

**PUNJAB STATE INFORMATION COMMISSION
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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.6226 of 2022

PRESENT : (i) Lt Col Navraj Dev Singh Bains (Retd.), Appellant, in person.
(ii) Maj Gen R.S. Mann, Director General/PIO, Centre for Training and Employment of Youth (C-PYTE), Sector-42, Chandigarh, in person
(iii) Shri Ram Ishwar Singh, Superintendent, and Smt. Chhaya Goyal, Senior Assistant O/o Principal Secretary, Employment Generation & Training, Punjab, In person.

ORDER:

1. The RTI application is dated 07.01.2022 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 14.02.2022 and the second appeal was filed in the Commission on 04.04.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 21.02.2023. Accordingly, the case has been heard today. Lt Col Navraj Dev Singh Bains (Retd), appellant comes present to attend the hearing in person before the Bench.
3. Maj Gen Rambir Singh Mann, VSM, PIO, Director General, C-PYTE, Punjab, Chandigarh/PIO, C-PYTE, Shri Ram Ishwar Singh, Superintendent and Smt. Chhaya Goyal, Senior Assistant O/o Principal Secretary, Department of Employment Generation & Training, Punjab come present to attend the hearing in person before the Bench.
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



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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 post 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) transfer the case of Chief Information Commissioner /other State Information Commissioner; or (c) given valid reasons to continue the hearing of case in his orders.”

4. 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 worthy 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
21.02.2023**

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

Sent to: Deputy Registrar, PSIC for necessary action.