

PUNJAB STATE INFORMATION COMMISSION

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

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Sh. Narinder Singh s/o Sh. Malkiat Singh
r/o Village Chotta Buda Theh,
Tehsil Baba Bakala Sahib
Amritsar 9592398776

....Appellant

vs

Sh. Ranbir Singh Mudhal,
Public Information Officer
o/o Addl. Deputy Commissioner (D)
Amritsar

First Appellate Authority
o/o Deputy Commissioner
Amritsar

Public Information Officer
o/o the Sub Divisional Magistrate,
Baba Bakala, Amritsar

...Respondents

Appeal Case No. 3847 of 2021
(Video Conference Proceedings)

Present:- Sh. Narinder Singh, appellant.
Sh. Narinderpal Singh, Election Cell o/o Addl. Deputy Commissioner (Dev.),
District Amritsar & 9872025503 8288934554 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 15.12.2021.

2. The appellant has sought the following information in this case:-

ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਬਿਆਸ ਦੀਆਂ 2018 ਦੀਆਂ ਪੰਚਾਇਤੀ ਚੋਣਾਂ ਵੇਲੇ ਮੌਜੂਦਾ ਸਰਪੰਚ ਸੁਰਿੰਦਰਪਾਲ
ਲੱਛੂ ਨੇ ਆਪਣੇ ਬਤੌਰ ਸਰਪੰਚ ਨਾਮਜ਼ਦਗੀ ਫਾਰਮ ਭਰਨ ਵੇਲੇ ਕਿੰਨੀ ਜਾਇਦਾਦ ਦਾ ਵੇਰਵਾ, ਕਿੰਨਾ
ਨਗਦੀ ਦਾ ਵੇਰਵਾ, ਕਿੰਨਾ ਸੋਨੇ ਦੇ ਗਹਿਣਿਆ ਦਾ, ਕਿੰਨਾ ਮੋਟਰ ਵਹੀਕਲਾਂ ਦਾ ਅਤੇ ਆਪਣੀ ਆਮਦਨ ਦਾ
ਕਿੰਨਾ ਵੇਰਵਾ ਦਿੱਤਾ ਗਿਆ ਸੀ ਅਤੇ ਕੀ ਸਬੂਤ ਨਾਲ ਪੇਸ਼ ਕੀਤੇ ਜੀ ? ਇਸ ਨਾਮਜ਼ਦਗੀ ਫਾਇਲ ਅਤੇ
ਪੇਸ਼ ਕੀਤੇ ਸਾਰੇ ਦਸਤਾਵੇਜ਼ਾਂ ਦੀਆਂ ਤਸਦੀਕਸ਼ੁਦਾ ਨਕਲਾਂ ਜਾਣਕਾਰੀ ਵਜੋਂ ਦਿੱਤੀਆਂ ਜਾਣ।

3. The representative of the respondents handed over the information to the appellant during the course of hearing. After going through the same, the appellant states that he is satisfied with the same. He also states that he has no objection, if the present appeal case may be disposed of. Also the representative of the respondents tenders unconditional apology regarding the delay occurred in this matter and requested to withdraw the show cause notice issued to Sh. Ranbir Singh Mudhal.

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4. After consideration the oral submissions made by the representative of the respondents the show cause notice issued to Sh. Ranbir Singh Mudhal, Public Information Officer in this case is hereby withdrawn.

5. According to the submissions made by the appellant, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

sd

Dated: 5.1.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Shishu Paul Verma 7589328784

r/o NMS Colony,

Tripari, Patiala 147004

....Appellant

Vs

Public Information Officer

o/o Punjabi University,

Patiala.

First Appellate Authority

o/o Dean Academic Affairs,

Punjabi University, Patiala.

....Respondents

Appeal Case No. 3622 of 2021
(Video Conference Proceedings)

Present:- Sh. Shishu Paul Verma on telephone.

Sh. Vikrant, Advocate 9814105515 on behalf of the respondents.

