

No. 08/21/2023-1AR
GOVERNMENT OF HARYANA
GENERAL ADMINISTRATION DEPARTMENT
(Administrative Reforms)

14112
25/9/23

Dated: Chandigarh, the 20th September, 2023

To

1. All the Administrative Secretaries to Govt. of Haryana.
2. All the Head(s) of Department(s) in Haryana.
3. All the Chief Administrators and Managing Directors of Boards/Corporations under Government of Haryana.
4. The Registrar General, Punjab & Haryana High Court, Chandigarh.
5. All the District & Session Judges in the State of Haryana.
6. All the Divisional Commissioners & Deputy Commissioners in the State of Haryana.

Subject: Decision of Hon'ble Punjab and Haryana High Court, Chandigarh in CWP No. 17672 of 2023.

Sir/Madam

I am directed to invite your kind attention to the following portion of the order in CWP bearing No. 17672 of 2023 titled as Rajwinder Singh Vs. State of Punjab and others, where-in the Hon'ble Punjab & Haryana High Court made certain observations:-

"This Court has found that in a large number of cases, the authorities including the first Appellate Authority {(while adjudicating the first statutory appeal under Section 19(1))} and the second Appellate Authority {(while adjudicating the second statutory appeal under Section 19(3))} under the Act, have been passing cryptic and non-speaking orders in violation of the judgments passed by the Hon'ble Supreme Court and various High Courts and also in violation of the mandate of the Act of 2005. It is, thus, found necessary to give the following directions to the first Appellate Authority and Second Appellate Authority under the Act of 2005 to clearly specify the following at the time of finally adjudicating the case:-

- i) The points on which the information is sought by the applicant as per his/her application filed under the Act of 2005.
- ii) The point-wise reply with respect to the information sought.
- iii) A categorical finding as to whether the information on any of the points has been supplied or not and if supplied, the date on which it has been supplied.
- iv) In case, it is the stand of the authorities from whom the information is sought that the information sought under a particular point is not to be supplied on account of any bar contained in any provisions of the Act of 2005 or for any other reason, then after recording the said stand and after considering the submissions made by both the parties with respect to said point/issue, return a finding with respect to the said issue/point.
- v) Any other observation which the authority deems fit in the facts and circumstances of the case to be recorded.

The Chief Secretary to the State of Punjab & Haryana and the Advisor to the Administrator, Chandigarh are directed to circulate the judgment passed in the present case i.e. CWP-17672-2023 titled as "Rajwinder Singh Vs. State of Punjab and others" and the judgment dated 13.07.2023 passed in CWP-1877-2022 titled as "Gagnish Singh Khurana Vs. State of Punjab and others" as well as

21/09/2023

LC [0112]
25.9.23

Diary NO 14112
Date 25/9/23
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25.9.23
JLG, H
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PUC may be sent
to Case Branch
for circulate the
said order
27/9/23
TMAIA
subt
(C/S)

31/10

E-3

uploaded on
Dept. Website

Randeep Singh
8/11/23
R.K.

the "judgment dated 21.07.2023 passed in CWP-15500-2023 titled as "Gopal Krishan Gupta Vs. Central Information Commission and others", to all the authorities constituted under the Act for complying with the same."

2. Copy of the above judgment dated 16.08.2023 has been uploaded at the official website of i.e. <http://csharyana.gov.in/>. Further, the judgments dated 13.07.2023 passed in CWP-1877-2022 titled as "Gagnish Singh Khurana Vs. State of Punjab and others" as well as the "judgment dated 21.07.2023 passed in CWP-15500-2023 titled as "Gopal Krishan Gupta Vs. Central Information Commission and others" can be accessed on website of Hon'ble High Court as well.

3. The above judgments may be brought to the notice of all concerned under your control for necessary compliance.

Yours faithfully,

Rajesh Kumar
(Rajesh Kumar)

Dy. Superintendent, AR

for Chief Secretary to Government, Haryana

Endst. No. 08/21/2023-1AR

Dated, Chandigarh the 20th September, 2023

A copy is forwarded to the Secretary, State Information Commission, SCO No. 70-71 (1st Floor), Sector-8C, Chandigarh for information & necessary action.

Rajesh Kumar

(Rajesh Kumar)

Dy. Superintendent, AR

for Chief Secretary to Government, Haryana.

JN