

Objection to denial of information by social welfare officer.

1 message

Mahesh Pratap Singh <yogimpsingh@gmail.com>

15 July 2025 at 10:40

To: SHAKUNTALA GAUTAM <hearingcourts9.upic@up.gov.in>, dswmirzapur@dirsamajkalyan.in, ddswwmirzapur@dirsamajkalyan.in

UTTAR PRADESH INFORMATION COMMISSION

Second Appeal under section 19(3) of the Right to Information Act, 2005

Appeal Registration Number - A-20250300578

File Number - S09/A/0563/2025

Court of hearing: S-9

Next date of hearing- 20th August 2025

Applied Date : 10/03/2025 10:55:36 AM

Yogi M P Singh versus Public Information Officer Office - श्री त्रिनेत्र कुमार सिंह, समाज कल्याण निदेशालय ,जनपद-मिर्जापुर ,पिन कोड : 231001

To

Hon'ble information commissioner/presiding officer

Court number 9 Uttar Pradesh state information commission

Subject- For submitting objection regarding the communication dated 10th July 2025 of the district social welfare officer Mirzapur.

With the due respect the appellant is inviting the kind attention of the most respected presiding officer of court number S-9 to the following submissions as follows.

1-Most respected madam, District Social Welfare Officer, Mirzapur through his communication dated 10th July 2025 denied the six point information by taking the recourse of subsection 1 (J) of the section 8 of the right to information 2005. Which may be stated as follows.

Section 8(1)(j) of the Right to Information Act, 2005, generally exempts from disclosure the information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information:

Provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person. Most respected madam, please take the perusal of the attached document to this representation.

Most respected madam, please take the perusal of the attached document to this representation.

2-Most respected madam, according to the District Social Welfare Officer, Mirzapur, Transfer and posting of the public staff is personal information.

3-Most respected madam, Transfer and posting of the public staff is the working of the public authority. Transfer and posting of the public staff is the public work and public work cannot be personal information.

4-Public Information may be summarized as follows.

This is data that's accessible to everyone, often maintained by governments or institutions.

Examples of public information-

Voter rolls, land ownership records, court judgments

Company registrations, government budgets
Official policies, laws, and public notices
Characteristics of public information-
No privacy restrictions
Can be published or disclosed by authorities
Intended for public knowledge or transparency

5-Personal Information

This refers to data that identifies or relates to an individual and is protected by privacy laws.

Examples of personal information-

Name, address, phone number, Aadhaar number

Medical records, financial details, biometric data

Login credentials, photographs, and family details

Characteristics of personal information-

Sensitive in nature

Access requires consent or lawful authority

Misuse can lead to privacy breaches or legal consequences

Protected by:

Privacy laws like India's Digital Personal Data Protection Act, 2023

Security measures like encryption and identity verification

6-THE RIGHT TO INFORMATION ACT, 2005

No. 22 OF 2005[15th June, 2005]

An Act to provide for setting out the practical regime of right to information for citizens to secure

access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.

7- Most respected madam, It is obvious that right to information act 2005 was introduced by the government of India to promote transparency and accountability In the working of the public authorities and if the public information officers will withhold the information concerning with the working of the public authorities in the name personal information how can right to information act 2005 achieve its goal?

8- If the transfer and postings are personal information then how can large scale transfers of the public officers be published in the media? Most respected madam transfer and posting of the public staff in the current scenario is the most lucrative source of backdoor income of the corrupt public staff, this is the root cause many staff through the illegal gratification are posted at a place for many years and setting up their ulterior motives by violating the provisions of the new transfer policy.

Date-15-07-2025

O God help me

Yogi M P SINGH , Mobile number 7379105911

कार्यालय : जिला समाज कल्याण अधिकारी, मीरजापुर ।

(Office Phone Number - 9451987898)

पत्रांक/1114-15/स0क0/जनसूचना अधिकार/2025-26/ दिनांक 10-7-25

श्री योगी एम0पी0 सिंह,
निवासी मोहल्ला सुरेकापूरम्,
जबलपुर रोड, संगमोहाल, मीरजापुर।
मो0नं0-7379105911

विषय : जनसूचना अधिकार अधिनियम-2005 के अन्तर्गत सूचना का प्रेषण।

उपर्युक्त विषयक जनसूचना अधिकार अधिनियम-2005 के अन्तर्गत ऑनलाइन किये गये अपील संख्या-S09/A/0563/2025 दिनांक 30.06.2025 का सन्दर्भ ग्रहण करें, जिसके द्वारा मा0 सूचना आयोग के समक्ष दिनांक सुनवाई हेतु निर्धारित तिथि 01.07.2025 जो अधोहस्ताक्षरी कार्यालय में दिनांक 01.07.2025 को पूर्वान्ह 11:55 मिनट पर प्राप्त हुआ है। संदर्भित पत्र में आपके अपील दिनांक 28.05.2025 की प्रति संलग्न करते हुये जनसूचना अधिकारी को मा0 आयोग द्वारा दिनांक 01.07.2025 को निर्धारित तिथि के 02 दिन पूर्व अपना लिखित कथन प्रस्तुत करने हेतु निर्देशित किया गया था।

उपरोक्त के क्रम में अवगत कराना है कि अधोहस्ताक्षरी कार्यालय पत्र संख्या-566-67 दिनांक 16.05.2025 एवं पत्र संख्या-681-82 दिनांक 22.05.2025 द्वारा वांछित सूचना आपको प्रेषित की गयी है। आप द्वारा संदर्भित पत्र दिनांक 28.05.2025 के माध्यम से अधिकारियों/कर्मचारियों के सम्बन्ध में सूचना की मांग की गयी है, जिसके क्रम में अवगत कराना है कि "जनसूचना अधिकार अधिनियम-2005 की धारा 8(1)(i) के तहत किसी व्यक्ति की व्यक्तिगत जानाकारी जो किसी सार्वजनिक गतिविधि या हित से सम्बन्धित नहीं है, उसे सार्वजनिक करने से छूट दी गयी है। इसका मतलब है कि अगर कोई जानकारी किसी व्यक्ति की निजी जिन्दगी से सम्बन्धित है और उसे सार्वजनिक करने में किसी व्यक्ति की निजता में दखल होता है, तो उसे आर0टी0आई0 के तहत उजागर नहीं किया जायेगा।"

धारा 8(1)(i) का उद्देश्य -

"जनसूचना अधिकार अधिनियम-2005 की धारा 8(1)(i) में उल्लिखित इस धारा का उद्देश्य किसी व्यक्ति की निजता को सुरक्षित रखना है। यह सुनिश्चित करता है कि किसी व्यक्ति की व्यक्तिगत जानाकारी को सार्वजनिक नहीं किया जायेगा, जब तक की यह सार्वजनिक हित के लिए आवश्यक न हो।"

अतः आपके पत्र दिनांक 28.05.2025 द्वारा की गयी आपत्ति स्वीकार किये जाने योग्य नहीं है।

Ram

(राम विलास यादव)

जिला समाज कल्याण अधिकारी,
मीरजापुर।

पृ0प0सं0

/तद्दिनांक :

प्रतिलिपि :

मा0 उ0प्र0 सूचना आयोग 7/7/ए, आर0टी0आई0, विभूति खण्ड, गोमती नगर, लखनऊ के अपील संख्या-S09/A/0563/2025 दिनांक 30.06.2025 के क्रम में सादर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

जिला समाज कल्याण अधिकारी,
मीरजापुर।