

# PUNJAB STATE INFORMATION COMMISSION

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**Sh. Gurpreet Singh**

S/o Sh. Mewa Singh

VPO Sheron Patti Amra

Tehsil Sunam, Distt. Sangrur-148106

(M:9501557415)

Appellant

Vs

**Public Information Officer,**

O/o SSSB, Punjab,

Mohali

**First Appellate Authority**

O/o SSSB, Punjab,

Mohali

Respondents

## Appeal Case No. 1168 of 2024

### ORDER

This order may be read with the reference with the previous order dated 22.01.2025; vide which an order was reserved to be pronounced.

2. The brief of the case is that the appellant appeared in the examination conducted by the Subordinate Services Selection Board, Mohali for the post of Steno Typist and has sought the following information related to the test given by him:-

“ਅਧੀਨ ਸੇਵਾਵਾਂ ਚੋਣ ਬੋਰਡ ਪੰਜਾਬ ਵੱਲੋਂ ਜਾਰੀ ਇਸਤਿਹਾਰ ਨੰ 01 ਆਫ 2022 ਰਾਹੀਂ ਪੰਜਾਬੀ ਸਟੈਨੋ ਟਾਈਪਿਸਟ ਅਤੇ ਜੂਨੀਅਰ ਸਕੇਲ ਸਟੈਨੋਗ੍ਰਾਫਰ ਦੀ ਸਿੱਧੀ ਭਰਤੀ ਦੇ ਪੰਧਰ ਮਿਤੀ 5 ਮਈ 2023 ਲੈ ਕੇ 8 ਮਈ 2023 ਤੱਕ (ਡਿਕਟੇਸ਼ਨ ਟੈਸਟ) ਹੋਇਆ ਸੀ ਜਿਸ ਵਿੱਚ ਮੈਂ ਗੁਰਪ੍ਰੀਤ ਸਿੰਘ ਸਪੁੱਤਰ ਮੇਵਾ ਸਿੰਘ ਰੋਲ ਨੰ 12287 ਹੈ। ਵਾਸੀ ਪਿੰਡ ਤੇ ਡਾਕਸ਼ੇਰੇ, ਅਮਰਾ ਪੱਤੀ ਤਹਿਸੀਲ ਸੁਨਾਮ ਜ਼ਿਲਾ ਸੰਗਰੂਰ, ਪੰਜਾਬ ਜੋ 6 ਮਈ 2023 ਨੂੰ ਭਾਗ ਲਿਆ ਸੀ। ਮੇਰੇ ਵੱਲੋਂ ਆਪ ਜੀ ਨੂੰ ਹੇਠ ਲਿਖੀ ਸੂਚਨਾ ਤਸਦੀਕਸ਼ੁਦਾ ਆਰ.ਟੀ.ਆਈ. ਰਾਹੀਂ ਮੁਹੱਈਆ ਕਰਵਾਉਣ ਦੀ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।

1. 5 ਮਈ 2023 ਨੂੰ ਹੋਈ ਸਟੈਨੋਟਾਈਪਿਸਟ ਦੀ ਪ੍ਰੀਖਿਆ ਦੌਰਾਨ ਪ੍ਰੀਖਿਆ ਕੇਂਦਰ ਵਿੱਚ ਇੰਸਟਰਕਟਰ ਦੀ ਡਿਕਟੇਸ਼ਨ ਬੋਲਦੇ ਸਮੇਂ ਦੀ ਵੀਡੀਓ ਅਤੇ ਮਾਹਿਰਾਂ ਦੀ ਕਮੇਟੀ ਜੋ ਡਿਕਟੇਸ਼ਨ ਬੋਲਣ ਦੌਰਾਨ ਇੰਸਟਰਕਟਰ ਦਿ ਗਲਤੀ ਨੂੰ ਦਰੁਸਤ ਕਰਨ ਲਈ ਬਿਠਾਈ ਗਈ ਸੀ) ਦੀ ਨਾਲ ਬੈਠਿਆਂ ਦੀ ਵੀਡੀਓ ਆਰ .ਟੀ.ਆਈ. ਰਾਹੀਂ ਉਪਲੱਬਧ ਕਰਵਾਈ ਜਾਵੇ ਜੀ।
2. ਬੇਨਤੀ ਹੈ ਕਿ 5 ਮਈ 2023 ਦੇ ਤਿੰਨਾਂ ਸਿਫਟਾਂ ਦੇ ਪੇਪਰਾਂ ਦੌਰਾਨ ਪ੍ਰੀਖਿਆਰਥੀਆਂ ਵੱਲੋਂ ਬਹੁਤ ਜ਼ਿਆਦਾ ਨਕਲ ਕੀਤੀ ਗਈ ਹੈ ਮੈਨੂੰ ਇਸ ਗੱਲ ਦਾ ਇਤਰਾਜ਼ ਹੈ। ਜਿਸ ਨਾਲ ਬਹੁਤ ਸਾਰੇ ਵਿਦਿਆਰਥੀਆਂ ਦਾ ਨੁਕਸਾਨ ਹੋਇਆ ਹੈ। ਜਿਸ ਨਾਲ ਮੈਰਿਟ ਤੇ ਸਿੱਧਾ ਅਸਰ ਪਿਆ ਹੈ। ਵਿਦਿਆਰਥੀਆਂ ਨੇ ਇੱਕ ਦੂਜੇ ਦੇ ਕੰਪਿਊਟਰਾਂ ਤੋਂ ਦੇਖ ਕੇ

