



Sh. Jagshir Singh, (8195800345)

S/o Sh. Gian Singh, #9/20,
MandiMullanpur, Ludhiana.

.....Appellant/Complainant

Versus

Public Information Officer

O/o SSP (Rural),
Amritsar.

.....Respondent

First Appellate Authority

O/o IGP, Border Range,
Amritsar.

Appeal CaseNo. 1747 of 2020
(Cisco Webex Proceedings)

RTI application filed on	:	22-06-2020
PIO replied on	:	-
First appeal filed on	:	26-06-2020
First Appellate Authority order	:	-

The following were present:

Appellant: -

Respondent: Written submissions received via email dated 20.07.2021

ORDER:

Information Sought:

The appellant has sought information pertaining to ਸ੍ਰੀ ਗੁਰੂ ਗ੍ਰੰਥ ਸਾਹਿਬ ਜੀ ਦੀ ਬੇਦਬੀ ਸੰਬੰਧੀ ਦਰਾਜ ਮੁਕਾਦਮੀਆਨਾਲ ਸੰਬੰਧੀਤ ਜਾਨਕਾਰੀ

1. To be read in the continuity of previous order dated 30.06.2021 vide which the decision was reserved. **Decision announced on 23.08.2021.**

2. **Written Submissions by Respondent:** An email dated 20.07.2021 is received by the undersigned bench, relevant portion of which is reproduced below:-

ਤੱਤ ਸਾਹਮਣੇ ਨਹੀ ਆਉਂਦਾ। ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਮੰਗੀ ਸੂਚਨਾ ਇਸ ਇਨਫਾਰਮੇਸ਼ਨ ਹੇਠ ਲਿਖੇ ਤੱਥਾ ਦੇ ਅਧਾਰਾ ਤੇ ਮੁਹੱਦਆ ਨਹੀ ਕਰਵਾਈ ਜਾ ਸਕਦੀ।

1. ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਜੋ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਜੋ ਸੂਚਨਾ ਮਾਨਯੋਗ ਕੇਦਰੀ ਸੂਚਨਾ ਦੇ ਫੈਸਲੇ ਨੰਬਰ 236 ਆਈ.ਸੀ.(ਏ) 2006 ਮੁਤਾਬਿਕ ਜੋ ਸੂਚਨਾ ਇੱਕਠੀ ਕਰਨੀ ਪਵੇ ਲਾਮਬੰਦ ਕਰਨੀ ਪਵੇ ਅਜਿਹੀ ਸੂਚਨਾ ਇਸ ਐਕਟ ਅਧੀਨ ਮੁਹੱਈਆ ਨਹੀ ਕੀਤੀ ਜਾ ਸਕਦੀ।

2. ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਜਿਸ ਇਨਫਾਰਮੇਸ਼ਨ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ ਹੈ। ਉਹ ਇਨਫਾਰਮੇਸ਼ਨ ਬਹੁਤ ਹੀ ਸੈਸਟਿਵ ਹੈ ਅਤੇ ਧਾਰਮਿਕ ਭਾਵਨਾ ਨਾਲ ਜੁੜਿਆ ਹੋਈ ਹੈ। ਅਤੇ ਮੁੱਕਦਮੇ ਦੇ ਦੋਸੀਆ ਅਤੇ

ਉਹਨਾ ਦੇ ਪਰਿਵਾਰ ਨੂੰ ਜਾਨ ਮਾਲ ਨੂੰ ਖਤਰਾ ਹੈ। ਦੋਸ਼ੀਆ ਅਤੇ ਉਹਨਾ ਦੇ ਪਰਿਵਾਰ ਨੂੰ ਜਾਨ ਸੁਰੱਖਿਆ ਮੱਦੇ ਨਜ਼ਰ ਰੱਖਦੇ ਹੋਏ ਆਰ.ਟੀ.ਐਕਟ ਧਾਰਾ 8 (1)(G) ਤਹਿਤ ਮੁਹੱਈਆ ਨਹੀਂ ਕਰਵਾਈ ਜਾ ਸਕਦੀ ਖਤਰਾ ਹੈ।

3. ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਮੁੱਕਦਮੇ ਜੇਰੇ ਤਫ਼ਤੀਸ ਹਨ ਅਤੇ ਅਦਾਲਤ ਦੇ ਵਿਚਾਰ ਅਧੀਨ ਹਨ ਇਸ ਲਈ ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਕਰਵਾਉਣ ਤੇ ਤਫ਼ਤੀਸ ਵਿੱਚ ਦੋਸ਼ੀਆ ਦੀ ਗ੍ਰਿਫਤਾਰੀ ਅਤੇ ਅਦਾਲਤ ਦੀ ਪ੍ਰਕਿਰਿਆ ਵਿੱਚ ਵਿਗਨ ਪੈ ਸਕਦੀ ਹੈ। ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਮੰਗ ਸੂਚਨਾ ਆਰ.ਟੀ.ਐਕਟ ਧਾਰਾ 8 (1)(H) ਤਹਿਤ ਮੁਹੱਈਆ ਨਹੀਂ ਕਰਵਾਈ ਜਾ ਸਕਦੀ ਹੈ।

OBSERVATION:

3. The respondents have cogently and persuasively argued that the information as requested by the appellant, for the reasons stated by the respondents, **comes within the ambit of the exemptions under Section 8(1)(h) and 8(1)(g) of the RTI Act. Both these Sections prohibit disclosure of information connected with ongoing investigations and prosecutions and, information disclosure of which would compromise the source of the information of law enforcement authorities** and could jeopardize the life or physical safety of those providing such tip-offs. There is a strong case that information connected with such law enforcement work by a public authority must be provided requisite protection from disclosure in view of its uncontested impact on the functioning of the public authority and, in that sense, all general law enforcing agencies. **The RTI Act has very thoughtfully restricted access to information in such matters.**

DECISION:-

4. **After perusal of the relevant documents on file, the Commission found no reason to disagree with the replies of the respondents. The replies of respondents upheld. In the present case, there is no tangible public purpose** which has been cited by the appellant that would convince the Commission to override the guaranteed exemption under Section 8(1)(h) and 8(1)(g) of the RTI Act Therefore, the **PIO is justified in denying the information sought.** The type of information the appellant has solicited, reduced to the norms of the RTI Act, hence the case is **disposed of and closed.**

Chandigarh
Dated: 23.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Ms. Anmol, (8360686629)

D/o Sh. Jatinder Kumar,
B-12/233, Street No 4, Kamal Colony,
Khanna Road, Samrala, Distt Ludhiana-141114.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Head Master , Govt. High School, Rasenheri,
Distt Mohali.

.....Respondent

First Appellate Authority

O/o Head Master , Govt. High School, Rasenheri,
Distt Mohali.

Appeal Case No.815 of 2021
(Cisco Webex Proceedings)

RTI application filed on	:	29-06-2020
PIO replied on	:	07-09-2020
First appeal filed on	:	10-10-2020
First Appellate Authority order	:	-

The following were present:

Appellant: - Written submissions received dated 06.07.2021 vide diary no. 14704

Respondent: Written submissions received dated 14.07.2021 vide diary no. 15520

ORDER:

Information Sought:

The appellant has sought information pertaining to the employees and other details of Govt. High School Rasenheri, Distt. Mohali.

1. To be read in the continuity of previous order dated 30.06.2021 vide which the decision was reserved. Decision announced on 23.08.2021.

Observation and Decision :

2. With regard to information sought relating to the third party, the Commission referred to the decision of the Hon'ble Supreme Court of India in **Girish Ramchandra Deshpande vs. Central Information Commission & ors. SLP(C) No. 27734 of 2012 dated 03/10/2012** wherein it was held as under:

"13.....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.

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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."

3. After going through the submissions made by both the parties, the Commission finds that the RTI application has been **suitably replied** and the information has been supplied to the **best extent. The disclosure of such information is not in the public interest as the appellant has asked for the information for promotion of his personal interest.** Therefore, the **PIO is justified in denying the (partial) information sought, u/s 8(1)(j).** Moreover, **the factual position has been brought to the notice of the appellant by the respondent for further query, if any.**

Therefore, no cause of action is required in this case. Hence, the instant appeal case is **disposed & closed.**

Chandigarh
Dated: 23.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.