

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
202**

**CIVIL WRIT PETITION NO.558 OF 2017
DATE OF DECISION: AUGUST 24, 2018**

Gurdeep Singh

.....Petitioner

VERSUS

State Information Commission, Punjab, Chandigarh and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Lakhwinder Singh Sidhu, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASI, J. (ORAL)

Petitioner has approached this Court, seeking information under the Right to Information Act and that too of the certificates of the selected candidates. The said request of the petitioner was declined by the Public Information Officer and thereafter by the Appellate Authority as well as the State Information Commission, Punjab, Chandigarh, on the ground that the said information could not be supplied to the petitioner in the light of the provisions as contained in Section 8(1)(j) of the Right to Information Act (for short, “the RTI Act”) as it related to the third party information and that too personal.

It is the contention of learned counsel for the petitioner that the petitioner has not been supplied with the qualifications, which the selected candidates possessed.

This assertion of counsel for the petitioner is rebutted by learned counsel for the State while referring to the communication and the

details supplied to the petitioner for the post of Agriculture Assistant, District Bhatinda, where details with regard to the qualifications possessed by the candidates have been mentioned. Even the allied/other qualifications have also been detailed therein.

Counsel for the petitioner further asserts that when a person applies for a public post and has submitted some documents in support of his qualifications, the same come within the domain of public activity and, therefore, are no more privileged documents, which would be covered under the provisions of Section 8(1)(j) of the RTI Act.

This contention of learned counsel for the petitioner also cannot be accepted in the light of the provisions of Section 8(1)(j) of the RTI Act, which bars providing of personal information unless there is a consent given by the person concerned and that too after the authority comes to a conclusion that it would be in the interest of public to disclose such an information.

In view of the above, it cannot be said that the petitioner has not been supplied the information,which would be permissible. In the considered view of this Court, the order passed by the State Information Commission, Punjab, denying the information to the petitioner by relying upon provisions of Section 8(1)(j) of the RTI Act cannot be said to be not in consonance with the provisions of the statute.

The writ petition, therefore, stands dismissed.

August 24, 2018
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No