

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.
Ph: 0172-2864100-101, Fax 0172 2864110

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Sh. Rajinder Kumar
s/o Shri Mehar Chand
r/o Ward No.2, Supreme Enclave,
Near Vishavkarma Bhawan, Link Road,
Mansa.

.....Appellant

Vs

Public Information Officer
o/o Secretary to Government of Punjab,
Department of Personnel,
Main Civil Secretariat, Chandigarh.

First Appellate Authority,
o/o Secretary to Government of Punjab,
Department of Personnel,
Main Civil Secretariat, Chandigarh.

.....Respondents

Appeal Case .No. 4674 of 2019
(Video Conference Proceeding)

Present:- None on behalf of the appellant.
Shri Khushpreet Singh, Senior Assistant on behalf of the respondents at
Chandigarh..

ORDER

The RTI application is dated 07.08.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 01.10.2019 and second appeal was filed in the Commission on 17.12.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant is absent without intimation.

3. The representative of the respondents states that information-seeker has sought information since 1992 (for 17 years) and cannot be supplied to him, as it has already been published in diaries and calendars of the Punjab Government. He further states that information sought by him is voluminous and can be supplied after consulting various files. He further states that information after 2016, the information is available on the website of the Punjab Government.

4. After hearing the respondent and going through the record available on the case file, it is revealed that the information sought by the appellant is voluminous and will be generated after consulting various files. The appellant is advised to submit public interest involved in seeking the information before the next date of hearing.

5. To come up on 24.02.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Mansa.

Dated: 24.01.2020.

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

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Sh. Virbhan Devgun S/o Sh. Amarnath,
R/o Village- Partap Singh Wala,
Tehsil & Distt. – Ludhiana 141008.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block- Ludhiana-1,
District- Ludhiana.

.....Respondent

Complaint Case No. 878 of 2019 **(Video Conference Proceedings)**

Present:- None on behalf of the complainant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 07.01.2020 vide which last opportunity was afforded to the complainant to revert back to the authorities, in case there was any deficiency in the information supplied to him, within seven days. On receipt of the deficiencies from the complainant, the respondent-PIO was directed to remove the same before the next date of hearing.

2. Both the parties are absent without intimation.

3. After going through the record available on the case file, it is revealed that complete information was provided to the complainant during the hearing dated 06.12.2019. He was given an opportunity to revert back to the authorities, in case of deficiencies in the information within 10 days from 06.12.2019 but no response was received in the Commission up till 07.01.2020. Last opportunity was again afforded on 07.01.2020 to revert back to the authorities within seven days from that date with a copy to the Commission but till date no response has been received from the complainant till date. From the absence of the complainant on two consecutive dates and his silence regarding information, it is presumed that the complainant is satisfied with the information provided to him on 06.12.2019. Accordingly, the present case is disposed of and closed with the advice to the complainant to send specific deficiencies within 10 days from today, if still he is unsatisfied with the information provided to him to the public authorities with a copy to the Commission.

Dated: 24.01.2020.

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

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Sh. Amrinder Singh Sidhu,
r/o H.No.2, Street No.19,
Shaheed Bhagat Singh Nagar,
Near Leon House, Dhandra Road,
Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o District Development and Panchayats Officer,
Ludhiana.

FAA-o/o District Development and Panchayats Officer,
Ludhiana..

.....Respondents

Appeal Case No. 99/2019
(Video Conference Proceedings)

Present:- None on behalf of the appellant.

Shri Harbhajan Singh, Panchayats Secretary (M.No.99651-20001) on behalf of
the respondents.

ORDER

This order may be read with reference to the previous order dated 04.09.2019 vide which Shri Yashvir Mahajan, Hon'ble State Information Commissioner, Punjab, Chandigarh has passed order stating that 'he is required to prune down information to some specified areas. It is more desirable that he visits the office of respondents, inspect the record and identify the documents he intends to procure. The respondents may convey him the date and time to inspect the record and provide him the certified copies to an extent of 150 pages at the more'.

