

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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Advocate Vijay Hans, (M-9888388052)
Lex Solutions (Law Firm),
House No.31, Satya Niwas,
Silver City, Zirakpur-140603

.....Complainant.

Vs

Public Information Officer,
O/o PUNSUP, HQ, Chd
SCO-36-40, Sector-34A, Chd

First Appellate Authority,
O/o Punjab State Civil Supplies Corp. Ltd,
HQ, PUNSUP, Chd

.....Respondent

AC.No. 635 of 2019

Present: (i) Advocate Vijay Hans the appellant
(ii) For the respondent : Sh.Anoop C. Sharma, PIO, Sh.Amandeep Singh,
Sr. Assistant and Sh. Harkamal Singh Litt, Sr. Assistant

ORDER

The RTI application is dated 05.11.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 06.02.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

1. Notice of hearing was issued to the parties for 29.04.2019 in the Commission
2. The appellant states that he has not received any information so far.
3. Respondent states that the information demanded by the appellant is third party information , therefore cannot be provided.
4. The perusal of the file shows that the appellant has demanded information on three points and the information regarding point nos. 1 and 2 is third party information and cannot be provided to him being a personal information which is exempted under Section 8(1)(j) of the RTI Act . Hon'ble Supreme Court of India in SLP no. 27734 of 2012 titled Girish Ramchandra Deshpande Vs Cen. Information Commr. & Ors and another in its order on 03.10.2012 has held as under:-

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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 employee/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 cannot claim those details as a matter of right).

5. Information regarding point no 3, respondent is directed to provide the reply of the same to the appellant with a copy to the Commission on or before the next date of hearing. Respondent has agreed to provide the same.

6. With these directions, the appeal is **disposed of and closed**, Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 29.04.2019

(Preety Chawla)
State Information Commissioner

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Sector 16, Chandigarh.

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Sh Lucky K umar,
S/o Sh Ram Gopal,
H.No B-V 813, Tilak Nagar,
Ludhiana-8(M:9023266731)

.....Complainant.

Vs

Public Information Officer,
O/o Director,
Social Security Women and Child Development Deptt,Pb
SCO 102-103, Sector-34A, Chd.

First Appellate Authority,
O/o Director,
Social Security Women and Child Development Deptt,Pb
SCO 102-103, Sector-34A, Chd

.....Respondent

AC .No. 630 of 2019

Present (i) Sh.Lucky Kumar the appellant
(ii) For the respondent : Smt.Nirmal Kumari, Sr. Assistant

ORDER

The RTI application is dated 19.09.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 05.02.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 29.04.2019 in the Commission.
3. The perusal of the file shows that the information demanded by the appellant is third party information and cannot be provided to him being a personal information which is exempted under Section 8(1)(j) of the RTI Act . Hon'ble Supreme Court of India in SLP no. 27734 of 2012 titled Girish Ramchandra Deshpande Vs Cen. Information Commr. & Ors and another in its order on 03.10.2012 has held as under:-

(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 employee/officer in an organization is

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AC .No. 630 of 2019

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 cannot claim those details as a matter of right).

4. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 29.04.2019

(Preety Chawla)
State Information Commissioner

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Sector 16, Chandigarh.

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Sh Harsimran Singh Sachdeva, (M:8699131322)
S/o Sh Jatinder Bir Singh,
R/o 14, Windsor Park,
Gulab Devi Hospital Road, Jalandhar

.....Complainant.

Vs

Public Information Officer,
O/o District Controller food Civil Supplies
And Consumer Affairs, Jalandhar

First Appellate Authority-cum-Director,
Food Civil Supplies and Consumer Affairs Deptt, Pb
Sector 39-C, Chd

.....Respondent

AC .No. 639 of 2019

Present (i) Sh Harsimran Singh Sachdeva, Appellant.
(ii) For the respondent : Sh Rajesh Puri, AFSO and Sh Rajbir Singh,
Inspector

ORDER

The RTI application is dated 24.04.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 06.02.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 24.04.2019 in the Commission
3. The Respondent states that the information has been provided to the Appellant.
4. The Appellant states that the information provided to him pertaining to point no.1 and 2 is complete and he is satisfied with the same. Rest of the information is partial and not complete.
5. The perusal of the file shows that the information provided to the Appellant on point no.3 to 5 is not complete. Hence, the Respondent is directed to bring the complete

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AC .No. 639 of 2019

information to the Appellant on point no.3 to 5 on the next date of hearing. To come up on **27.06.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 29.04.2019

(Preety Chawla)
State Information Commissioner

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Sh Sarvinder Singh,
S/o Sh Jaspal Singh,
Village Chak Jawahrewala,
PO Sohargarh, Ratewala via Guruharsahai,
Distt Ferozepur

.....Complainant.

