

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
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(Helpline No.0172-2864116(From 10.00 AM to 04.00PM on working days))

Lt Col Navraj Dev Singh Bains(Retd.),
H.No.905, Sector-2,
Panchkula (Haryana).



...Appellant

Versus

Public Information Officer,
O/o Director General,
Centre for Training and Employment of Youth
(C-PYTE), Sector-42, Chandigarh.
First Appellate Authority
O/o Principal Secretary,
Department of Employment
Generation & Training, Punjab,
Punjab Civil Secretariat-2, Chandigarh.

... Respondents

Appeal Case No.138 of 2023

PRESENT : (i) **Appellant- absent.**
(ii) **None on behalf of the Respondents.**

ORDER:

1. The RTI application is dated 28.08.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 07.10.2022 and the second appeal was filed in the Commission on 02.01.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 06.03.2023. Accordingly, the case has been heard today. Lt Col Navraj Dev Singh Bains (Retd), appellant has not come present to attend the hearing in person before the Bench or through cisco webex nor any intimation has been received from him in this regard.
3. Neither the PIO/Director General, C-PYTE, Punjab, Chandigarh has come present to attend the hearing in person before the Bench or through cisco webex. However, written response related to the appeal case has been received in the Commission vide PIO's memo dated 28th February, 2023.
4. Without going into the merits of the case, the Bench observes that in another appeal case- AC No.1651/2021 filed by the appellant, this Bench had decided the same on 25.07.2022. However, the appellant vide his letter dated 16.08.2022 had requested to review the decision and had made certain observations as the basis for review, giving his remarks as under :-
"Both respondent & PIO Maj Gen Rambir Singh Mann (Retd.) and State Information Commissioner Lt Gen Ajae Kumar Sharma (Retd.) are high ranking retired military officers and there is reasonable likelihood of personal or departmental bias due to natural affinity of having served at such high posts in the Indian Army. In such a situation, State Information Commissioner should have either (a) recused himself because of potential conflict of interest from hearing the case; or (b) transferred the case to Chief Information Commissioner /other State Information Commissioner; or (c) given valid reasons to continue the hearing of case in his orders."
5. The above remarks of the appellant are only his presumptions as the decision of the Bench was based on the merits of the case. In addition, no prior affiliation or acquaintance existed between Maj Gen Rambir Singh Mann (Retd.) and Lt Gen Ajae Kumar Sharma (Retd.), SIC. These were unfounded presumptions of the appellant. The perusal of above, however, shows that the appellant Lt Col Navraj Dev Singh Bains (Retd.) has shown lack of trust on this Bench. As such, this Bench recuses itself from hearing this appeal case and deems it appropriate to transfer this Appeal Case to the Deputy Registrar, with the direction to put up the same to Ld CIC for allocation of the same to some other Bench.
5. In view of the position as emerges from the aforesaid discussion, **the Bench sends this case to the Deputy Registrar, PSIC for compliance as above.** Copies of the order be sent to the concerned parties.

Chandigarh
06.03.2023

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

Sent to: Deputy Registrar, PSIC for necessary action.