2. The appellant is absent without intimation.

3. The respondent-PIO states that no copy of order dated 04.09.2019 has been received by them. The respondent-PIO is directed to get the record inspected from the appellant and provide the information as per order passed by Shri Yashvir Mahajan, Hon'ble SIC vide his order dated 04.09.2019.

4. After hearing the respondent-PIO and going through the record available on the case file, it is revealed that no information has been provided to the appellant after the order dated 04.09.2019. A copy of the order dated 04.09.2019 is being sent to both the parties with the direction to inspect the record and supply information upto 150 pages free of cost before the next date of hearing.

5. To come up on 10.2.2020 at 3.00 P.M. to be heard thorough Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 24.01.2020.

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

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Sh. Kulwant Singh s/o Shri Chanan Singh
r/o VPO Bahoru Police Station Chatiwind,
Amritsar.

.....Complainant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Administrative Complex, Amritsar.

.....Respondent.

Complaint Case No. 1041 of 2019 **(Video Conference Proceedings)**

Present:- Shri Kulwant Singh, complainant.

Shri Manjit Singh, Senior Assistant, on behalf of the respondents.

ORDER

The RTI application is dated 11.05.2017 vide which the appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 27.11.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today by the Commission.

2. The complainant states that no information has been provided to him till date.

3. The representative of the respondent-PIO states that on the basis of report received from o/o Senior Superintendent of Police, Amritsar (Rural) that FIR has been registered, against the appellant in the present case, under Section 36(1)(2) (3) of the Punjab Apartment and Property Regulation Act, 1995 420, 120 B IPC and 13(2) of Prevention Act, 1988, 13(1) (c), his arms license was not renewed. He made an appeal dated 28.07.2017 to the Deputy Commissioner, Amritsar followed by reminder dated 21.08.2017 for renewal of licenses, which were also rejected by Additional Deputy Commissioner, Amritsar. He further states that complete information, in this regard, was provided to the complainant from time to time.

4. In view of the statement of the representative of the respondent, it is revealed that complete information has been provided to the appellant from time to time and nothing more can be done under the provisions of RTI Act, 2005. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 24.01.2020.

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

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Shri Jagbir Singh
s/o Shri Harjinder Singh,
VPO Fatehgarh Rajputtan,
Amritsar.

..... Appellant.

Vs

Public Information Officer
o/o Sub Divisional Magistrate,
Amritsar-1.

First Appellant Authority
o/o Sub Divisional Magistrate,
Amritsar-1.

..... Respondents.

Appeal Case No.3462 of 2019
(Video Conference Proceedings)

Present:- Shri Jagbir Singh, appellant.

Shri Manjit Singh, Tehsildar, Amritsar-1 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 06.01.2020 vide which Shri Manjit Singh, Tehsildar, Amritsar-1 (respondent-PIO) was issued show cause notice for imposition of penalty and award of compensation to the appellant for not getting the record inspected from him.

2. The appellant states that information has been provided to him except Intqal No.2221.

3. The respondent-PIO states that complete information has been provided to the appellant and no intqal bearing No.2221 is available in their record. He further states that he did not receive any intimation regarding next date of hearing to be held on 6.1.2020 and furthermore he was busy in attending an important case in the Civil Court.

4. After hearing both the parties and going through the record available on the case file, it is revealed that information as per its availability in the respondents' record has been provided to the appellant and nothing has been left which could be supplied to him. In view of the explanation submitted by Shri Manjit Singh, Tehsildar, Amritsar-1, show cause notice issued to him is dropped. The respondent-PIO is directed to give in writing that no entry of Intqal No.2221 is available in their record. The respondent-PIO assures that he shall provide in writing that Intqal No.2221 is not entered in their record after the hearing. In view of this, the present case is disposed of and closed. Copies of the order be sent to the parties. The appellant is advised to revert back to the Commission, if the respondent-PIO does not provided him in writing that Intqal No.2221 is not available in their record within 10 days.