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ਨਕਲ ਮਾਰੀ ਹੈ ਇੱਥੋਂ ਤੱਕ ਦਾ ਇਤਰਾਜ਼ ਹੈ ਕਿ ਵਿਦਿਆਰਥੀਆਂ ਨੇ ਬੋਲ ਬੋਲ ਕੇ ਤੇ ਦੂਸਰੇ ਕੰਪਿਊਟਰ ਤੇ ਉੱਠ ਕੇ ਬੈਠਣ ਦਾ ਵੀ ਇਤਰਾਜ਼ ਹੈ। ਜਿਸ ਲਈ ਕੇਂਦਰ ਵਿੱਚ ਹੋਈ ਸੀ ਸੀ ਟੀ ਵੀ ਦੇ ਵੀਡੀਓ ਫੋਟੋਜ਼ ਹੋਈ ਹੈ 5 ਮਈ 2023 ਦੀਆਂ ਤਿੰਨਾਂ ਸਿਫਟਾਂ ਦੀ ਸੀ ਸੀ ਟੀ ਵੀ ਵੀਡੀਓ ਫੋਟੋਜ਼ ਆਰ ਟੀ ਆਈ ਰਾਹੀਂ ਭੇਜੀ ਜਾਵੇ। ਆਰ ਟੀ ਆਈ ਰਾਹੀਂ ਤਸਦੀਕਸ਼ੁਦਾ ਭੇਜੀ ਜਾਵੇ ਤਾਂ ਜੋ ਸਾਨੂੰ ਜੋ ਇਤਰਾਜ਼ ਹੈ। ਜੀ ਪੁਣਛਾਣ ਹੋ ਸਕੇ। ਮੈਨੂੰ ਵਿਸ਼ਵਾਸ ਹੈ ਕਿ ਆਪ ਵੱਲੋਂ ਇਹ ਜਾਣਕਾਰੀ ਛੇਤੀ ਹੀ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਵੇਗੀ।“

3. The Public Information Officer after receipt of the RTI application denied the information vide letter dated 21.6.2024 as follows:-

Regarding Point No. 1 the respondent submitted the specific reply that no such information is available.

Regarding Point No. 2 of the RTI application the respondent Public Information Officer denied the information and the reply sent to the appellant which is as follows:-

“the information sought at para No. (ii) and (iii) is denied under Section 8 (1)(g) and 8(1)(h) of the RTI Act, 2005

The appellant filed the first appeal before the First Appellant Authority, and thereafter, filed the 2<sup>nd</sup> appeal in the Commission. Accordingly, the notice of hearing was issued to the parties

4. The appellant also filed the CWP in the Hon'ble Punjab and Haryana High Court bearing No. 9509 of 2024 wherein the order was passed, operative part of which is as follows:-

“2. Learned counsel for the petitioners has submitted that the petitioner No. 1 had filed a RTI appeal dated 8.9.2023 (Annexure P-3) since the information was not supplied to him and the same is pending till date and no decision has been taken on the same. It is further submitted that the petitioner No. 2 had filed a second statutory appeal on 25.1.2024 and has referred to Annexure P-1 in the said regard.

3. Learned State Counsel has submitted that in case both the said appeals have been filed before the State Information Commissioner, then, the same would be decided, as expeditiously as possible, preferably within a period of six months from the date of receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances and limited prayer made in the present writ petition, the present Civil Writ Petition is disposed of with direction to respondent No. 1 to decide the above said two appeals, in case duly constituted, as

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expeditiously as possible, preferably within a period of six months from the date of receipt of certified copy of the present order”

5. In the interest of natural justice, the respondent PIO was also given a liberty vide order dated 31.7.2024 to reconsider the matter/file the additional written submissions/submit any other supporting documents, if so available on record.

6. The respondent also relied upon the judgement passed by the Hon'ble Punjab and Haryana High Court in various similar cases related to the test conducted by the SSSB, Mohali for the post of Steno between the said dates, information of which has been sought by the appellant in this case. Details submitted by the appellant in this regard are as follows:-

Memo No. PS55B-EST/28/2023-EG/1329

Dated; Mohali 21/6/24

**Subject:-** Regarding RTI Appeal Case No. 1168 of 2024, Gurpreet Singh Versus Public Information Officer, Subordinate Services Selection Board, Punjab and First Appellate Authority fixed for hearing on **24.06.2024 at 11 A.M.**

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In reference to the subject cited above under RTI Act, 2005, the information vide application dated 03.11.2023 is as under:-

Information Sought	Remarks
(i) Video Recording dated 05.05.2023 of the instructor during the dictation of the committee of experts (constituted to correct the mistake of instructor during the dictation) sitting with instructor.	No such information is available.
(ii) CCTV Footage of 05.05.2023 during the conduct of skill test.	The information sought is denied under section 8(1)(g) and 8(1)(j) of RTI Act, 2005.

That, the above sought information has already been denied to the appellant vide this office letter dated 15.02.2024 on the basis of the instructions issued by the department of Governance Reforms and Public Grievance, Government of Punjab vide its letter dated 09.08.2021 had issued instructions as per the decision dated 13.11.2019 of the Hon'ble Supreme Court in Civil Appeal No. 10044 of 2010 Titled as CPIO of Supreme Court of India Versus Subhash Chander Aggarwal, wherein, in para No. 59 of the referred case has defined personal information under RTI Act, 2005.

