

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



OSh. Karamjit Singh s/o Sh. Piara Singh 9815206429  
VPO Kandhala Guru,  
Tehsil & District Jalandhar.

..Complainant.

Vs

Public Information Officer,  
o/o District Development and Panchayats Officer,  
District Jalandhar.

....Respondent

Complaint Case No. 272 of 2020  
(Cisco Webex Proceedings)

Present:- None on behalf of the complainant.  
Sh Iqbaljeet Singh, District Development and Panchayats Officer, 9814441555.

ORDER

This order may be read with the previous order dated 26.6.2020.

2. The respondent –Public Information Officer states that the complete information has been supplied to the complainant and nothing is left behind that could be supplied to him. He requests for the closure of the case.

3. Since, the complainant is absent, he is given an opportunity to point out deficiency, if any, failing which the decision will be taken ex-parte on the next date of hearing. The copy of this order will also be sent to both the parties through whatsapp.

4. To come up on 29.7.2020 at 11.30 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar/CISCO WEBEX.

Dated: 21.7.2020

SD/  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



Sh. Jasveer Singh 9781599959  
r/o Village Megha Panj Garai Hithar,  
Block and Tehsil Guru Harshai,  
Distt.Ferozepur.

..Appellant

Vs

Public Information Officer,  
Block Development and Panchayat Officer,  
Block Guru Harsahai, Distt. Ferozepur.

First Appellate Authority,  
District Development and Panchayat Officer,  
Mini Secretariat,  
Distt.Ferozepur.

..Respondents

## Appeal Caser No. 1111 of 2020 (Video Conference Proceedings)

Present: Sh. Jasvir Singh, the appellant on whatsapp call.  
Ms. Anju Bala, GRS (M 9914554360) on behalf of the respondents.

Order

This order may be read with reference to the previous order dated 19.6.2020 vide which the respondents were directed to file their response /supply of information before the next date of hearing and remain present on the next date of hearing i.e. 21.7.2020.

2. The representative of the respondents states that she has brought the information along so that the same could be handed over to the appellant.

3. The appellant states that he will collect the information in person from Ms. Anju Bala.

4. Accordingly, Ms Anju Bala is directed to hand over the information as and when the appellant approached her. The appellant is advised to go through the same on its receipt from the respondents and point out deficiency, if any within 10 days from the issue of this order, and the respondents are directed to remove the same in case any deficiency is pointed out by the appellant before the next date of hearing.

5. To come up on 19.8.2020 at 11.30 A.M. to be heard through the video conference facility available in the office of the Deputy Commissioner, Ferozepur.

Dated:21.7.2020

SD/  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab

Cc

Smt. Anju Bala, GRS, MANERGA (REGD.)  
C/O Block Development and Panchayats Officer,  
Block Guru Harsahai, Distt Ferozepur.

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



Sh. Ajaypal Singh S/o Sh. Iqbal Singh,

VPO –Gumtala, Opp. Govt. Dispensary,  
Ward No. 5, (98721-39640)

Amritsar.

.....Appellant

**Vs**

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Block Khadoor Sahib,  
District- Tarn Taran.

Regd

First Appellate Authority,  
O/o Deputy Commissioner,  
Administration Complex,  
Tarn Taran.

..... Respondents

**Appeal Case No. 412 of 2020**  
**(Cisco Webex proceedings)**

Present:- Smt. Kamaldeep Kaur w/o Sh. Ajaypal Singh, on behalf of the appellant.  
Sh. Gurminder Singh, Panchayat Secretary, (M 9872950168) on the behalf of  
the respondents.

This order may be read with reference to the previous order dated 30.6.2020 vide which one last opportunity was granted to the respondent-Public Information Officer Sh. Gurminder Singh, Panchayat Secretary to submit his up to date response regarding the availability of the record and in case he has not taken the charge of the Panchayat record from 2013 to 2019, he must give in writing to the Commission before the next date of hearing. He was also directed to remain present during the next date of hearing. The case was adjourned to 21.7.2020.

2. The representative of the appellant states that she has not received any information so far pertaining to the period of year 2013 to September 2019 as sought vide RTI application dated 24.9.2020.

3. The representative of the respondents states that Sh. Balraj Singh ex-Panchayat Secretary has not handed over the record pertaining to the period from 2013 to February 2019 till now. The representative of the respondents further states that he is having the record pertaining to March 2019 to September 2019 as has been sought by the appellant, copy of which will be supplied to the appellant before the next date of hearing. He further states that he has written a letter to the Block Development and Panchayats Officer, Khadoor Sahib to take the appropriate action against Sh. Balraj Singh ex-Panchayat Secretary for not handing over the charge.

Contd/P2

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



## Appeal Case No. 412 of 2020

-2-

4. In the orders dated 25.2.2020, the name of the Panchayat Secretary, was inadvertently written as Sh. Gurvinder Singh, which may be read as Sh. Gurminder Singh.

5. After hearing both the parties and going through the record of the case file, it is revealed that the respondent-Public Information Officer has not provided the information within stipulated time period under the provisions of the RTI Act, 2005. It has also been transpired that the respondent-Public Information Officer is misleading the Commission as on 25.2.2020 the respondent-Public Information Officer stated that the record is with the Vigilance Department in an enquiry and shows his inability in providing the information and he remained absent on 1.6.2020 and 30.6.2020.

6. As per the statement given by the respondent-Public Information Officer that the original record of Panchayat is with the Vigilance Bureau for an enquiry, the Commission wrote to Vigilance Bureau, Punjab to intimate the present status of the enquiry and also conveyed which official record has been taken into custody. The Vigilance Bureau vide their letter bearing No. 21225 dated 3.7.2020 replied that no original record has been taken in the custody but only the attested copies of documents pertaining to proceedings books from 8.5.2013 to 15.6.2017 and three utility certificates of the work done to the tune of Rs 21 lakh, copies of grants received by the Panchayat and income received from the Shamlat Land have been taken.

7. Once this fact was brought to the notice of the respondent-Public Information Officer, then, he states that he has not taken over the record from Sh. Balraj Singh, as the same has been misplaced, and a letter in this regard has also been written to the District Development and Panchayats Officer/Block Development and Panchayats Officer. But no such communication has been sent to the Commission. The appellant has filed the RTI application on 24.9.2019, hence, the information is being delayed for one reason or the other. Thus, the Commission takes a serious note of causing intentional delay and viewing the attitude towards non supply of the information and dealing with the RTI application, the present respondent-Public Information Officer, Sh Gurmeet Singh, Block Development and Panchayats Officer, Khadoor Sahib, Sh. Jasbir Singh, Block Development and Panchayats Officer, Khadoor Sahib now Rayya (Public Information Officer at the time the RTI application filed) and Sh. Gurminder Singh Panchayat Secretary seriously, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on them for causing willful delay/denial of the information to the RTI applicant.

8. In addition to the written reply, the PIOs are also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on them next date of hearing. They may take a note that in case, they do not file their written reply and do not avail themselves of the opportunity of personal hearing on the date fixed, it will be presumed that they have nothing to say and the Commission shall proceed to take further proceedings against them ex-parte.

Contd..P/3

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



**Appeal Case No. 412 of 2020**

-3-

9. The respondents are also directed to supply the information pertaining to March 2019 to September 2019 within 10 days from the issue of this order.

10. The respondents are also directed that in case the record of the Panchayat has been misplaced then an undertaking may be filed on the next date of hearing and the District Development and Panchayats Officer/Block Development and Panchayats Officer is advised to take an appropriate legal/administrative action for the misplacement of the official record.

11. To come up on 19.8.2020 at 11.30 A.M. to be heard through the video conference facility available in the office of the Deputy Commissioner, Taran Taran / Cisco Webex.

Dated: 21.7.2020

SD/  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

CC

Director, (By name) (REGD.)

Rural Development & Panchayat Punjab  
Vikas Bhawan, Sector 62,  
Mohali

To look into the matter as the  
official record has been misplaced  
as per the statement given by the Respondents.

