

केन्द्रीय सूचना आयोग  
Central Information Commission  
बाबा गंगनाथ मार्ग, मुनिरका  
Baba Gangnath Marg, Munirka  
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या/Second Appeal No. CIC/UIICL/A/2019/148348

Ms. Ashwini Aniket Palkandwar

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO, United India Insurance  
Company Limited, Pune

...प्रतिवादी /Respondent

Relevant dates emerging from the appeal:

RTI : 01-09-2019	FA : 21-09-2019	SA : 07-10-2019
CPIO : 19-09-2019	FAO : 26-09-2019	Hearing : 25-05-2021

**ORDER**

1. The appellant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), United India Insurance Company Limited, Pune seeking following information:-

“Please provide the information regarding salary/pay grade of Mr. Aniket V Palkandwar, Channel Manager.”

2. The CPIO responded on 19-09-2019. The appellant filed the first appeal dated 21-09-2019 which was disposed of by the first appellate authority on 26-09-2019. Thereafter, she filed a second appeal u/Section 19(3) of the RTI Act before the Commission requesting to take appropriate legal action against the CPIO u/Section 20 of the RTI Act, 2005 and also to direct him to provide the sought for information.

**Hearing:**

3. The appellant, Ms. Ashwini Aniket Palkandwar attended the hearing through audio conferencing. Mr. Ashok Bangar, CPIO participated in the hearing representing the respondent through audio conferencing. The written submissions are taken on record.

4. The appellant stated that the remuneration of a govt. employee cannot be treated as personal information, as it is required to be disclosed suo motu in accordance with Section 4(1)(b)(x) of the RTI Act, 2005. Therefore, the respondent should be directed to provide him the information regarding salary/pay grade of her husband Mr. Aniket V Palkandwar, Channel Manager.

5. The respondent stated that they have claimed exemption u/Section 8(1)(j) of the RTI Act, 2005 treating salary/pay grade of some other individual as third party personal information.

**Decision:**

6. With regard to disclosure of remuneration of the spouse, the Division Bench of the **Hon'ble High Court of Madhya Pradesh** vide its decision dated 15-05-2018 in the matter of **Smt. Sunita Jain v. Pawan Kumar Jain and others, W.A. No. 168/2015** and **Smt. Sunita Jain v. Bharat Sanchar Nigam Limited and others, W.A. No. 170/2015** has decided in affirmative with following observations:-

“The controversy involved in the present writ appeal is whether the information sought is exempt under Section 8(1)(j) of the Act or it is covered by Section 4(1)(b)(x) which obliges the public authorities to display on public domain the monthly remuneration received by each of its officers and employees.

For ready reference, Section 4(1)(b)(x) of the Act reads as under:-

“4. Obligations of public authorities.- (1) Every public authority shall-  
(b). publish within one hundred and twenty days from the enactment of this Act.-

- (i) xxxxxxxxxxxx
- (ii) xxxxxxxxxxxx
- (iii) xxxxxxxxxxxx
- (iv) xxxxxxxxxxxx
- (v) xxxxxxxxxxxx
- (vi) xxxxxxxxxxxx
- (vii) xxxxxxxxxxxx
- (viii) xxxxxxxxxxxx
- (ix) xxxxxxxxxxxx
- (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations.”

The question of consideration is whether such information is exempt Section 8(1)(j) of the Act, which reads as under:-

“8. Exemption from disclosure of information.- (1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen.-

- (a) xxxxxxxxxxxx
- (b) xxxxxxxxxxxx
- (c) xxxxxxxxxxxx
- (d) xxxxxxxxxxxx
- (e) xxxxxxxxxxxx
- (f) xxxxxxxxxxxx
- (g) xxxxxxxxxxxx
- (h) xxxxxxxxxxxx
- (i) xxxxxxxxxxxx

(j) 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.”

The question is whether information sought is a personal information, the disclosure of which has no relationship to any public activity or interest or would cause unwarranted invasion of privacy of Shri Pawan Kumar Jain.

In Strouds Judicial Dictionary, Vol.IV (4th edn.) ‘public interest’ is defined thus:

“Public interest – 1. A matter of public or general interest does not mean that which is interesting as gratifying curiosity or a love of information or amusement; but that in which a class of the community have a pecuniary interest, or some interest by which their legal rights or liabilities are affected.”

In Black’s Law Dictionary (6th edn.). ‘public interest’ is defined as follows:

“Public Interest – Something in which the public, the community at large, has some pecuniary interest, or some interest by which their legal rights or liabilities are affected. It does not mean anything so narrow as mere curiosity, or as the interests of the particular localities, which may be affected by the matters in question. Interest shared by citizens generally in affairs of local, state or national government...”

While dealing with the Section 8(1)(j) of the Act, we cannot lose sight of the fact that the appellant and the respondent No.1 are

husband and wife and as a wife she is entitled to know what remuneration the respondent No.1 is getting.

Present case is distinguishable from the case of **Girish Ramchandra Deshpande** (supra) and therefore the law laid down by their Lordships in the case of **Girish Ramchandra Deshpande** (supra) are not applicable in the present case.

In view of the foregoing discussion, we allow the appeal and set aside the order passed by the Writ Court in W.P. No. 341/2008. Similarly, the W.A. No. 170/2015 is also allowed and the impugned order passed in W.P. No. 1647/2008 is set aside.”

7. Therefore, in view of the legal position stipulated in the case of **Smt. Sunita Jain (Supra)**, this Commission directs the respondent to disclose the ‘gross income’ of Mr. Aniket V Palkandwar to the appellant without showing any deduction details, within a period of 15 working days from the date of receipt of this order.
8. With the above observations, the appeal is disposed of.
9. Copy of the decision be provided free of cost to the parties.

**Neeraj Kumar Gupta (नीरज कुमार गुप्ता)**  
**Information Commissioner (सूचना आयुक्त)**  
दिनांक / Date:25-05-2021

Authenticated true copy  
(अभिप्रमाणित सत्यापित प्रति)

S. C. Sharma (एस. सी. शर्मा),  
Dy. Registrar (उप-पंजीयक),  
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Addresses of the parties:

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2. Ms. Ashwini Aniket Palkandwar