

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Sh. Gurmeet Singh 9876269776 **Registered**

Village Kikar Khera,

Tehsil Abohar, District Fazilka.

....Appellant

Vs

Sh. Prithvi Singh, Panchayat Secretary
c/o Block Development and Panchayats Officer,
Block Munak at Andana,
Tehsil Khanauri,
Sangrur.

Public Information Officer
o/o Block Development and Panchayats Officer,
Block Munak at Andana,
Tehsil Khanauri,
Sangrur .

First Appellate Authority
o/o Addl. Deputy Commissioner (Dev.)
Sangrur.

Public Information Officer **Registered**
o/o the Director,
Rural Development & Panchayat Deptt.,Pb.
(RDE 2 Branch)
Vikas Bhawan, Sector 62,
Mohali.

....Respondents

Appeal Case No. 2316 of 2020

ORDER

This order may be read with reference to the previous order dated 26.7.2021 vide which the order in this case was reserved to be pronounced.

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2. The appellant has sought the following information as per his RTI application.-

1. ਬਲਾਕ ਮੁਠਕ ਐਟ ਅਨਦਾਨਾ ਤਹਿ: ਖਨੌਰੀ ਦੇ ਮੋਜੂਦਾ ਥੀ. ਡੀ. ਪੀ. ਓ ਦੇ ਜੁਆਇਨਿੰਗ ਲੈਟਰ, ਵਿਦਿਅਕ ਯੋਗਤਾਵਾਂ ਦੇ ਸਰਟੀਫਿਕੇਟਾਂ, ਡਿਪਲੋਮੇ ਡਿਗਰੀਆਂ, ਜਾਂਤੀ ਸਰਟੀਫਿਕੇਟ ਦੀਆਂ ਕਾਪੀਆਂ ਤਸਦੀਕ ਕਰਕੇ ਦਿੱਤੀਆਂ ਜਾਣ।
2. ਉਪਰੋਕਤ ਅਧਿਕਾਰੀ ਜੁਆਇਨਿੰਗ ਤੋਂ ਅਜ ਤਕ ਜਿਹੜੇ ਜਿਹੜੇ ਸਟੇਸ਼ਨਾਂ ਤੇ ਜਿਹੜੇ ਜਿਹੜੇ ਤਾਇਨਾਤ ਰਿਹਾ ਹੈ, ਉਹਨਾਂ ਪੋਸਟਿੰਗ ਸਟੇਸ਼ਨਾਂ ਦੇ ਨਾਮ ਪਤੇ ਅਤੇ ਤਾਇਨਾਤੀ ਸਮਾਂ ਦੱਸਿਆ ਜਾਵੇ।
3. ਉਪਰੋਕਤ ਅਧਿਕਾਰੀ ਦੇ ਖਿਲਾਫ ਜੁਆਇਨਿੰਗ ਤੋਂ ਅਜ ਤਕ ਹੋਈਆਂ ਪਬਲਿਕ ਕੰਪਲੇਟਸ ਦੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ ਅਤੇ ਉਹਨਾਂ ਦੇ ਨਿਪਟਾਰੇ ਦੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।
4. ਇਸ ਅਧਿਕਾਰੀ ਦੇ ਖਿਲਾਫ ਜੁਆਇਨਿੰਗ ਤੋਂ ਅਜ ਤਕ ਜਾਰੀ ਹੋਈਆਂ ਚਾਰਜਸ਼ੀਟਾਂ ਦੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ। ਮੁਅੱਤਲੀ ਅਤੇ ਬਹਾਲੀ ਦੇ ਹੁਕਮਾਂ ਦੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।
5. ਉਪਰੋਕਤ ਅਧਿਕਾਰੀ ਦੇ ਜੁਆਇਨਿੰਗ ਤੋਂ ਅਜ ਤਕ ਦੇ ਪਦ ਉਨਤੀ ਦੇ ਸਾਰੇ ਆਰਡਰਾਂ ਦੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।
6. ਇਸ ਅਧਿਕਾਰੀ ਦੀ ਸਰਕਾਰੀ ਰੱਡੀ ਦੀ ਆਰ. ਸੀ. ਦੀ ਫੋਟੋ ਕਾਪੀ, ਡਰਾਇਵਰ ਦੇ ਲਾਇਸੈਂਸ ਦੀ ਕਾਪੀ ਅਤੇ 01 ਜਨਵਰੀ 2019 ਤੋਂ ਅਜ ਤਕ ਇਸ ਰੱਡੀ ਦੀ ਲਾਗ ਬੁੱਕ ਦੀ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।
7. ਮਿਤੀ 01 ਜਨਵਰੀ 2019 ਤੋਂ ਅਜ ਤਕ ਖਿਡ ਭੁਲਣ ਨੂੰ ਜਿਹੜੇ ਜਿਹੜੇ ਕੇ ਵਾਸਤੇ ਜਿੰਨੀਆਂ ਜਿੰਨੀਆਂ ਗਰਾਟਾਂ ਜਾਰੀ ਕੀਤੀਆਂ ਗਈਆਂ, ਉਸ ਰਿਕਾਰਡ ਦੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।