Dated : 24.01.2020

sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Balwinder Singh
s/o Shri Sadhu Singh
r/o village Ran Kalan, Tehsil Shahkot,
District Jalandhar.

.....Appellant
Vs

Public Information Officer,
O/o Block Development and Panchayat Officer,
Lohian Khas, District Jalandhar.

First Appellate Authority
O/o Block Development and Panchayat Officer,
Lohian Khas, District: Jalandhar. Respondents.

Appeal Cases No.2548 of 019 (Video Conference Proceeding)

Present:- Shri Satinder Pal Singh Dhaliwal on behalf of the appellant at Chandigarh.
Shri Satnam Singh, Superintendent alongwith Shri Sandeep Kumar, Panchayats
Secretary on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 06.01.2020 in which it is mentioned that both the parties were absent without intimation. Last opportunity was afforded to the respondent-PIO to appear and file explanation for not supplying the information within stipulated period as mentioned under the provisions of RTI Act, 2005 before the next date of hearing.

2. Counsel for the appellant states that penalty may be imposed on the respondent-PIO and compensation may be awarded to the appellant.

3. In compliance to the previous order, the respondent-PIO has failed to send explanation for not supplying the information within stipulated period. One more last opportunity is afforded to the respondents to file their explanation why the information could not be supplied within stipulated period as per the provisions of RTI Act, 2005 before the next date of hearing failing which no more opportunity will be afforded and ex parte decision will be taken.

5. To come up on 24.02.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar.

Dated : 24.01.2020

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

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Sh. Sukhchain Singh S/o Ajit Singh,
R/o Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala, District Gurdaspur.

...Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Fatehgarh Churian,
Tehsil Batala, District Gurdaspur.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, Gurdaspur.

Shri Devinder Singh,
Assistant Programme Officer,
Manrega (M.No.84270-04370)
o/o Block Development and Panchayats Officer,
Fatehgarh Churain, Tehsil Batala, District Gurdaspur.

..... Respondents

Appeal Case No. 4183 of 2019 (Video Conference Proceedings)

Present:- None on behalf of the appellant.

Shri Devinder Singh, APO alongwith Shri Gurmit Singh, Clerk, on behalf of
the respondents.

ORDER

This order may be read with reference to the previous order dated 07.01.2020 vide which Shri Devinder Singh, APO, Manrega was impleaded as a necessary party with the direction to supply information pertaining to MANREGA before the next date of hearing.

2. The appellant is absent but he has sent an application through e-mail stating that information supplied to him on 23.1.2020 is incomplete. It is mentioned in that letter that respondent vide their letter dated 13.08.2019 that no utilization certificates have been prepared up to that date and on 23.1.2020, the respondents have sent some utilization certificates which are uncertified.

Contd.....p/2

-2-

3. The respondent-PIO, MANREGA states that utilization certificates are prepared after 13.08.2019 and these have been sent to the appellant.

4. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that partial information has been provided to the appellant. A copy of deficiencies received through e-mail be enclosed -PIO with this order, with the direction to remove the same or give in writing that the remaining information is not available in their record before the next date of hearing.

5. To come up on 24.2.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Gurdaspur.

Dated :24.01.2020

sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Ranjit Singh s/o Shir Jaspinder Singh,
Village Ruina Niwan, Tehsil and District Fatehgarh Sahib.Appellant
Vs

Public Information Officer,
O/o Panchayats Secretary, Ruina Niwan,
Block Sirhind, Distt. Fatehgarh Sahib.

First Appellate Authority,
O/o District Development and Panchayats Officer,
Fatehgarh Sahib.Respondents

Appeal Case No. 4692 of 2019
(Video Conference Proceedings)

Present:- Shri Ranjit Singh, appellant, at Chandigarh.