2. In addition to the above, it is also humbly submitted that the information sought by the appellant is being denied on the following grounds:-

- (1) As per the agreement signed between the Board and the Examination Conducting Agency for conducting skill test for the posts of Steno typist and Junior Scale Stenographer, there was no condition to conduct the skill test under CCTV surveillance. It is also submitted that there was no condition in the advertisement regarding the conduct of skill test under CCTV Surveillance.

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(2) The Hon'ble Punjab and Haryana High Court dismissed the CWP No. 22330 of 2023, titled as Vishal Kumar and others Versus State of Punjab, filed for direction to supply of CCTV Footage of the examination centre, leveling the allegation of mass copying during the examination and demanded the CCTV footage as per the judgment passed by the Hon'ble Supreme Court in the case of **State of Meghalaya and Another Versus Phikirbha Khariah and others (2018) 6 SCC 618**. Hon'ble High Court after considering the law cited at bar, was a case where the court had already found serious irregularities in the selection process but in the present case the petitioners have participated in the selection process but did not lodge any complaint or FIR regarding alleged mass cheating/copying immediately after the examination was over. Therefore, writ petition was dismissed being wholly misconceived. The copy of the judgment is attached as Annexure R-1.

(3) On 05.03.2024, CWP No. 5076 of 2024, titled as Manpreet Kaur Versus State of Punjab which was filed with one of the prayer as under:-

Issue a writ in the nature of Mandamus directing the respondent authorities to provide to the petitioners the video recording/CCTV Footage of the examination centre (Delhi World Public School Zirakpur) from 05.05.2023 to 07.05.2023 i.e. when stenotypist dictation test was held.

The Hon'ble High Court observed that the petitioner has concealed the judgement wherein same prayer had been made as the present case, it being in CWP No. 22330 of 2024 titled as Vishal Kumar & Others vs. State of Punjab, which was dismissed on 05.10.2023. The CWP No. 5076 of 2024 titled as Manpreet Kaur vs. State of Punjab

was ordered to be dismissed as withdrawn. The copy of the judgment is attached as Annexure R-2.

(4) In CWP No. 6402 of 2024 titled as Meena Kaur and Other vs. State of Punjab was filed with the same prayer as in previous two writ petitions to supply CCTV Footage as mentioned in Para No. 4. On 18.03.2024 the Hon'ble High Court passed the following orders:

".....2. Evidently, vide the judgment dated 05.10.2023 passed in CWP-22330-2023, Annexure P-1, involving the same issue was considered and the writ petition having been found to be wholly misconceived, was dismissed, whereafter CWP-5076-2024, filed by another set of petitioners, with the same prayer, which on being confronted with the aforesaid fact, was ordered to be dismissed as withdrawn on 05.03.2024, Annexure P-2.

3. Faced with the above, learned counsel appearing on behalf of the petitioners prays for withdrawal of the present petition to pursue the remedies, which may be available before the Department.

4. Ordered accordingly."

The copy of the judgment is attached as Annexure R-3.

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- (5) In the case of Ashok Kumar Yadav Versus CPIO, Staff Selection Commission, New Delhi, Wherein, the Hon'ble Central Information Commission has upheld the denial of CCTV footage of examination Centre under section 8(1) (j) of the RTI Act, 2005. The copy of the orders is attached as Annexure R-4.
- (6) That, the department of Governance Reforms and Public Grievance, Government of Punjab vide its letter dated 09.08.2021 had issued instructions as per the decision dated 13.11.2019 of the Hon'ble Supreme Court in Civil Appeal No. 10044 of 2010 Titled as CPIO of Supreme Court of India Versus Subhash Chander Aggarwal, wherein, in para No. 59 of the referred case has defined personal information under RTI Act, 2005. The copy of the letter is attached as Annexure R-5.

Keeping in view, the position explained above it is humbly prayed that the present appeal may kindly be dismissed being devoid of merit.

7. After perusal of the said reply and going through the decision passed by the Hon'ble Punjab and Haryana High Court, mentioned herein, the primary question before the Commission is whether the request of the appellant under RTI Act, 2005, is maintainable or not in view of the orders passed by the Hon'ble Punjab and Haryana High Court.

8. It is appropriate to mention the decision of the Hon'ble Supreme Court of India in Civil Appeal No. 5665/2014 – Institute of Companies Secretaries of India Vs Paras Jain, and the relevant portion of the same is reproduced below:-

*“...Rule 4, The Right to Information (Regulation of Fees and Cost) Rules, 2005 which also entitles the candidates to seek inspection and certified copies of their answer scripts. In our opinion, the existence of these two avenues is not mutually exclusive and it is up to the candidate to choose either of the routes. Thus, if a candidate seeks information under the provisions of the Right to Information, then payment has to be sought under the Rules therein, however, if the information is sought under the Guidelines of the appellant, then the appellant is at liberty to charge the candidates as per its guidelines....”*

9. It is also appropriate to mention the decision of the Hon'ble Punjab and Haryana High Court in Civil Writ Petition No. 12016 of 2016 in Shakti Singh Vs State Information Commission, Haryana and others, and the relevant portion of the same is reproduced below:-

*“...12. The reply to this question is that there being no inconsistency under the RTI Act and the provisions of the other statute/law, the option and prerogative is with the citizen to select and choose to exercise his right under such Act/law or the RTI Act. In case the*