Vs

Public Information Officer,
O/o MD, PUNGRAIN, Chd
Sector 34, Chd
First Appellate Authority,
Secretary, Food Civil Supplies and
Consumer Affairs, Pb, Chd
Sector 39-C, Chd

.....Respondent

AC.No. 633 of 2019

Present (i) None is present on behalf of the appellant
(ii) For the respondent : Smt. Paramjit Kaur, S.A., Smt. Karnail Kaur and
Sh. Bhupinder Singh, Inspector

ORDER

The RTI application is dated NIL vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 06.02.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 29.04.2019 in the Commission.
3. Respondent states that the information demanded by the appellant is third party information.
4. The appellant is absent today.
5. This is the first date of hearing, therefore one more opportunity is given to the appellant to appear before the Commission and state his case. It is made clear that in case the appellant does not appear on the next date of hearing, appropriate order in his absence shall be passed.
6. To come up on 27.06.2019 at 11.00 AM. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 29.04.2019

(Preety Chawla)
State Information Commissioner

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Sh Rakesh Sharma,
S/o Sh Bhupinder Sharma,
R/o 182/12, Main Bazar, Katra Parja,
I/s Hathi Gate, Amritsar(M:9888401973)

.....Complainant.

Vs

Public Information Officer,
O/o Director,
Social Security women and Child Development Deptt,Pb,
Plot No-5, Sector-34A, Chandigarh

First Appellate Authority,

O/o Director,
Social Security women and Child Development Deptt,Pb,
Plot No-5, Sector-34A, Chandigarh

2.Public Information Officer, (Registered Post)

O/o Department of Health & Family Welfare,Pb
Parivar Kalyan Bhawan, Himalaya Marg,
Sector-34A,Chandigarh

.....Respondent

AC .No. 640 of 2019

Present (i) Sh Rakesh Sharma, Appellant
(ii) For the respondent : Smt Nirmal Kumari, Sr Asstt.

ORDER

The RTI application is dated 06.11.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 11.02.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 29.04.2019 in the Commission.
3. The Appellant states that he has not received the information till date.
4. The Respondent states that information sought by the Appellant relates to PIO O/o Health & Family Welfare, Pb. Hence, they have transferred the same to the PIO O/o Health & Family Welfare, Pb.

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AC .No. 640 of 2019

5. After hearing both the parties and perusing the file it is ascertained, that the information sought by the Appellant relates to PIO O/o Health & Family Welfare, Pb. Therefore I implede PIO O/o Health & Family Welfare, Pb as Respondent no.2. Further PIO O/o Health & Family Welfare, Pb. is directed to be present on the next date of hearing alongwith the complete information. Copy of the RTI application is sent herewith
To come up on **27.06.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 29.04.2019

(Preety Chawla)
State Information Commissioner

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Registered post

Sh Tilak Raj Sachdeva,
Boora Gujjar Road, Karyane Wala,
Gandhi Nagar,
Sri M uktar Sahib

Vs

.....Complainant.

Public Information Officer,
O/o District Programme Officer,
District Administration Complex,
Ferozepur

First Appellate Authority,
O/o District Programme Officer,
District Administration Complex,
Ferozepur

.....Respondent

AC .No. 641 of 2019

Present (i) Sh Tilak Raj Sachdeva
(ii) None on behalf of the respondent

ORDER

The RTI application is dated 09.11.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 11.02.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 29.04.2019 in the Commission.
3. No one has appeared on behalf of the Respondent today.
4. The Appellant states that no information has been provided to him till date.
5. The perusal of the file shows that the Respondent is not present today. Today is the first date of hearing hence, one opportunity is given to the Respondent to appear

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AC .No. 641 of 2019

before the Commission and state his case. To come up on **24.06.2019 at 11:00 AM**
through Video-Conferencing in the office of DC , Ferozepur

Sd/-

Chandigarh
Dated: 29.04.2019

(Preety Chawla)
State Information Commissioner

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Sh Gurpreet Singh,
#03, G.F Gandhivanita Ashram,
Kapurthala Road, Jalandhar
M:9876173913

.....Complainant.

Vs

Public Information Officer,
O/o Director,
Social Security Women and Child Development Deptt, Pb,
Sector -34A, Chandigarh
First Appellate Authority,
O/o Director,
Social Security Women and Child Development Deptt, Pb,
Sector-34A, Chandigarh

.....Respondent

AC .No. 657 of 2019

Present (i) None is present on behalf of the appellant
(ii) For the respondent : Smt.Nirmal Kumar, Sr. Assistant

ORDER

The RTI application is dated NIL vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 11.02.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 24.04.2019 in the Commission

3. The appellant is absent today.

4. The perusal of the file shows that the information demanded by the appellant is third party information and cannot be provided to him being a personal information which is exempted under Section 8(1)(j) of the RTI Act . Hon'ble Supreme Court of India in SLP no. 27734 of 2012 titled Girish Ramchandra Deshpande Vs Cen. Information Commr. & Ors and another in its order on 03.10.2012 has held as under:-

(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 employee/officer in an organization is

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AC .No. 657 of 2019

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 cannot claim those details as a matter of right).

4. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 29.04.2019

(Preety Chawla)
State Information Commissioner