ORDER

The RTI application is dated 29.4.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 20.6.2021 and second appeal was filed in the Commission on 11.8.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

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

1. Supply duly certified copy(ies) of the Salary/Pay-Slips with all Salary-Particulars of/towards the Salary-Paid including Perks, if any, for the Months of March-April, 2020 to the **all Permanent, Regular and Contractual Teaching Employees (Faculty Members)** then serving at the University School of Applied Management (Faculty of Business Studies) and at Women's Studies Centre, Punjabi University, Patiala.
2. Arrange, fix, notify and let me do inspection, photography, videography and scanning on-spot of all original official records, files and documents pertaining to **Para-1**, after supply of the above documents/records sought.

3. The appellant states that the respondent Public Information Officer has supplied the information pertaining to Contract Teaching (University school of

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Applied Management). He further states that the respondent-Public Information Officer may be directed to supply the remaining information i.e. salary/pay slips with all salary particulars including perks for the months of January 2020 to April 2020 paid to all the Permanent, Regular and then serving at the University School of Applied Management (Faculty of Business Studies) and at Women's Studies Centre, Punjabi University, Patiala including the inspection of record related to the sought information. Also an email dated 5.1.2022 has been received from the appellant vide which he has also requested for the information and the compensation. He also mentioned two case laws of Central Information Commission in Appeal Case No. CIC/AD/A/09/00125 dated 23.2.2009 & Appeal Case No. CIC/WB/A/2006/00144 dated 20.3.2006. The said case laws are not applicable in this case.

4. However, an Advocate on behalf of the respondent authority states that the sought information is exempted under Section 8(1)(j) of the RTI Act, 2005.

5. It is appropriate to mention the decision of the Central Information Commission file No. CIC/SH/A/2014/003166 and the relevant portion of the same is reproduced below:-

"This matter, pertaining to an RTI application filed by the Appellant, seeking a copy of the salary certificate of her husband, came up today. The information had been denied by the CPIO under Section 8 (1) (e) of the RTI Act and his decision was upheld by the FAA.

2. No one was present on behalf of the Respondents in spite of a written notice having been sent to them. The Appellant stated that she got married on 13.2.2011 to Shri G. K. Veera Prasad Babu, a Probationary Officer of the Canara Bank, working at Nagpur at the time of filing of the RTI application. She alleged that she was mistreated and turned out of the house of her husband, who sent her legal notices for mutual divorce later on. She further submitted that a case concerning the maintenance due to her is pending in a Family Court and she needs the information in the above context. She also prayed for imposition of penalty on the CPIO for denying the information and payment of a suitable compensation to her in view of the fact that in the absence of the information sought by her, she has not been able to get an appropriate amount of maintenance from her husband.

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3. We have considered the records and the submissions of the Appellant and note that the salary slip of the officer concerned would contain not only the information concerning the gross salary being received by him, but also regarding the various deductions being made from the same. The information concerning deductions is his personal information.

Therefore, going strictly by the provisions of the RTI Act, we cannot fault the decision of the Respondents to deny a copy of the salary certificate, which would contain all the above details. In view of the foregoing, we see no ground either to consider a penalty under Section 20 in this case or to award compensation to the Appellant. However, at the same time, we note that as per Section 4 (1) (b) (x) of the RTI Act, each public authority is required to publish / disclose the information concerning the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations.

4. In view of the foregoing, the information concerning the gross monthly remuneration received by the above officer cannot be regarded as his personal information. Therefore, the CPIO is directed to provide to the Appellant the information concerning the gross monthly remuneration of the above mentioned officer, together with the amount of the individual components that it is composed of. The information concerning the monthly deductions being made from the gross remuneration need not be provided. The CPIO should provide the information as above, free of charge, within fifteen days of the receipt of this order, under intimation to the Commission."

5. Keeping in view the above, and, as per Section 4 (1) (b) (x) of the RTI Act, each public authority is required to publish / disclose the information concerning the monthly remuneration received by each of its officers and employees. The information pertaining to the deductions from the salary of the employees is their personal information which is exempted under Section 8(1)(j) of the RTI Act, 2005. Therefore, the respondent-Public Information Officer o/o the Punjabi University is directed to publish the gross salary of permanent, regular and contractual staff including the system of compensation as provided in its regulations on its website within four weeks from the receipt of this order i.e. Point No. 1 of the RTI application