Shri Khushpreet Singh, Panchayats Secretary-cum- PIO, on behalf of the respondents.

ORDER

The RTI application is dated 10.10.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 19.11.2019 and second appeal was filed in the Commission on 17.12.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today by the Commission.

2. The appellant states that no information has been provided to him till date.

3. The representative of the respondent-PIO states that the appellant has not sought information for specified period.

4. After hearing the respondent-PIO and going through the record available on the case file, it is revealed that the appellant sought information for five years. From the application of the appellant, it is not clear from which year, the appellant seeks information. On asking this from the appellant, he states that he may be provided information from 10.10.2014 to 10.10.2019. The respondents are directed to provide information from 10.10.2014 to 10.2019 under the provisions of RTI Act, 2005 before the next date of hearing.

5. To come up on 14.02.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fatehgarh Sahib.

Dated :24.01.2020

sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Mander Singh S/o Sh. Pritam Singh,
R/o Ghunas,
Tehsil –Tappa,
District –Barnala. 148108

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block – Sehna, District- Barnala.

.....Respondent

Complaint Case .No. 954 of 2019 **(Video Conference Proceeding)**

Present:- Shri Mander Singh, complainant (M.No.75891-36911).
None on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 04.12.2019 vide which time was given to the respondent-PIO with the direction to supply the information before the next date of hearing and the case was adjourned to 06.01.2020, which could not be heard due to technical problem in video conference facility and the case was adjourned to 24.01.2020.

2. The respondent-PIO is absent without intimation.
3. The complainant states that respondent-PIO has supplied partial information.
4. After hearing the complainant and going through the record available on the case file, it is revealed that partial information has been provided. The complainant is advised to go through the same and revert back to the authorities in writing with a copy to the Commission; in case of deficiencies in the information supplied to him, within seven days from today otherwise case will be decided on merits. On receipt of deficiencies from the complainant, in the information already supplied to him, the respondent-PIO is directed to remove the same before the next date of hearing.
4. To come up on 24.02.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Barnala.

Dated :24 01.2020

sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

CC
Ms. Sukhpal Kaur,
Panchayat Secretary,
o/o Block Development and Panchayats Officer,
Block Sehna, District Barnala.

PUNJAB STATE INFORMATION COMMISSION

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Shri Parminder Singh
s/o Shri Bhajan Singh,
Village Gharuan, Tehsil Kharar,
District Mohali.

.....Appellant

Vs

Public Information Officer,
O/o Block Development and Panchayats Officer,
Kharar, District SAS Nagar.

First Appellate Authority,
O/o District Development and Panchayats Officer,
Mohali.

.....Respondents

Appeal Case No. 3470 of 2019

Present:- Shri Parminder Singh, appellant, in person.

Shri Jagmohan Singh, Panchayats Secretary-cum-PIO on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 07.01.2020 vide which last opportunity was afforded to the respondents to supply the details as sought by the appellant.

2. The appellant states that no details has been given by the respondent till date.

3. The respondent-PIO states that some more time be given to him to provide complete information as the sought for information is voluminous.

4. On the request of the respondent-PIO, one more last opportunity is afforded to the respondent to supply complete information before the next date of hearing failing which no further adjournment will be given and punitive action will be initiated on the next date of hearing.

5. To come up on 24.2.2020 at 11.00 A.M. at Chandigarh.

Dated : 24.01.2020

sd/-

(Suresh Arora)

Chief Information Commissioner
Punjab

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Sh. Manoj Kumar Karwasra, (94160 41014)

R/o H No. 612, Navdeep Colony,

Hisar, Haryana.

.....Complainant

Vs

Public Information Officer,

O/o Controller of Panchayat Raj,

C/o Director, Rural Development & Panchayat,

Govt. of Punjab,

Vikas Bhawan, Sector- 62,

S.A.S. Nagar.

.....Respondent

Complaint Case No. 947 of 2019

Present:- None on behalf of the complainant.

