

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 16729 of 2016
Date of decision: 19.08.2016

Sukhwinder Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Saurabh Kaushik, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner challenges the order dated 16.04.2015
(Annexure P-7) passed by the respondent-Commission.

A perusal of the order dated 16.04.2015 dated would go on to show that it was admitted by the counsel that the petitioner had received all the information provided by the respondent vide letter dated 09.03.2015 regarding the selection process. However, regarding point no. 6 of the RTI application, it was held that being in question form and hence there was no obligation of public authority under the Right to Information Act, 2005 (in short 'the RTI Act') to reply thereto. In spite of that, the respondent-Commission gave liberty to the appellant to seek information vide fresh application as per provisions of the RTI Act and disposed of the appeal.

A perusal of point no. 6 of the application would go on to show that information has not been sought but the reason has been sought as to why the petitioner was not recruited as a Constable and why he was not kept in the merit list. The information sought reads thus:-

“That despite of having my complete qualifications, why I had not been recruited as constable? And why did not keep me into the merit?”

Apparently, the respondent was justified in raising objection as the information to the above said question cannot be given as it is only the selection process and the merit which eventually led to the petitioner being denied appointment. Resultantly, the information being absolutely vague cannot be supplied as a record which has obviously not been compiled cannot be made available.

In such circumstances, there is no merit in the present writ petition and the same dismissed.

19.08.2016
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No