

**Central Information Commission, New Delhi**  
**File No. CIC/SH/A/2015/000775 & CIC/SH/A/2016/000408 and CIC/SH/A/2015/002245**  
**Right to Information Act-2005-Under Section (19)**

**Date of hearing** : 31st August 2016

**Date of decision** : 31st August 2016

**Name of the Appellant** : Shri Joginder Singh,  
S/o. Shri Gurbachan Singh,  
Central Jail No- 03, Tihar,  
New Delhi- 110064

**Name of the Public Authority/Respondent** : Central Public Information Officer,  
Punjab and Sind Bank,  
H. O. RTI Cell, Bank House, 4th Floor, 21,  
Rajendra Place, New Delhi - 110008

The Appellant was heard through audio-conferencing.

On behalf of the Respondents, Shri Satinder Singh, CPIO was present in person.

**Information Commissioner** : **Shri Sharat Sabharwal**

These files contain appeals in respect of the RTI applications dated 25.11.2014 and 11.12.2014, filed by the Appellant, seeking information concerning the disciplinary action taken by the Respondents against some of their officials. Not satisfied with the response of the Respondents, the Appellant has approached the CIC in second appeal in both the cases. The appeal concerning the RTI application dated 25.11.2014 has been registered twice on Files No. 775 and 408.

2. The Appellant stated that he was working at a branch of the bank in Delhi, when a fraud took place. There were two officers in the branch above his level and

he was the number three officer. He was prosecuted and convicted by a trial court and sentenced to imprisonment for seven years. He has filed an appeal against his conviction at the High Court and the matter is pending there. He believes that he was singled out for harsh action, while the two officers superior to him were also responsible for the fraud. The bank took disciplinary action against them and admitted this fact in the trial court. He (the Appellant) wishes to have the information concerning the disciplinary action taken against the above and some other concerned officers in connection with his defence. In response to our query, the Appellant stated that he raised the issue concerning the documents pertaining to the disciplinary action against the above officials at the trial court also, but the court did not give him any relief in this regard.

3. The Respondents reiterated their decision to deny the information under Section 8 (1) (j) of the RTI Act on the ground that it pertained to disciplinary action taken by the bank against third party employees. The Appellant stated that the bank circulates to all the branches the information concerning the action taken against its officials and this information becomes public. Therefore, there is no ground to deny the information sought by him. The Respondents stated that only when an officer is dismissed or removed, the fact of his dismissal or removal from service is circulated amongst the branches, but the information regarding the details of the disciplinary action or the charges against such an officer is not circulated within the bank or made public.

4. We have considered the submissions of both the parties. The Commission is not competent to sit in judgment over the relevance of the information concerning the disciplinary action taken against the officers concerned to the case of the Appellant. This can be done only by a competent court. As stated by him, the Appellant raised this matter in the Trial Court also, but got no relief in this regard. His case is now pending before the High Court. In so far as the information concerning action against its employees by a public authority is concerned, it is exempted from disclosure under Section 8 (1) (j) of the RTI Act, in view of the following observations of the Supreme Court in the judgment dated 3.10.2012 in Girish Ramchandra Deshpande vs. Central Information Commissioner & Ors. [Special Leave Petition (Civil) No. 27734 of 2012]:-

*“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 or 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.”*

The Appellant has not established any larger public interest for disclosure of the information sought by him. His personal grievance concerning his conviction cannot become the ground of larger public interest.

5. In view of the foregoing, we uphold the decision of the Respondents to deny the information, sought by the Appellant in his two RTI applications dated 25.11.2014 and 11.12.2014, under Section 8 (1) (j) of the RTI Act.

6. With the above observations, the three appeals are disposed of.

7. Copies of this order be given free of cost to the parties.

Sd/-  
**(Sharat Sabharwal)**  
**Information Commissioner**

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

**(Vijay Bhalla)**  
**Deputy Registrar**