



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(205)

CWP No. 33183 of 2019 (O&M)

Date of Decision : 04.04.2025

Amandeep Bhumbra

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gurmeet Singh Saini, Advocate for the petitioner.

Ms. Akshita Chauhan, Deputy Advocate General, Punjab.

Mr. R.S. Bajaj, Advocate for respondent No. 3.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the challenge is to the order dated 10.09.2019 (Annexure P-8) passed by State Information Commission by which, the 3rd party information has been declined to be given to the petitioner, the petitioner was claiming information qua Sanjeev Kumar, who was the student in the Lovely Professional University.

2. The Educational testimonial of the said Sanjeev Kumar are being demanded vide application dated 29.11.2016 (Annexure P-1) by the petitioner, which have been denied by the University as well as by the State Information Commission, which grievance has been raised by the petitioner before this Court.

3. Upon notice of motion, the respondents have appeared and stated that the information being sought is prohibited being 3rd party



information and the same cannot be given in view of Section 8 of the Right to Information Act, 2005.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. The question which arises is whether, the petitioner can asked for 3rd party information with regard to the Educational Qualification or the status of the student or the employee concerned.

6. The Hon'ble Supreme Court of India has already decided the said issue while deciding ***Civil Appeal No.6454 of 2011 titled as Central Board of Secondary Education and another vs. Aditya Bandopadhyay and others, decided on 09.08.2011.*** The relevant paragraph 37 of the said judgment is as under:-

“ 37. The right to information is a cherished right. Information and right to information are intended to be formidable tools in the hands of responsible citizens to fight corruption and to bring in transparency and accountability. The provisions of RTI Act should be enforced strictly and all efforts should be made to bring to light the necessary information under clause (b) of section 4(1) of the Act which relates to securing transparency and accountability in the working of public authorities and in discouraging corruption. But in regard to other information,(that is information other than those enumerated in section 4(1)(b) and (c) of the Act), equal importance and emphasis are given to other public interests (like confidentiality of sensitive information, fidelity and fiduciary relationships, efficient operation of governments, etc.). Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the



administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. [The Act](#) should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the [RTI Act](#) and the pressure of the authorities under the [RTI Act](#) should not lead to employees of a public authorities prioritising 'information furnishing', at the cost of their normal and regular duties."

7. As per the judgment of the Hon'ble Supreme Court of India in **Civil Appeal No.22 of 2009 titled as Canara Bank Rep. By its Deputy Gen. Manager vs. C.S. Shyam and another, decided on 31.08.2017**, the same cannot be asked for. The relevant paragraph 13 and 14 of the said judgment are as under:-

" 13) In [Girish Ramchandra Deshpande's](#) case (supra), the petitioner therein (Girish) had sought some personal information of one employee working in Sub Regional Office (provident fund) Akola. All the authorities, exercising their respective powers under the Act, declined the prayer for furnishing the information sought by the petitioner. The High Court in writ petition filed by the petitioner upheld the orders. Aggrieved by all the order, he filed special leave to appeal in this Court. Their Lordships dismissed the appeal and upholding the orders passed by the High Court held as under:-

"12. We are in agreement with the CIC and the courts below that the details called for by the petitioner i.e. copies of all memos issued to the third respondent, show-cause notices and orders of



censure/punishment, etc. are qualified to be personal information as defined in clause (j) of [Section 8\(1\)](#) of the RTI Act. The performance of an employee/officer in an organisation is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression “personal information”, the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer or the appellate authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the

13. The details disclosed by a person in his income tax returns are “personal information” which stand exempted from disclosure under clause (j) of [Section 8\(1\)](#) of the RTI Act, unless involves a larger public interest and the Central Public Information Officer or the State Public Information Officer or the appellate authority is satisfied that the larger public interest justifies the disclosure of such information.”

14) In our considered opinion, the aforementioned principle of law applies to the facts of this case on all force. It is for the reasons that, firstly, the information sought by respondent No.1 of individual employees working in the Bank was personal in nature; secondly, it was exempted from being disclosed under [Section 8\(j\)](#) of the Act and lastly, neither respondent No.1 disclosed any public interest much less larger public interest involved in seeking such information of the individual employee and nor any finding was recorded by the Central Information Commission and the High Court as to the involvement of any larger public interest in supplying such information to respondent No.1.”



8. Learned counsel for the petitioner has not been able to rebut that keeping in view the settled principle of law noticed here-in-before, the information sought is a 3rd party information and hence, cannot be extended to the petitioner.

9. Keeping in view the above, no ground is made out for any interference by this Court in the present petition.

10. Dismissed.

11. Pending miscellaneous application, if any, also stands disposed of.

April 04, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No