



Dr. Gurcharan Singh,  
Street No-3, Indra Basti,  
Sangrur.

... Appellant

Versus

**Public Information Officer,**  
O/o The Director (Education),  
Shiromani Gurudwara Parbhandhak Committee,  
6- Kalgidhar Niwas,  
Sector-27-B, Chandigarh.

**First Appellate Authority,**  
O/o The Secretary,  
SGPC, Amritsar.

...Respondent

**Appeal Case No. 737 of 2009**

**Present:**       None for the Appellant  
                  None for the Respondent

**ORDER:**

The appellant Dr.Gurbachan Singh through RTI application dated 27.07.2009 addressed to Director (Education) SGPC Chandigarh sought information on seven issues relating to the interviews conducted for the post of Director(Education) SGPC Chandigarh. Having failed to get the information, he approached the State Information Commission. Notice was issued to the PIO for his appearance before the Commission on 28.10.2009. Sh.Balwinder Singh O/o Director (Education)-SGPC Chandigarh and Sh. Simarjit Singh-GPA-SGPC Amritsar appeared on the date of the hearing. Sh. Balwinder Singh O/o Director(Education) SGPC Chandigarh submitted a written reply vide letter dated 27.10.2009 that the SGPC being a religious body manage the affairs of the Sikh Community through a board/trust and is not covered under the purview of RTI Act since it is not financed by the Government.

The stand of respondent No.2 however, was that the information would be supplied to the appellant, for which he sought time. The case was adjourned.

On the date of hearing on 04.12.2009, it was concluded that the information sought in the present case does not pertain to any religious affairs, but relates to the selection process of the teachers recruited by the Directorate of Education, SGPC, there were no reasons to withhold the information and the PIO was directed to supply the information within a period of 15 days.

On the next date of hearing 22.12.2009, the respondent SGPC moved an application for review/recall/ modification of order dated 04.12.2009 which was decided and dismissed vide order dated 27.01.2009 and the PIO was directed to ensure that the information is supplied to the complainant as per order dated 04.12.2009.

On the date of hearing on 18.02.2010, since the PIO did not comply with the order of the Commission, a **show-cause notice** was issued to the PIO for non-supply of information and for violation of an order of the Commission.

## **Appeal Case No. 737 of 2009**

On the date of the next hearing on 15.03.2010, Sh.I.P.S. Kohli, advocate along with Sh. Simarjit Singh, GPA-cum-PIO appeared on behalf of the respondent and submitted a copy of the order passed by Hon'ble Shri K.Kannan of Hon'ble Punjab and Haryana High Court in CWP No.4082/2010, whereby an interim order for stay was granted by the High court. Since the stay was granted and the case was pending in the High Court, the case was adjourned Sine-die on 27.08.2014.

The Hon'ble High Court in its order dated 04.07.2019 passed the following order:

"..... The court does not find any illegality in the impugned order passed by the Commission calling for interference. There is no merit in these writ petitions, the same, therefore, stand dismissed."

The case came up for hearing before this Bench on **09.09.2021**.

During the hearing, the Commission observed that since the writ petition filed by the respondent in the High Court for quashing of the order dated 14.09.2009 passed by the Commission was dismissed by the Hon'ble High Court, the order of the Commission dated 04.12.2009 still stands to be complied with by the PIO-SGPC, Amritsar.

However, the commission was of the view that since the RTI application was filed by the complainant in the year 2009, an opportunity was given to the complainant, if still interested in the information, to file a suitable reply and appear before the Commission on the next date of hearing to pursue his case.

On the date of the hearing on **04.01.2022**, the respondent present informed that they have filed LPA No.408/21 against the order of the Hon'ble High Court in CWP No.4082 which is fixed for hearing on 19.01.2022 and sought adjournment.

The appellant was absent. The case was adjourned.

On the date of last hearing on **09.05.2022**, the respondent present reiterated his earlier plea that they have filed LPA No.408/21 against the order of the Hon'ble High Court in CWP No.4082 which is fixed for arguments on 10.05.2022.

The appellant was absent nor had sent his reply as per the order of the Commission.

### **Hearing dated 21.09.2022:**

The case has come up for hearing today through video conferencing at DAC Amritsar/Sangrur. Both the parties are absent.

The respondent through email has sent a copy of the notice of hearing of the High Court in LPA filed LPA No.408/21 against the order of the Hon'ble High Court in CWP No.4082 which is fixed for arguments on 21.11.2022.

