

# **PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, NEAR ROSE GARDEN,**

**SECTOR 16, CHANDIGARH.**

**Ph: 0172-2864116, Email: - [psic26@punjabmail.gov.in](mailto:psic26@punjabmail.gov.in)**

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Smt. Sunita Devi, W/o Sh. Hukam Chand,  
Ragar Basti, Jaito, Distt:Faridkot.

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Executive Officer,  
Nagar Council, Jaito, Distt: Faridkot.

**First Appellate Authority-cum-**  
O/o Deputy Director,  
Local Govt., Ferozepur.

.....Respondent

**AC.No. 3965 of 2019**

**PRESENT :** (i) None is present on behalf of the appellant.  
(ii) Sh. Ashok Kumar, Executive Officer O/o Nagar Council, Jaito, the respondent.

## **ORDER**

1. The RTI application is dated 31.07.2019 vide which the appellant has sought information as enumerated in her RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 21.08.2019 and second appeal was filed in the Commission on 22.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.12.2019 by the Commission.

3. The appellant is absent. Intimation has been received from her in the Commission vide diary no.22255 dated 19.11.2019 that due to some personal reasons, she cannot appear in person for the hearing. She has requested that next hearing be done through video conference.

4. Sh. Ashok Kumar, Executive Officer-cum-PIO O/o Nagar Council, Jaito is appearing in person files reply to the Notice of the Commission. He stated that he has brought the information to deliver it personally to the appellant today in the Commission during the hearing.

5. The respondent is directed to send the information by registered post to the appellant today under intimation to the Commission. The Appellant is advised to revert back to the PIO as also the Commission, in case she is not satisfied with the information provided, before the next date of hearing.

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**AC.No. 3965 of 2019**

6. On the request of the appellant, the matter to come up for further hearing now on **20.01.2020 at 11.30AM through video conference at O/o Deputy Commissioner, Faridkot.**  
Copies of the order be sent to the parties.

Sd/-

**Chandigarh  
02.12.2019**

**((Lt Gen Ajae Kumar Sharma, (Retd))  
Punjab State Information Commissioner**

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Sh. Lajpat Rai, S/o Sh. Harbans Lal,  
H.No.B-3/287, Romana Street, Jaito,  
Distt:Faridkot.

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Executive Officer,  
Nagar Council,  
Jaito, Distt:Faridkot.

**First Appellate Authority-cum-**  
O/o Deputy Director,  
Local Govt., Ferozepur Cantt.

.....Respondent

**AC.No. 3959 of 2019**

**PRESENT:**

- (i) Sh. Lajpat Rai, the appellant.  
(ii) Sh. Ashok Kumar, Executive Officer-cum-PIO O/o Nagar Council, Jaito, the respondent

**ORDER**

1. The RTI application is dated 10.08.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 21.08.2019 and second appeal was filed in the Commission on 22.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.12.2019 by the Commission.

3. The appellant states that till date, no information has been provided to him by the respondent.

4. Sh. Ashok Kumar, Executive Officer-cum-PIO O/o Nagar Council, Jaito is appearing in person, files reply to the Notice of the Commission. The PIO highlighted that the RTI application of the appellant is not specific & is lengthy addressing numerous issues. He states that he has brought the information (comprising 37 pages) to deliver it personally to the appellant, during the hearing. Copy of the same is handed over to the appellant for perusal.

5. The appellant perused the information provided and pointed out that he needs time to scrutinize it.

6. Since the information provided is voluminous, the appellant was advised to go through it in his own time. Also he may visit the office of the respondent on any working day with prior

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**AC.No. 3959 of 2019**

notice to the PIO, in case he needs additional inputs related to his RTI application. The respondent is directed to provide access to records in his office and give copies of documents needed. Fifty pages are to be given, free of cost, additional pages to be provided at the cost of two rupees per page.

7. The appellant observed that he cannot appear in person at the Punjab State Information Commission for next hearing due to the distance involved and requested for hearing through video conference.

8. On the request of the appellant, the matter to come up for further hearing now on **20.01.2020 at 11.30AM through video conference at O/o Deputy Commissioner, Faridkot.** Copies of the order be sent to the parties.

Sd/-

**Chandigarh  
02.12.2019**

**((Lt Gen Ajae Kumar Sharma, (Retd))  
Punjab State Information Commissioner**

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Sh. Prem Inder Nath,  
S/o Sh. Balak Ram,  
R/o H.No.551, Street No.5, Gurbax Colony,  
Patiala.