None on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 06.01.2020 vide which the respondent-PIO was directed to attest the same before sending it to the complainant. In compliance to the previous order dated 4.12.2019, the respondent-PIO is directed to attach English translation with forwarding letter before the next date of hearing.

2. The appellant is absent but he has sent an e-mail dated 22.1.2020 attaching deficiencies to be removed by the respondent-PIO.

3. The respondent-PIO is absent but representative of the respondent-PIO has given in writing stating that one adjournment may be given as Ms. Kamaljit Kaur, Dealing Assistant, is on leave due to death of her brother.

4. After going through the record available on the case file, it is revealed that the appellant has not sent deficiencies to the respondent-PIO. List of deficiencies, received from the appellant, is sent to the respondent-PIO with the direction to remove the same in the information before the next date of hearing

6. To come up on 24.02.2020 at 11.00 A.M.

sd/-

(**Suresh Arora**)

Chief Information Commissioner
Punjab

Dated :24.01.2020

DA : As above.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Ankur Goyal,(9216532324)
R/o H No. 76, Balaji-2,
Lohgarh Road,
Zirakpur -140603.

.....Appellant

Vs

Public Information Officer,
O/o Secretary,
Punjab Public Service Commission,
Patiala.

First Appellate Authority,
O/o Secretary,
Punjab Public Service Commission,
Patiala.

.....Respondents

Appeal Case No. 4113 of 2019
(Video Conference Proceedings)

Present:- None on behalf of the appellant.

Shri Pankaj Kumar alongwith Shri Tulsi Ram both Senior Assistants on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 06.01.2020 vide which the order was reserved to be pronounced on 24.01.2020.

2. The appellant stated on 04.12.2019 that he was one of the candidates in 'PCS mains 2018' and he filed application dated 31.07.2019 for supply of copies of answer sheets of all the papers for Roll No.18896. PIO replied vide his letter dated 03.09.2019 stating that *"your candidature was provisional in the Examination Process of Punjab State Civil Services Combined Competitive Exam 2018 and cancelled later on due to the dismissal of court cases filed by you. Therefore, as you are no longer candidates in the examination of Punjab State Civil Services Combined Competitive Exam 2018, the answer sheets cannot be provided to you."* On receipt of the reply from the respondent-PIO, the information-seeker filed appeal before the First Appellate

Contd.....p/2

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Authority on 24.09.2019. The First Appellate Authority vide their letter dated 3.10.2019 replied to the appellant stating that *"the reply has already been sent to you vide this office letter No. P&G19/2019/EC/2796 dated 3.9.2019 that your candidate was provisional in the Examination Process of Punjab State Civil Services Combined Competitive Exam 2018 and cancelled later due to the dismissal of court cases filed by you. Therefore, as you are no longer a candidate in the examination of Punjab State Civil Service Combined Competitive Exam 2018, the answer sheets/information cannot be provided to you"*.

3. Aggrieved from the order passed by the First Appellate Authority, the appellant filed Second Appeal in the Commission on 04.11.2019 and Commission issued notice on 19.11.2019 for appearance on 04.12.2019. The respondents sent a letter dated 19.11.2019, the specific contents are reproduced below:-

"With reference to this office letter dated 03.09.2019 you were informed that your candidates was provision in the exam process of PSCSCC Exam 2018 and cancelled later due to the dismissal of court cases filed by you, therefore, as you are not longer a candidate in the examination of the examination of PSCSCC Exam 2018, the photocopies of answers not provided to you.

It is to inform you that Public Information Officer has been directed to refund the fee of your RTI documents which were not provided to you for the reasons submitted above. Alongwith this letter plea find herewith IPOs amounting to Rs.500/- which were submitted by you alongwith your RTI application. It is also informed that as you had not submitted any IPO amounting to RS.10/- as RTI fee, hence IPO having minimum amount (I.e. Rs.100/- IPO No.354900) has deposited to the Accounts Officer of the Public Authority as fee for seeking information".