Sh Gurmeet Singh, Public Information Officer,  
Block Development and Panchayats Officer,  
Khadoor Sahib, Tarantaran

Sh. Jasbir Singh, Public Information Officer  
Block Development and Panchayats Officer,  
Block Rayya, Amritsar

Sh. Gurminder Singh Panchayat Secretary,  
Public Information Officer,  
c/o Block Development and Panchayats Officer,  
Khadoor Sahib, Tarantaran

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



Sh. Sanjeev Thakur,

R/o Village –Gudhakhurd, (98142-89764),

PO – Madhopur Cant., 145024

District -Pathankot.

.....Appellant

**Vs**

Public Information Officer,

O/o Block Development & Panchayat Officer,

Block – Sujampur,

Pathankot.

First Appellate Authority,

O/o District Development & Panchayat Officer,

Mini Secretariat,

Pathankot.

..... Respondents

## **Appeal Case No. 788 of 2020**

**(Cisco Webex Proceedings)**

Present: Sh. Sanjiv Thakur, appellant.

Sh. Ramesh Kumar, Panchayat Secretary (M 8837705691) on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 16.6.2020.

2. The appellant states that he has conveyed the deficiencies to the respondents on 7.7.2020 after the inspection of record, copy of which has been sent to the Commission, which is taken on record.

3. The representative of the respondents states that he has sent the information after removing the deficiencies through registered post on 15.7.2020.

4. After hearing both the parties, the appellant is hereby, directed to inform the Commission on receipt of the registered post and revert back to the respondents in case of deficiencies, if any, in the information under intimation to the Commission within 10 days from the issue of this order and the respondents are directed to remove the same on its receipt before the next date of hearing.

5. To come up on 19.8.2020 at 11.30 A.M. to be heard through the video conference facility available in the office of the Deputy Commissioner, Pathankot/Cisco Webex.

Dated:21.7.2020

SD/

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



Sh. Sanjeev Thakur,  
R/o Village – GudhuKhurd,  
PO –Madhopur Cant, 145024,  
Pathankot . (98142-89764)

.....Appellant

Vs

Public Information Officer,  
O/o Panchayat Secretary,  
Gram Panchayat, Madhopur Cant,  
C/o Block Development and Panchayat Officer,  
Block- Sujanpur,  
District Pathankot.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Mini Secretariat, Pathankot.

..... Respondents

## **Appeal Case No. 583 of 2020**

**(Cisco Webex Proceedings)**

Present: Sh. Sanjiv Thakur, appellant.  
Sh. Ramesh Kumar, Panchayat Secretary (M 8837705691) on behalf of the  
respondents.

### ORDER

This order may be read with the reference with the previous order dated 16.6.2020 vide which the appellant was given the opportunity to visit the office of the respondent to inspect the record and the respondent was directed to supply the documents as identified by the appellant.

2. The appellant states that he has inspected the record on 7.7.2020 and identified the documents. He further states that the respondent-Public Information Officer assured that the same will be sent through registered post but no such DAK has been received so far.

3. The representative of the respondents states that he has dispatched the information as identified by the appellant through registered post on 15.7.2020.

4. After hearing both the parties, the appellant is hereby, directed to inform the Commission on receipt of the registered post and revert back to the respondents in case of any deficiency under intimation to the Commission within 10 days from the issue of this order and the respondents are directed to remove the same on its receipt before the next date of hearing.

5. To come up on 19.8.2020 at 11.30 A.M. to be heard through the Video Conference facility available in the office of the Deputy Commissioner, Pathankot/Cisco Webex.

Dated: 21.7.2020

SD/  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



Sh. Prem Kumar,  
#261 /W-11 ,Kartar Niwas,  
Gurdaspur Road,Sri Hargobind Pur ,  
Tehsil Batala 143515,Distt. Gurdaspur.

-----Complainant

V/s

Public Information Officer,  
O/O Director,  
Rural Development and Panchyat Department,  
Vikas Bhawan, District S.A.S.Nagar.

