

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100
Email: psic20@punjabmail.gov.in Visit us: www.infocommpunjab.com
Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Sh. Baljeet Singh 7696500015

64 H , BRS Nagar,

District Ludhiana

....Appellant

Vs

Public Information Officer (By name) **Registered**

o/o Deputy Commissioner,

District Ludhiana

First Appellate Authority

o/o Deputy Commissioner,

District Ludhiana

Public Information Officer (By name)

Registered

o/o the Civil Surgeon,

Ludhiana

....Respondents

Appeal Case No. 2917 of 2020

(Video Conference/Telephone Proceedings)

Present:- Sh. Baljeet Singh, appellant.

Ms Manu Vij, Sr. Medical Officer 9814917769 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 12.10.2021.

2. Since the remaining information pertaining to Point No. 5,6,7 & 9 of the RTI application relates to the comparative statements related to the material procured during the Covid 19 Pandemic, therefore, it is appropriate to mention the decision of the Division Bench of the Jharkhand High Court in State of Jharkhand & Anrs. Vs. Navin Kumar Sinha & Anr in which it has held as follows:-

“Prima facia, we are of the view that once a decision is taken in the matter of grant of tender, there is no justification to keep in secret. People have a right to know the basis on which a decision has been taken. If tenders are invited by the public authority and on the basis tender documents, the eligibility of a tender or a bidder is decided, then those tender documents cannot be kept secret, that too after the tender is decided and work order is issued on the ground that it will amount to disclosure of trade secret or commercial confidence. If the authorities of Government refuse to disclose the document, the very purpose of the Act will be frustrated. Moreover, the disclosure... cannot and shall not be a trade secret or commercial confidence, rather disclosure of such information shall be in public interest, inasmuch as it will show the transparency in the activities of Government.

Contd..p/2

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100
Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com
Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Appeal Case No. 2917 of 2020

-2-

Since the tender process is completed and contract has been awarded, it will not influence the contract. Besides the above, a citizen has a right to know the genuineness of a document submitted by the tenderer in the matter of grant of tender for consultancy work or for any other work...In our considered opinion a contract entered into by the public authority with a private person cannot be treated as confidential after completion of contract."

3. Keeping in view the above, the respondent-Public Information Officer is directed to supply the information pertaining to Point No. 5,6,7 & 9 of the RTI application with which the respondent-Public Information Officer agreed to. Also, the respondent-Public Information Officer requested for the adjournment of the case and assured that the complete information pertaining to Point No. 5,6,7 and 9 of the RTI application will be supplied to the appellant before the next date of hearing.

3. According to the assurance given by the respondent, the case is adjourned with the direction to supply the complete information as has been assured failing which the penalty provisions will be invoked on the next date of hearing.

4. To come up on 30.11.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 11.11.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

Civil Surgeon,(By name)
Ludhiana

Registered