

(CC)

No.5/52/2016-1AR
Haryana Government
Chief Secretary's Office
Administrative Reforms Department.

Dated Chandigarh the 08th October, 2018.

To

- (i) All the Administrative Secretaries to Govt., Haryana
- (ii) All the Head of Departments in Haryana.

Subject: Disclosures of Personal information under the RTI Act, 2005.

Sir/Madam,

I am directed to address you on the subject cited above and to inform you that State Information Commission, Haryana has noticed that Hon'ble Supreme Court of India in the matter of Garish R Deshpande Vs CIC and others SLP (C) no 27734/2012) has held as under:-

"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 the privacy of that individual". The Supreme Court further held that such information could be disclosed only if it would serve a larger public interest.

Keeping in view the above decision of the Hon'ble Supreme Court of India, the State Information Commission has decided that information about the complaint made against an officer of the Government and any possible action the authorities might have taken on those complaint qualifies as personal information within the meaning of provision of section 8(1)(j) of the RTI Act, 2005.

You are therefore, requested to bring the above in the notice of all concerned/SPIOs under your control for compliance.

Yours faithfully,

Santosh
(Santosh Kumari), 8/10/18

Under Secretary (Administrative Reforms)
for Chief Secretary to Govt. Haryana
Office telephone No. 2740001, 2740226, Ext. 8818
e-mail address - admreforms_hry@gmail.com

Dated Chandigarh the, 8th October, 2018

Endst. No. 5/52/2016-1AR

A copy is forwarded to the Incharge, NIC, Haryana Civil Secretariat 9th floor, Chandigarh with the request to put this letter on the website of this department.

Sd/-
(Santosh Kumari),

Under Secretary (Administrative Reforms)
for Chief Secretary to Govt. Haryana
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A copy is forwarded to the Secretary, State Information Commission, Haryana SCO No. 70-71. Sector-8C, Chandigarh w.e.f. their letter No. 14282/SCIC/2018/EA-1, dated 21.08.2018 for information.

LC
11-10-18

Mr
ALCA
12-10-18

DSE

2496
Date: 12/10/18