Since the complainant is not appearing to pursue the case and an LPA has been filed by the SGPC Amritsar in the High Court, the decision on the same may take a long time, the case is **adjourned sine-die**.

**Chandigarh**  
**Dated: 21.09.2022**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh Harbir Singh,  
Principal (Retd),  
# 307, Charan Bagh,  
Patiala.

... Complainant

Versus

**Public Information Officer,**  
O/o Shiromani Gurudwara Parbhandhak Committee,  
Amritsar.

...Respondent

**Complaint Case No. 2729 of 2009**

**Present:       None for the Complainant**  
**None for the Respondent**

**ORDER:**

The complainant through RTI application dated 23.07.2009 sought information pertaining to the proceedings of the selection committee constituted for selection for the post of Director(Education) SGPC which had met on 25.09.2009. The information was not provided by the PIO within the statutory period, the complainant filed a complaint in the Commission and a notice was issued to the PIO O/o SGPC Amritsar who appeared on 22.10.2009 and submitted that the information will be furnished to the complainant within a period of 10 days. Thereafter, the PIO moved an application dated 02.11.2009 that the SGPC is not covered under the purview of the RTI Act since it is not financed by the Government.

On the date of hearing on 04.12.2009, it was concluded that the information sought in the present case does not pertain to any religious affairs, but relates to the selection process of the teachers recruited by the Directorate of Education, SGPC, there were no reasons to withhold the information and the PIO was directed to supply the information within a period of 15 days.

On the next date of hearing 22.12.2009, the respondent SGPC moved an application for review/recall/ modification of order dated 04.12.2009 which was decided and dismissed vide order dated 27.01.2009 and the PIO was directed to ensure that the information is supplied to the complainant as per order dated 04.12.2009.

On the date of hearing on 03.03.2010, since the PIO did not comply with the order of the Commission, a show-cause notice was issued to the PIO for non-supply of information and for violation of the order of the Commission.

On the date of the next hearing on 15.03.2010, Sh.I.P.S. Kohli, advocate along with Sh. Simarjit Singh, GPA-cum-PIO appeared on behalf of the respondent and submitted a copy of the order passed by Hon'ble Shri K.Kannan of Hon'ble Punjab and Haryana High Court in CWP No.4082/2010, whereby an interim order for stay was granted by the High court. Since the stay was granted and the case was pending in the High Court, the case was adjourned Sine-die on 27.08.2014.

## **Complaint Case No. 2729 of 2009**

The Hon'ble High Court in its order dated 04.07.2019 has passed the following order:

“..... The court does not find any illegality in the impugned order passed by the Commission calling for interference. There being no merit in these writ petitions, the same, therefore, stand dismissed.”

The case came up for hearing before this Bench on 09.09.2021.

During the hearing, the Commission observed that since the writ petition filed by the respondent in the High Court for quashing the order dated 14.09.2009 passed by the Commission stands dismissed by the Hon'ble High Court, the order of the Commission dated 04.12.2009 still stands to be complied with by the PIO-SGPC, Amritsar.

However, the Commission was of the view that since the RTI application dated back to 2009, the complainant if still interested in the information, was directed to file a suitable reply and appear before the Commission on the next date of hearing to pursue his case.

On the date of the hearing on **04.01.2022**, the respondent present informed that they have filed LPA No.408/21 against the order of the Hon'ble High Court in CWP No.4082 which is fixed for hearing on 19.01.2022 and sought adjournment.

The complainant was absent. The complainant vide letter received in the Commission informed that being old, he cannot appear before the Commission. The case was adjourned.

On the date of last hearing on **09.05.2022**, the respondent present reiterated his earlier plea that they have filed LPA No.408/21 against the order of the Hon'ble High Court in CWP No.4082 which is fixed for arguments on 10.05.2022.

The appellant was absent. The case was adjourned.

### **Hearing dated 21.09.2022:**

The case has come up for hearing today through video conferencing at DAC Amritsar/Sangrur. Both the parties are absent.

The respondent through email has sent a copy of notice of hearing of the High Court in LPA filed LPA No.408/21 against the order of the Hon'ble High Court in CWP No.4082 which is fixed for arguments on 21.11.2022.

Since the complainant is not appearing to pursue his case and an LPA has been filed by the SGPC Amritsar in the High Court, the decision on the same may take a long time, the case **is adjourned sine-die**.

**Chandigarh**  
**Dated: 21.09.2022**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**