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*citizen prefers to move an application under the RTI Act, Public Information Officer, on receipt of such request, shall proceed to take a decision thereon and provide information as a norm and any denial of the same must be in accordance with Sections 8, 9 and 11 only. The right to information, thus, cannot be denied under the RTI Act merely because a statutory mechanism is evolved and prescribed under an Act, which is also applicable, obliging a public authority to share the same by following a prescribed procedure subject to fulfilment of prescribed conditions. If it is held otherwise, it would negate and lead to derecognising the fundamental right to information as granted under the RTI Act, which is unacceptable.*

13. *The answers to the two questions as posed in para 6 above are;*

*(i) In case of any inconsistency between the provisions of RTI Act and other Act/law, the RTI Act shall prevail.*

*(ii) In case of an application preferred under the RTI Act where alternative procedure and conditions are prescribed under any other statute/law, the said application cannot be rejected and/or information denied on this ground.*

*Such application shall be dealt with under the provisions of the RTI Act.*

14. *In the light of the above, the impugned order dated 04.04.2016 passed by the State Information Commission, Haryana, cannot sustain as the Commission has rejected the claim of the petitioner under the RTI Act proceeding upon the wrong assumption that the 6 of 7 Registration of Births and Deaths Act, 1969, being a legislation and statutory in nature, is not overridden by the RTI Act. It may be added here that the information under the RTI Act can only be denied if the same is exempted from disclosure of information under the provisions of RTI Act itself such as Sections 8, 9 and 11 thereof."*

10. Keeping in view the judicial pronouncements, mentioned above, the response filed by the respondent in this case is not tenable as the appellant has approached the Commission by way of filing the second appeal in the Commission, as such, the request of the appellant under RTI Act, 2005 is maintainable. But, it is also a fact that in case the appellant is seeking the information under the provisions of the RTI Act, 2005 then the other provisions has to be followed in toto.

11. In the titled case, the respondent denied the information primarily on the grounds that the information sought pertaining falls under Section 8(1)(g) and 8(1)(j) vide letter No. 164 dated 18.3.2025 and the relevant portion of the same is as follows:-

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*"The information sought by the appellant it is submitted that the information asked by the appellant has already been denied. Now this information is also denied under section Section 8(1)(g) and 8(1)(j). Keeping in view the sanctity of the examination and the security of the supervisory staff, this information cannot be provided.*

2. *The office of the Board is ready to provide the video recording of dictation etc. to the Hon'ble Information Commission, Punjab however it is requested that same may not be revealed to the appellants for the security of supervisory staff and public interest."*

From the reply filed by the respondent, now, it is evident that the information sought is covered under Section 2(f) of the RTI Act, 2005 which is not a dispute in this case as the respondent denied the information under Section 8(1)(g) and 8(1)(j) of the Act.

12. The Hon'ble Courts have consistently held that not all information needs to be disclosed under the Act. But the authorities have to strike a balance between the need for transparency and the obligation to protect individuals potentially at risk which requires a careful case-by-case assessment to ensure that the protections afforded are not misused to unnecessarily withhold the information.

13. Now the question before the Commission is whether the request of the respondent is tenable in the eyes of law for that each provision of the RTI Act, 2005, referred to by the respondent, has to be considered separately i.e. Section 8(1)(g) and Section 8(1)(j).

14. Section 8(1)(g) of the RTI Act, 2005 provides:-

*"(g) information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes;"*

Whether a mere request made by the respondent that the information cannot be supplied under Section 8(1)(g) can be accepted

OR

to invoke the exemption the respondent has to justify each and every point of the said section, mentioned herein.

As per Section 8(1)(g), mentioned above, the information must pertain to assistance given in confidence for law enforcement or security agencies, as such, this part of the said clause is not applicable in the respondent's case, as the respondent department is neither a law enforcement agency nor security related department. Hence, no weightage can be given to the respondent in this regard.

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Secondly, information must have been given in confidence, but in this case the respondent Board has taken the test for the appointment of Steno-Typist/Junior Scale Stenographer and the appellant is seeking the information related to the CCTV footage during the conduct of skill test and if it assumed that whosoever has worked as Invigilator/overall in-charge then it can't be said that the assistance has been given in confidence rather the official/officer who so ever has performed the duties during exams cannot be said to be endanger his life or physical safety.

Also the words have been used as endanger the life or physical safety for which the respondent has to show the tangible threat where the likelihood of physical harm is significant and mere mentioning that the information sought falls under Section 8(1)(g) is not sufficient.

More important are the words mentioned at the last of Section 8(1)(g) i.e. for law enforcement or security purposes but SSSB is neither a law enforcement agency nor the security purposes are involved. It is also appropriate to mention that under Section 4, every public authority has to publish on the website, the details of staff along with their salaries on their website so a mere submissions made by the respondent to deny the information under Section 8(1)(g) of the RTI Act, 2005 are not sustainable as the staff, whosever, has performed his official duties, the public authority is bound to publish his/her details on the website under Section 4 of the RTI Act.

15. In addition to rely upon Section 8(1)(g), referred to above the respondent also merely mentioned that the information under Section 8(1)(j) of the RTI Act, 2005 cannot be supplied. The Section 8(1)(j) provides:-

*“(j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information:*

*Provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.”*

Whether, the mere submissions by the respondent that the information cannot be supplied to the appellant under Section 8(1)(j) can be accepted or not?



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In 1st part of the Section, it has mentioned that the information which relates to personal information the disclosure of which has no relationship to any public activity or interest, in this regard, the respondent denied that the information relates to third party. Third party means a person other than the citizen making a request for information and includes a public authority. It is pertinent to mention here that 3<sup>rd</sup> party is not an exemption under Section 8(1)(j) rather it is a mandatory procedure to deal with third party information which provides:-

*11. Third party information. (1) Where a Central Public Information Officer or a State Public Information Officer, as the case may be, intends to disclose any information or record, or part thereof on a request made under this Act, which relates to or has been supplied by a third party and has been treated as confidential by that third party, the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within five days from the receipt of the request, give a written notice to such third party of the request and of the fact that the Central Public Information Officer or State Public Information Officer, as the case may be, intends to disclose the information or record, or part thereof, and invite the third party to make a submission in writing or orally, regarding whether the information should be disclosed, and such submission of the third party shall be kept in view while taking a decision about disclosure of information:*

*Provided that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party.*

*(2) Where a notice is served by the Central Public Information Officer or State Public Information Officer, as the case may be, under sub-section (1) to a third party in respect of any information or record or part thereof, the third party shall, within ten days from the date of receipt of such notice, be given the opportunity to make representation against the proposed disclosure.”*

Whereas, the exemptions have been provided under Section 8 of the RTI Act.

16. It is also appropriate to mention the decision of the Supreme Court of India in Civil Appeal No. 10044 of 2010 – Central Public Information Officer, Supreme Court of India Vs Subhash Chandra Agarwal in which the issue regarding the exemptions under Section 8, procedure under Section 11 to be adopted by the Central Public Information Officer/State Public Information Officer has been elaborated in detail which are in line with the case in question. The relevant portion of the judgement is reproduced below:-

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*"The definition of a "third party" includes a public authority. 'Third party information' is information which "relates to or has been supplied by any other person (including a public authority) other than the information applicant and has been treated as confidential by such third party. Where disclosure of 'third party information' is sought, and such information has been prima facie treated as confidential by the third party in question, the procedure under Section 11 of the RTI Act is mandatory. The Information Officer shall, within five days of receiving the request for 'third party information' notify the relevant third party to whom the information relates or which had supplied it. The notice shall invite the third party to submit reasons (in writing or orally) as to whether or not the information sought should be disclosed. Section 11(2) provides the third party with a right to make a representation against the proposed disclosure within ten days of receiving the notice. The provision expressly mandates the Information Officer to take into consideration the objections of the third party when making a decision with respect to disclosure or non-disclosure of the information. It encapsulates the fundamental idea that a party whose personal information is sought to be disclosed is afforded the opportunity to contest disclosure. The proviso to sub section (1) of Section 11 permits disclosure where the "public interest" in disclosure "outweighs" any possible harms in disclosure highlighted by the third party.*

*Sections 8 and 11 must be read together. Other than in a case where the information applicant seeks the disclosure of information which relates to the information applicant himself, information sought that falls under the category of "personal information" within the meaning of clause (j) of Section 8(1) is also "third party information" within the ambit of Section 11, Therefore, in every case Where the information requested is "personal information" within the operation of clause (j) of sub section 1 of Section 8, the procedure of notice and objections under Section 11 must be complied with. The two provisions create a substantive system of checks and balances which seek to balance the right of the information applicant to receive information with the right of the third party to prevent the disclosure of personal information by permitting the latter to contest the proposed disclosure."*

From the above, it is evident, that Section 11 is a mandatory procedure and not an exemption. The exemptions have been provided under Section 8 but no procedure has been adopted by the respondent, therefore, there is no justification to accept the submissions made by the respondent especially when neither *it relates to or has been supplied by any other person*

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and has been treated as confidential by such third party, therefore, the request of the respondent is also not justifiable.

Furthermore, there is a proviso added under Section 8(1)(j), mentioned above, that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person". In such a situation, the request of the respondent is also not acceptable.

More so, in case, the complainant/appellant is seeking 3<sup>rd</sup> party information even then the information can be supplied when the larger public interest justifies the disclosure of such information.

17. Although, the request of the respondent to deny the information under Section 8(1)(g) and 8(1)(j) of the RTI Act is not sustainable in light of the above.

Even though, if it assumed that the appellant has to establish the larger public interest involved then whether in this situation, information can be supplied or not.

it is also appropriate to mention over here that there are large numbers of RTI applications have been filed by the appellants in which the information related to the paper of Steno Typist/Junior Scale Stenographer held by the Subordinate Services Selection Board between 5<sup>th</sup> to 8<sup>th</sup> May, 2023 had been sought and are pending adjudication.

The details of the said cases in which the appellants has sought the information related to the Test conducted by the SSSB for the post of Steno Typist/Junior Scale Stenographer between 5<sup>th</sup> to 8<sup>th</sup> May, 2023 are as follows:-

1. Appeal Case No. 1115 of 2024
2. Appeal Case No. 1168 of 2023
3. Appeal Case No. 1276 of 2024
4. Appeal Case No. 1166 of 2024
5. Appeal Case No. 1111 of 2024
6. Appeal Case No. 1770 of 2024
7. Appeal Case No. 1806 of 2024
8. Appeal Case No. 1742 of 2024
9. Appeal Case No. 1769 of 2024
10. Appeal Case No. 1771 of 2024
11. Appeal Case No. 1772 of 2024
12. Appeal Case No. 1773 of 2024
13. Appeal Case No. 1842 of 2024
14. Appeal Case No. 1843 of 2024

