalf of the respondent PIO in today's hearing, states that in compliance to the order dated 09.06.2021, certified copies of the required information has been sent to the appellant through registered post with a copy to the Commission. It has been received in the Commission through an e-mail dated 13.08.2021. It, alongwith annexure with a copy of postal-receipt, is taken on record.

The appellant, Sh. Amarjit Singh Dhamotia, is not present in today's hearing. 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, hence, the case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date : 18th August, 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'

Amarjit Singh Dhamotia,
H. No. 60-35-P-376-1,
Street – 08, Maha Singh Nagar,
P. O. - Dhandari Kalan,
Ludhiana - 141014(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Divisional Forest Officer,
Ludhiana (Punjab)

First Appellate Authority,
O/o The Divisional Forest Officer,
Ludhiana (Punjab)

...Respondents

Appeal Case No. 3276 of 2020

Present : None on behalf of the appellant.
Sh. Kulwant Singh, Forest Guard, on behalf of the respondent.

ORDER

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

The RTI request is dated 07.08.2020. First appeal is dated 07.09.2020. Second appeal has been received in the Commission on 29.10.2020.

On the last date of hearing, held on 09.06.2021 ;

- i) Sh. Kulwant Singh, Forest Guard (Branch Incharge), stated that the requisite information of thirty four pages was supplied to the appellant.
- ii) The appellant stated that the whatever information supplied to him is not legible, moreover, uncertified.
- iii) The appellant was advised to visit the office of the respondent PIO on the same day i. e. 09.06.2021 at 03:00 P. M. to get the legible and certified copies of the information.
- iv) The respondent PIO concerned was directed to supply the legible and certified copies of the information, to the appellant during his visit to office.
- v) An opportunity was also given to the appellant to confirm whether he has received the information or not.

Sh. Kulwant Singh, Forest Guard, who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information of thirty four pages has already been supplied to the appellant vide letter no. 6713 dated 28.01.2021 and the appellant did not visit the office on the fixed date i. e. 09.06.2021 to collect the remaining information, if any, as directed vide orders dated 09.06.2021.

The appellant, Sh. Amarjit Singh Dhamotia, is not present in today's hearing. He has also not approached the Commission with any contrary claim.

In view of the above, it is assumed that the appellant is satisfied with the supplied information and does not wish to pursue this case further, hence, the case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date : 18th August, 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'

Sh. Ajmer
S/o Sh. Kitaba,
Village – Naara,
Tehsil – Madlauda,
Distt. - Panipat(Haryana)

....Appellant

V/s

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

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

...Respondents

Appeal Case No. 980 of 2021

Present : Sh. Ajmer, the appellant in person.
i) Ms. Manbir Kaur, Clerk office of D.E.O.(Elem.), Tarn Taran, on behalf of the respondent. ;
ii) Sh. Ranjit Singh Ghuman, Advocate for Ms. Paramjit Kaur (Third Party), on behalf of the respondent.

ORDER

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

The RTI request is dated 23.09.2020. First appeal is dated 30.11.2020.

Second appeal has been received in the Commission on 17.02.2021.

The appellant, Sh. Ajmer, who appeared in person in today's hearing, states that no information has been supplied to him by the respondent PIO so far.

Ms. Manbir Kaur, Clerk office of D.E.O.(Elem.), Tarn Taran, appeared on behalf of the respondent PIO in today's hearing.

Sh. Ranjit Singh Ghuman, Advocate for Ms. Paramjit Kaur (Third Party, regarding whom the information has been demanded through RT *request*), states that the information demanded through RT *request* regarding marksheets, category certificate and other documents of a J. B. T. Teacher namely Ms. Paramjit Kaur, presently working in Sahrali Kalan Government Primary School, Sahrali Kalan Tarn Taran, which is 'personal information' and through Para 59 of Decision dated 13.11.2019, the Hon'ble Supreme Court of India has defined 'Personal Information' under RTI Act, 2005 in a Civil Appeal no. 10044 of 2010 titled Central Public Information Officer, Supreme Court of India Vs. Subash Chander Agarwal.

Contd...2/-

During the hearing when the appellant was asked that what public interest is involved in the disclosure of information, which has been sought by him through RTI request, he could not come with satisfactory answer.

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;

xxx

xxx

xxx

"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."

xxx

xxx

xxx

After hearing 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 he has also failed to disclose 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 information sought for by him is in larger public interest, hence, the above-mentioned appeal is not maintainable and dismissed.

In view of all the above, the instant appeal-case is announced as closed.

Copies of the orders be sent to the parties.

Date : 18th August, 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'