

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Sector 16, Chandigarh.

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Whatsapp No. 62848-20189



Ms. Kamaldeep Kaur,  
w/o Dr. Hassan Sardar,  
Mofar Residence, village Mansa Khurd,  
Khaila Khurad, PO Tehsil and Distt. Mansa.

...Appellant

V/s

Public Information Officer,  
O/o Principal, Mai Bhago Degree College, Ralla,  
Mansa.

First Appellate Authority,  
O/o Principal, Mai Bhago Degree College, Ralla,  
Mansa.

...Respondents

**Appeal Case No. 520 of 2023  
( Video Conference Proceedings)**

**Present: Sh. Hasan Sardar on behalf of the appellant.**

**None is present on behalf of the respondents**

**Order**

The RTI Application is dated 03.09.2022 vide which the appellant has sought 04 points information as enumerated in his RTI Application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 14.10.2022 and Second Appeal was filed in the Commission on 04.01.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

The appellant has sought the following information:

(b) The period to which the information relates: From 04.02.2012 to 29.08.2020 ਤੱਕ

ਹਵਾਲਾ ਪੱਤਰ 1: ਦਫਤਰ ਉਪ ਕਪਤਾਨ ਪੁਲਿਸ (ਸ: ਡ: ਮਾਨਸਾ), ਬਿਆਨ ਹਲਫੀਆ ਕੁਲਦੀਪ ਸਿੰਘ ਐਮ ਡੀ ਭਾਗੇ ਕਾਲਜ, ਰੱਲਾ ਜਿਲਾ ਮਾਨਸਾ ਪੁੱਤਰ ਬਿੱਕਰ ਸਿੰਘ ਵਾਸੀ ਮਾਲਪੁਰ ਖਿਆਲਾ/ਪੰਜਾਬੀ ਬਾਗ ਛੋਟੀ ਮਾਨਸਾ ।  
2: ਦਫਤਰ ਉਪ ਕਪਤਾਨ ਪੁਲਿਸ (ਸ: ਡ: ਮਾਨਸਾ), ਬਿਆਨ ਪਰਮਿੰਦਰ ਕੁਮਾਰੀ ਪੁੱਤਰੀ ਲਾਲ ਰਾਮ ਵਾਸੀ ਬਠਿੰਡਾ/ਕਾਰਜਕਾਰੀ ਪ੍ਰਿੰਸੀਪਲ ਮਾਈ ਭਾਗੇ ਕਾਲਜ ਰੱਲਾ(ਮਾਨਸਾ)

ਨਿਮਨ ਹਸਤਾਖਰਕਰਤਾ **Kamaldeep Kaur, Ex (Adhoc, Assistant. Prof. in Comp. Sci. MBDC Ralla Mansa)** ਪਤਨੀ ਡਾ. ਹਸਨ ਸਰਦਾਰ, ( ਕਪਿਊਟਰ ਵਿਭਾਗ, ਪੰਜਾਬੀ ਯੂਨੀਵਰਸਿਟੀ ਬਾਬਾ ਜੋਗੀਪੀਰ ਨੋਬਰਹੁੰਡ ਕੈਂਪਸ ਰੱਲਾ ਜਿਲਾ ਮਾਨਸਾ), ਉਕਤ

ਮਾਈ ਭਾਗੇ ਕਾਲਜ ਰੱਲਾ ਜਿਲਾ ਮਾਨਸਾ (ਮਾਨਤਾ ਪ੍ਰਾਪਤ ਪੰਜਾਬੀ ਯੂਨੀਵਰਸਿਟੀ ਪਟਿਆਲਾ) ਦੇ ਦਫਤਰੀ ਰਿਕਾਰਡ ਵਿੱਚੋਂ ਉਕਤ ਹਵਾਲਾ 1 ਬਿਆਨ ਹਲਫੀਆ(ਕੁਲਦੀਪ ਸਿੰਘ) ਬਾਬਤ **Query 1 ਤੋਂ Query 09 ਤੱਕ** ਅਤੇ ਹਵਾਲਾ 2 ਬਿਆਨ ਹਲਫੀਆ (ਪਰਮਿੰਦਰ ਕੁਮਾਰੀ) ਬਾਬਤ **Query 10** ਅਤੇ **Query 11** ਲਈ/ਬਾਬਤ ਤਸਦੀਕਬੁਝਦਾ ਦਸਤਾਵੇਜ਼ Right to Information Act, 2005 ਅਧੀਨ ਜਾਣਕਾਰੀ ਹਿੱਤ ਭੇਜਣ ਦੀ ਕ੍ਰਿਪਾਲਤਾ ਕਰਨੀ ਸੀ:-

**Query 1:** Please provide News Advertizing and required qualification for the post of computer as publish on dated 04.02.2012

**Query 2:** Please provide Certified document that "NET" is conducted by UGC for Master of Technology in Discipline of Information Technology (M. Tech( IT)), as seeking Information.

**Query 3:** Please provide certified documents/ ugc net notification and Phd degree notification/certificates of **Regular appointed teacher in computer Science** Mrs Rajdeep Kaur, Miss Ramandeep Kaur, Miss Veenu goyal and Mr. Karun Jindal as approved by Punjabi university Patiala, seeking as information.

**Query 4:** Please provide interview call letter if sent through email or regd. Post to inform undersigned for interview schedule before interview date, seeking as information.

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- Query 5: Please provide certified documents list of eligible candidates as approved by Punjabi university Patiala for the post of computer science, seeking as information.
- Query 6: Please provide certified contract appoint letter of Mrs kamaldeep kaur (Adhoc in Comp. Sci.) seeking as information.
- Query 7: Please provide Punjabi university Patiala issued letter between January 2020 to May 2020 i.e. session completed on 30.04.2020 and not extended during pandemic corona/Lockdown time period in 2020, seeking as information.
- Query 8: Please provide official certified document regarding Relieving Kamaldeep Kaur, due to corona diseases, was sent (from which mob no. with date) on WhatsApp, seeking as information. (In Actual, Such type message not received) yet.
- Query 9: Please provide certified 16no form/salary statement monthly wise/year wise, cash/as per bank record from 12.08.2013 to 29.08.2020, seeking information.
- Query 10: Please provide Government instruction of Month, April 2020, to relieve your teacher (Mrs Kamaldeep Kaur, Adhoc In Comp Sci), seeking as information.
- Query 11: Please provide certified official order/permission document to open college on dated 29.08.2020 to introduction about ZOOM to whole staff (Teaching and Non Teaching, as sent WhatsApp message from +918146149272 (by Dr. Parminder kumari) dated 28.08.2020 and 29.08.2020) seeking as information.

2. The representative of the appellant states that said college terminated Smt. Kamaldeep Kaur from the post of Adhoc Asstt. Professor in Computer Science on 29.8.2020 after continuous service of 07 years. He further states that information relating to Ms. Kamaldeep Kaur has not been provided by the respondents. He requests the Commission to direct the respondents to provide the information in the light of the statement given to D.S.P. Mansa by Sh. Kuldeep Singh, M.D. and Ms. Parminder Kumari, Executive Principal.

3. None is present on behalf the respondents despite the fact that notice of hearing was sent to the respondents through registered post. The respondents have also not sent any written submissions.

4. That it is appropriate to mention order dated 31.08.2022 passed by this bench in respect of same appellant and respondent PIO in **Appeal Case No. 2012 of 2022, Appeal Case No. 4266 of 2021 and Appeal Case no. 2815 of 2021** titled as **Smt. Kamaldeep Kaur w/o Dr. Hassan Sardar vs PIO Mai Bhago Degree College (Girls), Ralla, Mansa** wherein the appellant was able to establish that Mai Bhago Degree College, Ralla is a Public Authority as defined u/s 2(h) of the Act, 2005. The relevant part of the order passed by this bench in said Appeal Cases is reproduced below:

"18. *Undoubtedly, the RTI Act, 2005 has been enacted for setting out the practical regime of right to information for citizens to secure access to information under the control of 'public authorities', so as to promote transparency and accountability in the working of every 'public authority'. Since the Act provides a right to information for citizens to secure information only from 'public authorities', respondent college in the instant case, not being a 'public authority' cannot be directed to supply information. If such directions are issued, the rights of private institutions/ persons would be adversely affected.*

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*Having said this, the Commission observes that though technically the respondent may not come under the purview of the RTI Act, 2005, yet it cannot escape the provisions of the Societies Registration Act, 1860 because it is a fact stated by the respondent that the College run by private management committee namely Punjabi Educational Society, Ralla, is registered under Societies Registration Act, 1860.*

*It is pertinent to quote an excerpt from the decision of Central Information Commission in Case No. CIC/CC/A/2015/001881-SA decided on 1.11.2016 :-*

*"A society may not be a public authority under RTI Act, but it is a public body, by virtue of their registration, which means they cannot keep their affairs out of public. They cannot plead privacy, or refuse to give their addresses etc, if they are the governors of the society. Every person has a right to verify the claims of these society leaders examine their performance and question them. A registered society cannot claim itself to be aloof or away from the social obligations, it has entrusted to itself by their rules and registration. They have to file annual list of managing body with full details of contacting addresses (Section 4)."*

*The Commission would further like to add that every authority, Public or Private, has an obligation to be transparent and accountable. Being an educational society, this responsibility increases manifold. The appellant may once again request the college authorities for her personal information and in the name of ethics, justice, equity and fair play, the college may consider, in public interest, giving personal information to an Assistant Professor, who served the college for seven years. Order pronounced and be intimated to the parties."*

5. After deliberations with the representative of appellant and going through the case file and considering the nature of issue involved herein, a copy of this order along with the case file is being sent to the Registry Branch for constitution of Double Bench.

6. The next date of hearing which will be communicated to the parties after constitution of the Double Bench.

**Dated: 09.03.2023**

**s**

**sd**

**(Suresh Arora)**

**Chief Information Commissioner, Punjab.**

DR