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15. Appeal Case No. 1847 of 2024
16. Appeal Case No. 1805 of 2024
17. Appeal Case No. 2343 of 2024
18. Appeal Case No. 2677 of 2024
19. Appeal Case No. 1300 of 2024
20. Appeal Case No. 2771 of 2024
21. Appeal Case No. 344 of 2024
22. Appeal Case No. 2547 of 2024
23. Appeal Case No. 2112 of 2024

For the establishment of larger public interest, few instances of the cases mentioned above against the respondent SSSB are being taken, the details of which are as follows:-

**(i) Appeal Case No. 2112 of 2024**

The appellant has sought the following information in this case:-

“ਬੇਨਤੀ ਹੈ ਕਿਸੇ ਇਸ਼ਤਿਹਾਰ ਨੰਬਰ 01 ਆਫ 2022 ਸਟੈਨੋ ਟਾਈਪਿਸਟ ਅਤੇ ਜੂਨੀਅਰ ਸਕੇਲ ਦੀ ਭਰਤੀ ਸਬੰਧੀ ਹੋਈ ਨਕਲ ਅਤੇ ਇਨਸਟਰਕਟਰਾਂ ਵਲੋਂ ਆਪਣੇ ਨਿੱਜੀ ਸੈਂਟਰਾਂ ਵਿੱਚ ਕੀਤੇ ਗਏ ਪੇਪਰ ਲੀਕ ਅਤੇ ਲੈਬਰਾਰੇ ਪਹਿਲਾਂ ਹੀ ਦੱਸਣ ਸਬੰਧੀ ਇੱਕ ਅਰਜ਼ੀ ਨਾਲ ਇੱਕ ਪੈਨਡਰਾਈਵ (ਪੈਰਟਗਰੀਨਕਲਰ) ਸਬੂਤ ਵਜੋਂ 18.12.2023 ਨੂੰ ਵਿਜੀਲੈਂਸ ਬਿਊਰੋ ਨੂੰ ਡਾਕਰਾਹੀਂ ਭੇਜੀ ਸੀ। ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਦਾ ਜਵਾਬ ਦਿੱਤਾ ਜਾਵੇ....”

The appellant sought the above information from the Vigilance Bureau, Punjab and during the proceedings of the case the Vigilance Bureau informed that the said complaint has already been forwarded to the Chairman, SSSB, Punjab with the directions to hold the enquiry at their own level as no enquiry has been conducted at the level of the Vigilance Bureau. Accordingly, the said office to whom the complaint was forwarded i.e. SSSB was made party in the said case.

Thereafter, the SSSB duly informed that the said complaint has not received in the SSSB and when the Vigilance Bureau was directed to produce a copy of the receipt of the said complaint given by the SSSB officer/officials then the Vigilance Bureau submitted a copy of the receipt given by the officials of the SSSB.

Afterwards, the SSSB taken a u-turn, and made the submission that the said complaint has already been received. Although, at the belated stage, the respondent SSSB replied in the said case that the complaints filed by the appellants have already been filed vide letter No. 769 dated 6.8.2025 i.e. filed only after intervention by the

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Commission that too appears that the respondent SSSB did it in hurriedly. But such type of response/attitude in dealing with the complaints, especially when the appellants submitted the complaint in electronic form in a pen drive, by an esteemed institution justifies itself the larger public interest.

### (ii) Appeal Case No. 1300 of 2024

In this case, the appellant sought the following information:-

“ਆਰਟੀਆਈਐਕਟ 2005

ਰਾਹੀਂ ਜਾਣਕਾਰੀ 24

ਘੰਟਿਆਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਵੇ। ਬੇਨਤੀ ਹੈ ਜੀ ਜੋ ਇਸ ਤਿਹਾਰਨ ਬਰ 1/2022

