

**ODISHA INFORMATION COMMISSION  
BHUBANESWAR**

**Present : Shri Tarun Kanti Mishra,  
State Chief Information Commissioner**

**Date 11<sup>th</sup> August, 2014**

**Second Appeal No.2246/2013**

Shakuntala Tripathy,  
ASO, Raj Bhavan,  
Odisha,  
Bhubaneswar – 751008,  
Khurda, Odisha.....Appellant

**-Vrs-**

1. Public Information Officer,  
Governor's Secretariat,  
Odisha, Raj Bhavan,  
Bhubaneswar – 751 008
2. First Appellate Authority,  
Governor's Secretariat,  
Odisha, Raj Bhavan,  
Bhubaneswar – 751 008 .....Respondents.

**Decision**

1. Appellant Shakuntala Tripathy is present. Raghu Nath Majhi, PIO-cum-Under Secretary, Governor's Secretariat, Raj Bhavan, Bhubaneswar is also present.

2. The appellant filed form-A application dated 20.02.2013 with the PIO, Governor's Secretariat, Raj Bhavan, Bhubaneswar seeking attested photo copies of entire Service Book, date of birth certificate as a proof of age, educational certificate submitted at the time of appointment, details about his service matter allotment of quarters, his duty chart and marital status of one Sisir Kumar Pattnaik working as a Gardener (Mali). On receiving the form-A application the PIO furnished the information containing six pages to the appellant vide letter No.1846 dated 19.03.2013. The appellant filed form-D application dated

19.04.2013 with the First Appellate Authority on the grounds that the PIO had supplied her incomplete information. The First Appellate Authority disposed of the first appeal observing that supply of one's Service Book to the appellant does not serve any public interest rather intends to achieve personal score on the part of the appellant. The First Appellate Authority directed the PIO to furnish the note sheets and papers to the appellant on deposit of cost. Being aggrieved with the decision of the First Appellate Authority the appellant filed form-E application dated 19.09.2013.

3. The PIO submitted that all permissible information in respect of RTI application dated 20.02.2013 has been furnished to the appellant in conformity with the order passed by the First Appellate Authority. .

4. The Commission heard both the parties and perused the records. In her form-A application, the appellant has framed as many as 12 questions pertaining to a low paid employee in Raj Bhawan where she herself is also an employee. In her application, she wanted copy of the entire Service Book, the birth certificate, educational certificate, appointment letter, duty chart, salary particulars, allotment of quarters, and some other details about his employment. She also wanted the property statement of the concerned employee. She further wanted to know whether he has two wives. She wanted their names, permanent addresses of their parents etc. In her two and half page questionnaire she raised many issues depicting the concerned Mali as a thief, a law breaker and an immoral person. In his response the PIO submitted that he has furnished all the information as available and permissible under the RTI Act. The appellant has been supplied with about 150 pages of information. As submitted by the PIO, the appellant is in habit of seeking voluminous information from time to time to settle personal score. So far, she has filed 13 RTI applications relating to the service matter of several employees of Raj Bhawan including her own. The personal information of an employee is exempted under Section 8(1)(j) of the RTI

Act, 2005. The Hon'ble Supreme Court of India has observed in case of Girish Ramchandra Deshpande Vs. Central Information Commissioner 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. On being questioned, the appellant did not specify as to what public interest will be served by the disclosure of personal information of an employee. This is a clear instance of gross abuse of a citizen's right to access information. The Commission severely warns the appellant not to misuse such rights. Devoid of any merit, the appeal stands dismissed.

**Pronounced in open proceedings**

Given under the hand and seal of the Commission this day, the 11<sup>th</sup> August, 2014.

**State Chief Information Commissioner**  
11.08.2014