

PUNJAB STATE INFORMATION COMMISSION
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Sh.Gian Chand Goyal
New Market, Jaito,
District Faridkot.

...Appellant

Versus

Public Information Officer,
O/o Block Primary Education Officer,
Jaito, District Faridkot.

First Appellate Authority,
District Primary Education Officer,
Faridkot.

...Respondent

Appeal case No.3450 of 2020

PRESENT: Sh.Gian Chand as the Complainant
Sh.Dalbir Singh, BPEO for the Respondent

ORDER:

The appellant, through RTI application dated 08.08.2020, has sought information regarding the list of Govt Primary Schools in Sub Division Jaito – list of primary teachers – educational certificates of teachers and other information concerning the office of BPEO Jaito. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 17.09.2020 which took no decision on the appeal.

The case came up for hearing first on 18.01.2021 through video conferencing at DAC Faridkot. The respondent present pleaded that the information on points 1, 2 & 3 have been provided but since the information regarding point-4 being 3rd party information, as well as personal information, it is exempt u/s 2(n), 8(1)(j) and 8(1) of the RTI Act. The respondent further informed that the appellant had earlier also sought similar information (educational and experience certificates of teachers) in appeal case No.3860 of 2019, which was disposed of by Sh.Hem Inder Singh, State Information Commissioner on 08.01.2020. The respondent also sent a copy of the order received in the Commission on 24.12.2020.

Hearing both the parties, the appellant was directed to convince the Commission that the disclosure of information regarding point-4 has a larger public interest.

On the date of the last hearing on **04.08.2021**, both the parties were absent.

The appellant sent his reply, which was taken on the file of the Commission.

On the date of the last hearing on **25.10.2021**, the appellant informed that he has already sent his reply as per the order of the Commission. The appellant further claimed that the PIO had not supplied the information.

The respondent reiterated his earlier plea that the information on points 1, 2 & 3 have been provided but since the information regarding point-4 being 3rd party information as well as personal information, it is exempt u/s 2(n), 8(1)(j) and 8(1) of the RTI Act.

Appeal case No.3450 of 2020

Hearing dated 08.03.2022:

The case has come up for today through video conferencing at DAC Faridkot. The respondent has reiterated his earlier plea on point-4 being 3rd party information as well as personal information, it is exempt u/s 2(n), 8(1)(j) and 8(1) of the RTI Act.

The appellant, however, has cited a decision of Delhi High Court dated 07.01.2019 in CWP 776 of 2016 and CM No.3376 of 2016 - Baljeet Singh v/s PIO-Industrial Training Institute Jahangirpuri & others wherein the petition filed by the petitioner was allowed and the order of the CIC (...that educational certificate of a candidate is personal information and it cannot be disclosed as per the provisions of section 8(1)(j) of the RTI Act.) was set aside. The appellant is seeking the release of this information because many teachers have used fake certificates to seek employment, and there is a larger public interest involved in releasing this information.

The Commission observes that the appellant has asked for educational certificates of all Govt & private schools teachers, which is voluminous information. The appellant has not been able to establish any larger public interest in disclosing this voluminous information, nor has specified the person whose information is required.

Since seeking educational certificates of teachers is a very common thing amongst RTI users, the Commission wants to consider placing online all educational certificates used for seeking employment. This bench feels that this option should be considered because suo-motto declaration of information into public domain brings transparency and takes away the control of information from the Public authority and an individual RTI seeker. Hence, I am writing this to the Secretary of Education (Elementary) to draft a proposal, with its advantages and objections, on uploading these certificates online so that cases of such nature are reduced.

The case is adjourned. To come up for further hearing on **03.08.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated 08.03.2022

Sd/-
Khushwant Singh
State Information Commissioner

CC to 1. Secretary Education, Punjab,
Civil Secretariat, Sector 9
Chandigarh.

2. Director Public Instruction (EE) Pb,
Phase-VIII, Mohali.