4. In reply to the notice dated 19.11.2019 issued by the Commission, the respondent-PIO has stated that *"this has with reference to the notice in appeal case NO.4113 of 2019 dated 19.11.2019 (received in this office on 26.11.2019) in connection with RTI application dated 31.07.2019 (received on 5.8.2019), 24.09.2019 (received on 24.09.2019) of Shri Ankur Goyal. Shri Ankur Goyal's candidature was admitted provisional in the Examination Process of Punjab State Civil Services Combined*

Contd.....p/3

Competitive Exam 2018 as per the interim order of Hon'ble Punjab and Haryana High Court. The Hon'ble High Court dismissed the writ petition vide order dated 27.05.2019 hence the candidature of Shri Ankur Goyal has been rejected. Therefore, as he was no longer a candidate in the examination of Punjab State Civil Services Combined Exam 2018, the answer sheets was not provided to him in the light of the orders of the Chairman, PPSC. Therefore, reply to his RTI applications furnished vide this office letter dated 03.09.2019 (copy enclosed) & 3.10.2019 (copy enclosed) based as per available information. Fee received from Shri Ankur Goyal has also refunded by the PPSC vide this office letter dated 19.11.2019. Hence, grievance received this office from Shri Ankur Goyal had already been replied vide this office letter dated 03.09.2019 (copy enclosed) & 3.10.2019 (copy enclosed) and fee refunded vide this office letter dated 19.11.2019. You are therefore requested to kindly dismiss the appeal case No.4113 of 2019."

5. The RTI Act, so declares its preamble, was enacted to promote transparency and accountability and to establish the practical regime of right to information. Competitive examination conducted by various Constitutional/statutory/ government departments, for recruitment to public services, are not exempted from its purview, The entire gambit of selection process to government services, including the evaluated answer sheets of examinees, fall well within the pale of public gaze and therefore could be under the RTI Act. The Apex Court had held in the State of UP vs. Raj Narain, AIR 1975 SC 865, that a citizen has a right to know every public act and for the matter everything done in a public way by public functionaries.

6. After hearing the respondents and going through the record available on the case file, it is revealed that the appellant is asking copies of his own answer sheets, which is available on the record of the respondents. Information as defined in Section 2(f) means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports papers, samples, models data material held in any electronic form and information relating any private body which can be accessed by a public authority under any other law for the time being in force. The Preamble states that democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed. Decision taken by the respondents is not according to the provisions of Right to Information Act, 2005. Denial of such information will defeat the very purpose of the Act, ibid which the preamble states was enacted by the Parliament to promote transparency and accountability in the working of every public authority. The RTI Act

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clearly provides that any information which is in the control or held by Public Authority has to be provided unless it falls in one of the exempted categories as provided in Section 8 and 9 of the Act. The applicant is asking for his own answer sheets, which cannot be denied to him/her as there is no provision in the RTI Act or the rules. Thus, the Applicant would be well within his/her rights to claim the copies of the answer sheets pertaining to him. Further as far as the question of precedence is concerned, the Commission is of the considered view that future probable inconvenience to PPSC cannot over ride the statutory provisions of the RTI Act and hence on this ground as well the stand of the PPSC cannot be sustained, even if candidature of the appellant in this case has been cancelled by Hon'ble Punjab and Haryana High Court. In view of larger public interest if the answer-sheets duly evaluated is shared with any ineligible candidate, as in this case, will help him in preparing for next examination or it will help the candidate in knowing his performance which would help him in other examinations also. As such the Commission holds it in larger public interest to share this information and rejects the position taken by the PPSC. The respondents are directed to supply the information before the next date of hearing.

7. To come up on 24.02.2020 at 3.00 P.M. to be heard through Video Conference facility available in the office of the Deputy Commissioner, Patiala.

Dated : 24.01.2020.

sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab