

CENTRAL INFORMATION COMMISSION

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F.No.CIC/AT/A/2009/000327

Dated, the 17th July, 2009.

Appellant : Smt.Soma Majumdar

Respondents : Eastern Coalfields Limited

This matter was heard through videoconferencing on 06.07.2009 pursuant to Commission's notice dated 01.06.2009. Appellant was present at NIC Studio, Kolkata while the respondents were present at NIC Studio, Budwan. Commission conducted the hearing from its New Delhi office.

2. The RTI-application dated 19.05.2008 to which the present second-appeal is related, asked for a photocopy of the salary slip of the third-party, Shri Sanjoy Majumdar, Junior Over Man, Safety Department, Chinakuri Mines, Sector-III, for the period March 2007 to February 2008.

3. It is seen that CPIO, through his communication dated 10.06.2008 and Appellate Authority, in his decision dated 01.08.2008, declined to disclose this information to the appellant on the ground of it being personal to the third-party and hence covered by Section 8(1)(j) of the RTI Act. There was no public purpose which would warrant its disclosure.

4. It is seen that the information requested by the appellant is the disclosure of the routine information regarding the salary of an employee of a public authority which is even otherwise disclosable under Section 4(1) of the RTI Act and as per the decision of the Commission in *K.C. George Vs. CMFRI; Appeal No.CIC/AT/A/2009/00032; Date of Decision: 13.05.2009*. However, what is not disclosable is any details in the salary slip of the employee regarding how much he was contributing towards Provident Fund or other voluntary contributions made by him from his salary account. While these items can be withheld, it would be wholly incorrect to withhold from disclosure information regarding an employee's salary at any given point of time, including the allowances payable. Such information cannot be withheld on the ground that it was personal income of an employee. A charge on the budget of the public authority towards payment of

salary to an individual employee is not a personal matter between the employer and employee. It is an information which is disclosable since it is an account of what an employee or a class of employee receive by way of pay from the employer. There is no reason why such information should be withheld from disclosure.

5. In view of the above and consistent with Commission's earlier decision in the cited case, it is directed that the requested information shall be disclosed to the appellant within two weeks of the receipt of this order after severing from it the non-disclosable parts of information as mentioned at paragraph 4 above.

6. Appeal disposed of with these directions.

7. Copy of this direction be sent to the parties.

(A.N. TIWARI)
INFORMATION COMMISSIONER