ਰਾਹੀਂ ਸਟੈਨੋਟਾਈਪਿਸਟ ਤੇ ਸਟੈਨੋਗ੍ਰਾਫਰਾਂ ਦੀ ਭਰਤੀ ਕੀਤੀ ਗਈ ਸੀ ਜਿਸ ਦਾ ਪੇਪਰ 5/5/2023

ਤੋਂ ਲੈ ਕੇ 8/5/2023

ਤੱਕ ਲਿਆ ਗਿਆ ਸੀ। ਜਿਸ ਵਿੱਚ ਜੇਟ ਗਾਇਲ ਪੈਰੋ ਬੋਲੇ ਗਏ ਹਨ ਉਹ ਜਿਸ ਮੌਜੂਦਾ ਅਧਿਕਾਰੀ ਦੁਆਰਾ ਬੋਲੇ ਗਏ ਸਨ ਉਸ ਦਾ ਨਾਮ ਤੇ ਜਿਸ ਦੀ ਅਧਿਕਾਰੀ ਦੁਆਰਾ ਪੇਪਰ ਲਿਆ ਗਿਆ ਹੈ ਭਰਤੀ ਇਨ ਚਾਰਜ ਦਾ ਨਾਮ। ਸਾਫਟ ਵੇਅਰ ਤਿਆਰ ਕਰਤਾ ਦਾ ਨਾਮ ਤੇ ਜਿਸ ਸਟਾਫ ਦੀ ਡਿਊਟੀ ਸੀ ਉਸ ਦੇ ਨਾਮ ਤੇ ਸਦੀਕ ਸੂਦਾ ਭੇਜੇ ਜਾਣ। ਜੇ ਪੈਰੋ 10 ਦੇ ਕਰੀਬ ਇਨ ਸਟਰਕਟਰਾਂ ਨੂੰ ਭੇਜੇ ਗਏ ਸਨ। ਉਹਨਾਂ ਪੈਰਿਆਂ ਦੀ ਅੰਤ ਸਦੀਕ ਸੂਦਾ ਕਾਪੀ ਆਮੇਰੀ ਮੇਲ ਤੇ ਭੇਜੀ ਜਾਣ ਮੇਰੀ ਮੇਲ ਹੈ [gurpreetsinghguri53@gmail.com](mailto:gurpreetsinghguri53@gmail.com) ਹੈ। ਜਾਂ ਡਾਕ ਰਾਹੀਂ ਜਲ ਦਤੋਂ ਜਲ ਦਤੇ ਜਿਆ ਜਾਣ ਤਾਂ ਜੋ ਅਸੀਂ ਆਪਣਾ ਪੱਖ ਸਾਈਬਰ ਕਰਾਈਮ ਵਿੱਚ ਪੱਖ ਰੱਖ ਸਕੀਏ। ਮੈਨੂੰ ਆਸ ਹੈ ਕਿ ਇਹ ਜਾਣਕਾਰੀ ਜਲਦ ਹੀ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਵੇਗੀ। ਆਪ ਜੀ ਦਾ ਧੰਨਵਾਦੀ ਹੋਵਾਂਗਾ। ਤਾਂ ਜੋ ਵੀ ਪੈਰੋ ਲੀਕ ਹੋਏ ਹਨ ਉਹ ਨਾਂ ਦੀ ਇਨ ਕੁਆਰੀ ਜਲ ਦਤੋਂ ਜਲ ਦਹੋ ਸਕੇ।”

In this case, the SSSB denied the information primarily on the grounds that the Punjabi University, Patiala has done the job on behalf of the SSSB and the SSSB denied the information in accordance with Section 8(1)(g) and 8(1)(j) and as per the judgement passed by the Hon'ble Supreme Court of India in CWP no. 10044 of 2010 in the matter CPIO, Supreme Court Versus Subhash Chandra Agrawal and the relevant portion of the same is reproduced below:-

“ 59. Reading of the aforesaid judicial precedents, in our opinion, would indicate that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive.”

But the most important part in this case is that the respondent SSSB submitted a copy of an agreement between SSSB and Punjabi University, Patiala and claimed that the information relates to third party as the Punjabi University, Patiala had taken the test. The relevant portion of the agreement filed by the



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respondent in this case is as follows:-

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**INDIA NON JUDICIAL**  
**Government of Punjab**

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## AGREEMENT

(Conduct of Steno Type Test)

Punjabi University, Patiala

And

Subordinate Services Selection Board, Forest Bhawan, Sector 68, SAS Nagar, Mohali

This agreement is made on the ..... day of Month..... Year.....  
between the Subordinate Services Selection Board, Sector 68, SAS Nagar, Mohali (hereinafter called as SSSB) as the First Party.

And

Punjabi University, Patiala (hereinafter called the University) as the Second Party.

Whereas, the SSSB intends availing services by the University, and,  
Whereas, the University proposes to provide services for conducting the Punjabi and English Steno Type test for Advertisement No. 01 of 2022 for the posts of Steno Typist and Junior Scale Stenographer issued by the Subordinate Services Selection Board, Punjab.

Now, therefore, it is hereby agreed between the parties as follows:

### 1. Definition and Interpretations

- 1.1 The following terms and expressions shall have the following meanings for the purpose of this agreement.
- 1.1.1 "Agreement" shall mean this agreement made in accordance with the terms of this agreement.
- 1.1.2 "Party" shall mean either Punjabi University, Patiala or Subordinate Services Selection Board, Punjab.

### 2. General Conditions

#### 2.1 The University shall charge at following rates for the conduct of Steno Type Test:

Computer Steno Type Test for single language(Punjabi or English)

Number of candidates	Charges per candidate
Upto 200	Rs.1.50 Lakh fixed
200-1000	Rs. 500/- (Min. Rs. 1.5 Lakh)
1000-5,000	Rs. 450/- (Min. Rs. 5.0 Lakh)
5000-10,000	Rs. 425/- (Min. 22.5 Lakh)
Above 10,000	Rs. 400/- (Min. 42.5 Lakh)

Computer Steno Type Test for both Punjabi and English:

Number of candidates	Charges per candidate
Upto 200	Rs.2.50 Lakh fixed
200-1000	Rs. 600/- (Min. Rs. 2.5 Lakh)
1000-5,000	Rs. 550/- (Min. Rs. 6.0 Lakh)
5000-10,000	Rs. 525/- (Min. 22.5 Lakh)
Above 10,000	Rs. 500/- (Min. 52.5 Lakh)

*[Signature]*

*[Signature]* (i)

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Note: The above rates do not include cost of biometric attendance system for conducting the test. These tasks will be outsourced to outside agencies. The tentative extra charges are:

S. No.	Task	Charges per candidate
1.	Biometric attendance system (for all the 2 stages i.e. type test and counselling)	Rs. 65

The payment shall be made on actual numbers of Admit Cards issued. The scope of work will include:

