

PUBLIC GRIEVANCES COMMISSION

(Govt. of National Capital Territory of Delhi)

APPELLATE AUTHORITY

[Under Section 7, Delhi Right to Information Act, 2001]

Appeal No. : 24/2019

Date of Hearing : 11/09/2019

Date of Decision : 11/09/2019

Appellant : Smt. Kamla Sharma

Respondent : Joint Director (Admn.)

Deptt. of Training & Technical Education

Appeal filed on : 08/04/2019

Application filed on : 18/02/2019

1. Background

Smt. Kamla Sharma, the appellant, vide her application dated 18/02/2019 under **Delhi Right to Information Act, 2001, had** sought information from the Competent Authority on 08 points. Aggrieved with the reply, she filed this appeal before the Commission.

2. Proceedings

The appellant is not present.

Shri J.S. Rathi, A.O., TTE (HQ) and Shri Rajeev Kumar, S.O. (Vig.), DTTE are present on behalf of the Competent Authority and informed that a reply had already been provided to the appellant vide letter dated 06.09.2019. Copy placed in the file.

Reply perused. The department has provided the information to the appellant relying on the decision of the CIC in the matter No. CIC/BS/A/2014/001869,1885,2107,2020,2189,2190/2191,8241 dated 03/08/2015 filed by Md. Iqbal Soharatali Ansari wherein the CIC referred the decision of the Supreme Court of India in the SLP (C) No. 27734 of 2012 (Girish R Deshpande Vs. CIC and others) in which it has been held that "***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 disclosure of which has no relationship to any public activity or public interest....***". The department further stated that as per the ratio of the decision cited, the information is completely exempted from disclosure under the provisions of the RTI Act.

The stand of the department, in view of the ruling of the Hon'ble Supreme Court of India is accepted.

However, in respect of Query No. (8) the appellant had asked the information regarding number of officials issued Show Cause Notice before issuing Charge Sheet. The information asked from 01/01/2000 till date. This information can be given to the appellant. Since the time period is too long, the department may give the information for the last 3 years only.

Departmental representative submitted that the appellant alongwith her husband Shri Kishan Chand had filed 34 complaints, 28 RTIs/DRTIs in Vigilance Branch and 162 RTIs/DRTIs in Headquarter of DTTE. This shows that the appellant is habitually filing applications under RTI and DRTI Act. **The appellant is advised to restrain herself from asking such information which does not serve any public interest since providing such information is merely wastage of government resources and precious time of the department.**

3. Decision:

Competent Authority i.e. Joint Director (Admn.), Department of Training & Technical Education **shall ensure that revised reply in respect of Query No. (8), as discussed above shall be provided to the appellant within 10 days of receipt of this order. The reply shall be sent under the signature / stamp of the Competent Authority directly to the appellant, with a copy marked to this Commission for information.**

With the above directions, the appeal case is ordered to be closed before the Appellate Authority / PGC.

(ASHOK KUMAR)
CHAIRMAN,
PUBLIC GRIEVANCES COMMISSION

No.Appeal /24/2019/PGC/DRTI/DTTE/

Dated:

Copy to :

1. Shri Rajneesh Kumar Singh, Joint Director (Administration), Department of Training & Technical Education, Govt. of NCT of Delhi, Muni Maya Ram Marg, Pitampura, Delhi – 110 088.

2. Smt. Kamla Sharma