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of the appellant. He is also directed that the appellant may be informed accordingly with a copy to the Commission. As far as the information/inspection of record pertaining to Point No.2 of the RTI application is concerned, no directions are being given to the respondent authority to get the record inspected as the information pertaining to deduction from the salary of employees is exempted under Section 8(1)(j) of the RTI Act, 2005 as mentioned herein. However, the liberty is granted to the appellant to approach the Commission within six weeks in case the information is not published by the respondent authority. After hearing the decision, the appellant states that his case may be referred to the Double Bench. The instant case was earlier heard by the bench of Sh. Hem Inder Singh, State Information Commissioner but on the request of the appellant this case was transferred and reallocated to this bench that too without any cogent reasons. Keeping in view the above, the request of the appellant is rejected and the case is disposed of and closed accordingly.

sd

Dated: 5.1.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Smt. Janak Dulari, w/o Sh. MohanLal
Village Bhagwanpur
PO Lambra,
Jalandhar 1440026
9815288159 9815865534

....Appellant

Vs

Public Information Officer
o/o Headmistress
High School, Kang Sabhu,
Jalandhar

First Appellate Authority
o/o DEO (SE)
Jalandhar

....Respondents

Appeal Case No. 5334 of 2021
(Video Conference Proceedings)

Present:- Sh. Mohan Lal, representative of the appellant.
Ms Savita Rani & Sh. Pawan on behalf of the respondents.

ORDER

The RTI application is dated 29.4.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 20.6.2021 and second appeal was filed in the Commission on 11.8.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant has sought the following information in this case:-

1. ਸਾਪੇਖੀ ਫੋਟੋ ਜੇਥੇ ਦ.ਪ.ਫ. ਆਰ ਨੰ. 27982 ਦੀ ਜਾਰ 2018-19 ਦੀ ਟਿੱਡੀ ਗਈ ਜਾਣੇ ਨੂੰ ਪੈਰੋਂ ਜੋਗੇ Balance B. 3,54,577-00 (ਤਿੰਨ ਲੱਖ ਪੰਜ ਹਜ਼ਾਰ ਪੰਜ ਸੌ ਰੁਪਏ) ਹੈ।
2. RTI ਪੈਰੋਂ ਹੋਰ ਸਿੱਧੀ ਜਾਣਕਾਰੀ ਮੰਗੀ ਜਾਂਦੀ ਹੈ:
 1. ਜਾਬਕਾਸ਼ੀ ਵਿਭਾਗ ਵਿੱਚੋਂ ਫਿਰਕਤ ਜਾਰ 2019-20 ਦੀ ਬੁੱਲ੍ਹ ਰਾਸ਼ੀ ਦੀ ਗਿਣਤੀ ਕੀਤੀ ਜਾਣੇ ਨੂੰ ਹੈ।
 2. ਜਾਬਕਾਸ਼ੀ ਵਿਭਾਗ ਵਿੱਚੋਂ ਫਿਰਕਤ ਜਾਰ 2020-21 ਦੀ ਬੁੱਲ੍ਹ ਰਾਸ਼ੀ ਦੀ ਗਿਣਤੀ ਕੀਤੀ ਜਾਣੇ ਨੂੰ ਹੈ।
 3. ਦ.ਪ.ਫ. ਦੀ ਅਪਰੇਟਿੰਗ ਚਾਰਜ ਰਾਸ਼ੀ ਕੀਤੀ ਜਾਣੇ ਨੂੰ ਹੈ।
 4. Earned leave ਦੀ ਗਿਣਤੀ ਅਨੁਸਾਰ ਚਾਰਜ ਰਾਸ਼ੀ ਕੀਤੀ ਜਾਣੇ ਨੂੰ ਹੈ।

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3. The representative of the respondents states that the information sought has already been sent to the appellant with a copy to the Commission, which is taken on record. However, the representative of the appellant states that the no interest has been shown in the GPF statement and no leave encashment has been paid to the appellant. On the other hand, the representative of the respondents states that his claim has been prepared in accordance with the instructions issued by the Government of Punjab applicable to the terminated employees.

4. Since, the respondent authority has already filed the reply/supply the information which is available in the case file, therefore, the same is being **sent** to the appellant along with this order.

5. Keeping in view the above, the Commission observes that no further action is required to be taken in this case. Hence the case is disposed of and closed.

sd

Dated: 5.1.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.