3. The complete information pertaining to Point No. 5 to 7 has been supplied to the appellant and he is satisfied with the same. Regarding Point No. 1 to 4, the appellant requested for the information whereas the respondent authority contended that the information cannot be supplied to the appellant being 3rd party information. The respondent authority also mentioned the recent instructions issued by the Government of Punjab Department of Administrative Reforms vide No. 5/52/2016-1AR dated 5.1.2021 and the relevant portion of the same is reproduced below:-

“Hon’ble Supreme Court of India in Civil Appeal No. 10044 of 2010 – Central Public Information Officer, Hon’ble Supreme Court of India Vs Subhash Chandra Agarwal in which the apex court has held that

“ 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.

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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, details 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 of larger public interest is satisfied.”

3. Keeping in view the above the respondent-Public Information Officer o/o Director, Rural Development & Panchayat Deptt.,Pb. (R.D.E. 2 Branch) is directed to supply the copy of Joining Letter i.e. partial information pertaining to Point No. 1 of the RTI application, posting station and period from the date of joining i.e. partial information pertaining to Point No. 2 of the RTI application of Ms Paramjit Kaur, Accountant having additional charge of Block Development and Panchayats Officer within two weeks from the issue of this order to the appellant. Regarding the remaining information pertaining to Point no. 1 of the RTI application i.e. certificates of educational qualifications, diploma/degree, caste certificates, Point No. 3 of the RTI application i.e. copy of public complaints and action taken thereof and Point No.4 of the RTI application i.e. copy of charge sheet, suspension and reinstatement from the date of joining, the plea taken by the respondent is accepted in accordance with the instructions issued by the Ministry of Personnel, Public Grievances & pensions, Department of Personnel & Training, vide No. 11/2/2013-IR(Pt.) dated 14th August, 2013 based on the decision given by the Hon'ble Supreme Court of India, which are reproduced below:-

"The performance of an employee/Officer in an organisation 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

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disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which could cause unwarranted invasion of the privacy of that individual." The Supreme Court further held that such information could be disclosed only if it would serve a larger public interest."

4. Copy of this order is being sent to Sh. MS Chhatwal, IAS, Director, Rural Development & Panchayat Deptt.,Pb. to ensure compliance of this order within two weeks from the date of receipt. With these directions, the case is disposed of and closed. However, the liberty is granted to the appellant to approach the Commission for re-consideration within four weeks from the date of receipt of this order, in case he does not receive the same.

Sd/

Dated: 26.8.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

Sh. MS Chhatwal, IAS **Registered**
Director,
Rural Development & Panchayat Deptt.,Pb.
Vikas Bhawan, Sector 62, Mohali