----- Respondent

Complaint Case No. 184 of 2020  
(Cisco Webex/Video Conference Proceedings)

Present:- Sh. Prem Kumar, Complainant on Cisco Webex.  
Sh. Ravinder Singh, Senior Assistant (M 9855662747) on behalf of the  
respondent.

## ORDER

This order may be read with the previous order dated 30.6.2020.

2. The complainant states that no information has been supplied to him so far. Whereas the representative of the respondents states that the information will be supplied to the appellant within 10 days positively and requested for the adjournment of the case.

3. As per the request of the respondents, the case is adjourned to 29.7.2020 to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Gurdaspur/Mohali with the directions to the respondent to reply/supply the complete information before the next date of hearing.

Dated:21.7.2020

SD/  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.



# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



Sh. BhupinderPunj, 9915235055  
r/o # 186, village Luhara,  
District Ludhiana.

....Appellant

Vs

Public Information Officer,  
o/o Secretary,  
Regional Transport Authority,  
Jalandhar.

First Appellate Authority  
o/o State Transport Commissioner, Pb.  
SCO 177-78, 1<sup>st</sup> Floor, Sector 17,  
Chandigarh.

....Respondents

## Appeal Case No. 3773 of 2019

Present:- None on behalf of the parties.

### ORDER

This order may be read with the previous order dated 26.6.2020.

2. An email has been received from the respondent-Public Information Officer that due to positive Corona, she is unable to attend the hearings today i.e. 21.7.2020. It has also mentioned that the information has already been sent vide letter No. 5206 dated 10.7.2019 and again has been sent vide no. 3349 dated 9.3.2020. In addition, it has also been mentioned that the information pertaining to Point No. 5 and 6 of the RTI application relates to the 3<sup>rd</sup> party, hence, requested for the closure of the case.

3. The appellant remained absent during the hearings on 17.1.2020, 12.3.2020 and 26.6.2020 and nothing has been received from him regarding the information so supplied/replied by the respondents.

4. After going through the submissions and record available on the case file, it transpires that the appellant has sought the 8 point information from the respondent vide his application dated 25.6.2019 and the respondent-Public Information Officer office has sent a written reply on 10.7.2019 and again the same information has been sent to the appellant on 9.3.2020 that too through registered post but since then neither the appellant has pointed out any deficiency nor any submissions with regard to his RTI application except for the postponement of the hearing for one reason or the other.

5. Accordingly, the Commission is of the view that no action is required in this case and the case is disposed of and closed. However, the appellant is given a liberty to approach the Commission within 15 days from the issue of this order in case of any submissions in this regard.

Dated:21.7.2020

sd/  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



Sh. Mukul Sharma, s/o Sh. R.C. Sharma,  
# 52, Village Gulpur,  
P.O. Farida Nagar,  
Tehsil & District Pathankot- 145025

....Appellant

Vs

Public Information Officer,  
o/o Punjab Public Service Commission,  
Baradari Garden,  
District Patiala

First Appellate Authority-cum-Secretary  
o/o Punjab Public Service Commission,  
Baradari Garden,  
District Patiala

....Respondents

Appeal Case No. 1166 of 2020  
(Video Conference Proceedings)

Present:- Sh. Mukul Sharma, appellant.  
Ms Pooja Verma, Jr. Asstt o/o Punjab Public Service Commission on behalf of the respondents.

## ORDER

This order may be read with the previous order dated 19.6.2020.

2. A copy of the instructions/directions issued by the Punjab Public Service Commission (PPSC) to examiners for marking/scoring the answer sheets of examinees of PSCSCCE Mains Examination 2018 and 2015 pertaining to Point No. 1 & 4 of the RTI application has been received from the PPSC under sealed cover with forwarding letter No. 815 dated 2.7.2020, which is reproduced below:-

“ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਵੱਲੋਂ ਵੁਕਤ ਕੇਸ ਦੀ ਮਿਤੀ 19.6.2020 ਵੀਡੀਓ ਕੰਨਫਰੰਸ ਉਪਰੰਤ ਕੀਤੇ ਆਦੇਸ਼ਾਂ ਦੀ ਰੋਸ਼ਨੀ ਵਿੱਚ ਪੁਆਇੰਟ ਨੰਬਰ 1 ਸਬੰਧੀ ਪੰਜਾਬ ਰਾਜ ਸਿਵਲ ਸੇਵਾਵਾਂ ਸਾਂਝੇ ਮੁਕਾਬਲੇ ਦੀ ਮੇਨ ਪ੍ਰੀਖਿਆ 2018 ਦੀਆਂ ਜਵਾਬੀ ਕਾਪੀਆਂ ਦੀ ਮਾਰਕਿੰਗ/ਸਕੋਰਿੰਗ ਸਬੰਧੀ ਪ੍ਰੀਖਿਅਕਾਂ ਅਤੇ ਮੁੱਖ ਪ੍ਰੀਖਿਅਕਾਂ ਨੂੰ ਜਾਰੀ ਕੀਤੀਆਂ ਹਦਾਇਤਾਂ ਦੀ ਕਾਪੀ ਸੀਲਡ ਕਵਰ ਵਿੱਚ ਆਪ ਜੀ ਦੀ ਸੂਚਨਾਂ ਅਤੇ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਹਿੱਤ ਨਾਲ ਨੱਥੀ ਹੈ। ਇਥੇ ਇਹ ਵੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਵਿੱਚ ਪ੍ਰੀਖਿਅਕਾਂ ਅਤੇ ਮੁੱਖ ਪ੍ਰੀਖਿਅਕਾਂ ਦਾ ਨਿਜੀ ਵੇਰਵਾ ਜਿਵੇਂ ਕਿ ਨਾ, ਅਹੁਦਾ, ਪਤਾ, ਤਜਰਬਾ ਆਦਿ ਅੰਕਿਤ ਹੋਣ ਕਾਰਨ ਇਹ ਕਮਿਸ਼ਨ ਦਾ ਅੰਦਰੂਨੀ ਅਤੇ ਗੁਪਤ ਮਾਮਲਾ ਹੋਣ ਕਰਕੇ ਐਪੀਲੇਟ (ਸ੍ਰੀ ਮੁਕਲ ਸ਼ਰਮਾ) ਨੂੰ ਦੇਣਯੋਗ ਨਹੀਂ ਹੈ।

ਪੁਆਇੰਟ ਨੰ: 4 ਸਬੰਧੀ ਸੂਚਨਾਂ ਬਾਰੇ ਆਪ ਜੀ ਨੂੰ ਪਹਿਲਾਂ ਹੀ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: 546 ਮਿਤੀ 16.6.2020 ਰਾਹੀਂ ਸੂਚਿਤ ਕਰ ਦਿੱਤਾ ਗਿਆ ਸੀ ਕਿ ਪੰਜਾਬ ਰਾਜ ਸਿਵਲ ਸੇਵਾਵਾਂ ਸਾਂਝੇ ਮੁਕਾਬਲੇ ਦੀ ਮੇਨ ਪ੍ਰੀਖਿਆ 2015 ਨਾਲ ਸਬੰਧਤ ਹਦਾਇਤਾਂ/ਜਵਾਬੀ ਕਾਪੀਆਂ/ਰਿਕਾਰਡ ਪੰਜਾਬ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਦੀਆਂ ਰਿਕਾਰਡ ਨਸ਼ਟ ਕਰਨ ਦੀਆਂ ਹਦਾਇਤਾਂ ਦੀ ਰੋਸ਼ਨੀ ਵਿੱਚ ਨਸ਼ਟ ਕਰਵਾਇਆ ਜਾ ਚੁੱਕਾ ਹੈ। ਉਕਤ ਦਰਸਾਈ ਸਥਿਤੀ ਦੀ ਰੋਸ਼ਨੀ ਵਿੱਚ ਇਹ ਅਪੀਲ ਖਾਰਜ ਕਰਨ ਦੀ ਕ੍ਰਿਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ ਜੀ”

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



The representative of the respondents reiterates the same as has been mentioned in the letter dated 2.7.2020 of the PPSC.