- Soft copy of cut list (in Excel format) of all/eligible candidates for test will be provided by SSSB Mohali to Punjabi University Patiala.
  - Preparation of list of candidates to be called for the Steno Type Test.
  - Preparation and uploading of online admit cards.
  - To host the test and manage the test delivery process through Intranet Based Solution at the examination centre
  - To arrange/provide adequate displays of seating plan and provide required instructions/information to the candidates appearing for test at examination centres
  - Conduct of Steno Type Test including preparation and printing of Question Papers and recording of dictation
  - To make arrangement of videography/photography at each exam centre and submission of DVD/CDs or Hard Disks to department.
  - To maintain complete log of all the activities of candidates during the course of examination to enable complete audit of the assessment process
  - To print candidate's response/answer-sheets at the end of the test
  - Preparation of result of the test conducted as per the requirement of Board.
- 2.2 The University shall charge GST @ 18% extra (or as applicable) on all the payments due to the University.
- 2.3 The Steno Type Test will be conducted in collaboration with officials from State Language Department, who will be assisting in recording of dictation and manually checking selected answer sheets.
- 2.4 The result of the Steno Type Test will be handed over to the SSSB as soon as possible but not later than a month from the conduct of the type test.
- 2.5 Responsibility of maintaining total secrecy and utmost integrity in conduct of the Steno Type Test shall lie with the University. Assured support from designated officials of SSSB, Punjab in terms of confidentiality and conduct of the Steno Type Test will be provided to the University.
- 2.6 After the test, no communication with the candidates will be made by the University.
- 2.7 The University will not be party to any litigation(if any) at any stage in the conduct of the type test and thereafter. However, during the course of litigation, required technical assistance shall be provided by the University.
- 2.8 SSSB will release 50% of the total estimated expenditure in advance on receipt of the bill from the University. The balance payment will be made by the SSSB to the University after handing over the result of the said type test but not later than two weeks of the conduct of the Steno Type Test. The payment will be made in favour of Registrar, Punjabi University, Patiala.
- 2.9 The University shall handover all the records/documents regarding the conduct of the Steno Type Test (including admit cards, answer sheets, attendance sheets, etc.) for a period to the Board. The University shall also maintain soft copy of the record with it for backup.
- 2.10 The university reserve the right to conduct the Steno type test on its campus or at any other suitable place outside the campus and fix the dates accordingly.

*Gurpreet Singh*

*Tejinder Singh*

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## 3. Miscellaneous

- 3.1 Nothing under this agreement shall be construed as establishing or creating between the parties, any relationship of Master and Servant or Principal and Agent between the University and the SSSB.
- 3.2 The agreement can be modified or altered only on written agreement signed by both the parties.
- 3.3 Authorized representative of the University or SSSB shall attend the meetings held in concern with the conduct of type test by the University or by the Chairman/Secretary, SSSB.

## 4. Arbitration

In case of any dispute or difference whatsoever (the decision whereof is not herein otherwise provided for) shall arise between the University and the SSSB upon or in relation to or in connection with or arising out of the Agreement, the case shall be referred to for arbitration by the Chairman, SSSB and Vice Chancellor, Punjabi University, Patiala to a mutually agreed person, who will give written award of the decision to the Parties. The decision of the Arbitrator will be final and binding. The provisions of the Arbitration and Conciliation Act, 1996 shall apply to the arbitration proceedings. The venue of the arbitration proceedings shall be at Mohali or Patiala.

In witnesses whereof, the parties have caused this Agreement to be signed and executed on the day, month and the year first above mentioned.

Signed by

In the presence of  
(Witnesses)

- 1.
- 2.

And

In the presence of  
(Witnesses)

- 1.
- 2.

18.11.2022  
Registrar,  
Punjabi University, Patiala.  
Registrar  
Punjabi University  
Patiala

Member  
Subordinate Services Selection Board, Punjab,  
Sector-68, SAS Nagar, Mohali.



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After perusal of the agreement, mentioned herein, it is not ascertained whether the said agreement between the SSSB and the Punjabi University, Patiala actually executed or not, as the date mentioned in the said agreement is left blank.

Secondly, the Member, SSSB has signed the agreement but his name is not mentioned there and it could not be ascertained that by whom the said agreement has been signed.

Thirdly, the agreement between the parties should have been signed between the Secretary, SSSB and Registrar, Punjabi University but it has been signed by one of the Member of SSSB whose details have not been mentioned in the said agreement, which raises eyebrows.

Fourth, the agreement is said to be signed between the parties, is being shown, but no witness has signed the agreement on behalf of the SSSB which appears that the agreement is not fully executed. An unsigned agreement can lead to uncertainty, misunderstandings and difficulty proving intent. To ensure clarity and enforceability, all parties should have signed the document complete in all respects.

In this situation also, it is justified that the larger public interest warrants to supply the information.

18. Keeping in view the above, the plea of the respondent to withhold the information is not tenable. As such, the respondent Public Information Officer is directed to supply the information as has been sought by the appellant within one month from the issue of this order under intimation to the Commission.

19. Accordingly, the case is disposed of and closed.

Dated: 14.11.2025

(Inderpal Singh)  
Chief Information Commissioner,  
Punjab.

Sh. KAP Sinha, IAS  
Chief Secretary, Punjab  
Punjab Civil Secretariat-1,  
Chandigarh.

Chairman (By name)  
Subordinate Services Selection Board, Pb.  
Sector 68, Mohali

Secretary (By name)  
Subordinate Services Selection Board, Pb.  
Sector 68, Mohali