3. That the appellant states that he has sent the submissions through email, which is taken on record. He further states that he has not sought any confidential information i.e. the name of the examiner etc. but he has just sought the copy of instructions issued to the examiner(s) i.e. Point No. 1 of the RTI application. The appellant states that the respondents have supplied the photocopies of answer sheets of Roll No. 9204 of PSCSCCE Mains Examination 2015 of all the seven papers (Point No. 5 of the RTI application) whereas now the PPSC has deliberately and willfully destroyed the record pertaining to year 2015 (Point No. 4 of the RTI application) i.e. after he filed the RTI application. Furthermore, the appellant states that the PPSC may also be directed not to destroy the record pertaining to year 2018 till the disposal of this case. With regard to the other Points No.3 and 6 of the RTI application the appellant requests that the respondent-Public Information Officer may be directed to supply the complete information i.e. answer sheets of top 5 scorers in all the seven papers of PSCSCCE Mains Examination 2018 and 2015 without revealing any private/confidential information about any candidate and/or the examiner.

4. According to the various orders of the Commission and judicial decisions it has been held that answer book written by a candidate and submitted to examining body for evaluation is a '**document or record**' and the evaluated answer book by the examiner appointed by examining body is an '**opinion**' of the examiner. Thus, the evaluated answer book is an '**information**' under RTI Act. As such this answer book also does not fall under any of the exemptions provided under (a) to (j) of subsection 1 of Section 8 of RTI Act. Thus, every examinee has a right to inspect the evaluated answer book and if needed can take certified copies thereof under RTI Act. In addition, the applicant can also take the certified copies of other candidates also.

5. After hearing both the parties, going through the various orders of the Commission and judicial decisions, the respondents are directed to comply with the following so as to take the matter to its logical end:-

(a) The Commission deems it appropriate that the aspect regarding the certified copy of the top 5 scorers as per the RTI request of the appellant may also be re-considered in terms of the instructions issued by the DOPT vide No. 11/2/2008-IR dated 10<sup>th</sup> July, 2008, which provides :-

*"The Act, however, does not require the Public Information Officer to deduce some conclusion from the 'material' and supply the 'conclusion' so deduced to the appellant. The Public Information Officer is required to supply the 'material' in the*

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visitus: [www.infocommpunjab.com](http://www.infocommpunjab.com)



-3-

*form as held by the public authority and is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him."*

Therefore, in view of the above mentioned instructions, PPSC is required to submit whether the subject wise list of candidates is maintained mentioning the marks obtained by each candidate in order of merit.

(b) The Commission has examined in detail the copy of instructions sent by the PPSC in sealed cover and is of the view that the PPSC may re-consider in public interest its earlier decision of non-disclosure of instructions due to its confidentiality in accordance with Section 10 of the RTI Act, 2005 which provides

*"that where a request for access to information is rejected on the ground that it is in relation to information which is exempt from disclosure, then access may be provided to that part of the record which does not contain any information which is exempt from disclosure and which can reasonably be severed from any part that contains exempt information"*

(c) The appellant has not sought any information regarding destruction of record in his original RTI application. The Commission would like to settle this issue being in larger public interest since PPSC has conveyed the Commission regarding destruction of record pertaining to PSCSCCE Mains Examination 2015 whereas the appellant has raised the issue that record was destroyed while his appeal was pending. Accordingly, The PPSC is directed to provide the following before the next date of hearing:-

- (i) the copy of rules/instructions regarding destruction of record of the exams conducted by PPSC;
- (ii) actual date of destruction of record pertaining to PSCSCCE Mains Examination 2015 of all the seven papers;
- (iii) the certificate by the concerned authority that the RTI application of the appellant was not pending on the date of destruction of record.

6. The PPSC will ensure that the record pertaining to PSCSCCE Mains Examination 2018 will not be destroyed till the conclusion of this case.

7. To come up on 19.8.2020 at 11.30 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Pathankot/Patiala.

Dated: 21.7.2020

<sup>sd/</sup>  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

CC  
Ms Jasleen Kaur Sandhu, PCS,  
Secretary,  
Punjab Public Service Commission,  
Patiala.

(Registered)