**Vs**

.....Appellant

**Public Information Officer,**  
O/o Deputy Commissioner,  
Patiala.

**First Appellate Authority-cum-**  
O/o Commissioner,  
Patiala Division, Patiala.

.....Respondent

**AC.No. 3967 of 2019**

**PRESENT:**

- (i) Sh. Prem Inder Nath, the appellant.
- (ii) Smt. Palvi Sharma, Jr. Assistant o/o Deputy Commissioner, Patiala on behalf of the PIO.

**ORDER**

1. The RTI application is dated 26.06.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 29.07.2019 and second appeal was filed in the Commission on 22.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 02.12.2019 by the Commission.
3. The appellant states that till date, complete and authenticated information has not been provided to him by the respondent.
4. Smt. Palvi Sharma, Jr. Assistant appeared on behalf of the PIO for today's hearing having been duly authorized by the PIO. Smt. Palvi Sharma, Jr. Assistant filed reply to the Notice of the Commission mentioning therein that the complete information as available (comprising 45 pages) has been given to the appellant by hand on 28.11.2019. She adds that she has also brought the original file relating to the RTI application of the appellant today in the Commission.
5. The appellant was given time and asked to peruse the original documents related to his RTI application brought by the respondent.

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**AC.No. 3967 of 2019**

6. The appellant after going through the documents observed that information brought is complete. Photocopies of the same be provided to him duly page numbered, stamped and authenticated by the PIO. The Bench directed that the same be done, before the next date of hearing.

7. The matter to come up for further hearing now on **20.01.2020 at 11.30AM through video conference at O/o Deputy Commissioner, Patiala.** Copies of the order be sent to the parties.

Sd/-

**Chandigarh  
02.12.2019**

**(Lt Gen Ajae Kumar Sharma, (Retd)  
Punjab State Information Commissioner**

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Sh. Chander Shekhar, S/o Sh. Nishu Ram,  
Balmiki Colony, Jaito, Distt:Faridkot.

...Appellant

**Vs**

**Public Information Officer,**

O/o Executive Officer,  
Nagar Council, Jaito,  
Distt:Faridkot.

**First Appellate Authority-cum-**

O/o Deputy Director,  
Local Govt., Ferozepur.

.....Respondent

## **AC.No. 3961 of 2019**

### **PRESENT:**

- (i) None is present on behalf of the appellant.
- (ii) Sh. Ashok Kumar, Executive Officer-cum-PIO O/o Nagar Council, Jaito, the respondent

### **ORDER**

1. The RTI application is dated 31.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 21.08.2019 and second appeal was filed in the Commission on 22.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 02.12.2019 by the Commission.
3. The appellant is absent. Intimation has been received from the appellant in the Commission vide diary no.22254 dated 19.11.2019 that due to some personal reasons, he cannot appear for today's hearing. He has requested that next hearing be done through video conference.
4. Sh. Ashok Kumar, Executive Officer-cum-PIO O/o Nagar Council, Jaito is appearing in person, files reply to the Notice of the Commission. He stated that he has brought the information to deliver it personally to the appellant today in the Commission during the hearing.
5. The respondent is directed to send the information by registered post to the appellant today under intimation to the Commission. The Appellant is advised to revert back to the PIO as also the Commission, in case he is not satisfied with the information provided, before the next date of hearing.

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**AC.No. 3961 of 2019**

6. On the request of the appellant, the matter to come up for further hearing now on **20.01.2020 at 11.30AM through video conference at O/o Deputy Commissioner, Faridkot.**  
Copies of the order be sent to the parties.

Sd/-

**Chandigarh  
02.12.2019**

**((Lt Gen Ajae Kumar Sharma, (Retd))  
Punjab State Information Commissioner**



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Sh. Lajpat Rai, S/o Sh. Harbans Lal,  
H.No.B-3/287, Romana Street, Jaito,  
Distt:Faridkot.

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Nagar Council,  
Jaito, Distt:Faridkot.

**First Appellate Authority-cum-**  
O/o Deputy Director,  
Local Govt., Ferozepur Cantt.

.....Respondent

**AC.No. 3960 of 2019**

**PRESENT:**

- (i) Sh. Lajpat Rai, the appellant.
- (ii) Sh. Ashok Kumar, Executive Officer-cum-PIO O/o Nagar Council, Jaito, the respondent

**ORDER**

1. The RTI application is dated 31.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 21.08.2019 and second appeal was filed in the Commission on 22.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.12.2019 by the Commission.

3. The appellant states that till date, no information has been provided to him by the respondent.

4. Sh. Ashok Kumar, Executive Officer-cum-PIO O/o Nagar Council, Jaito is appearing in person, files reply to the Notice of the Commission. The PIO highlighted that the RTI application of the appellant is neither specific nor legible.

5. Since the information sought is voluminous, the appellant is advised to visit the office of the respondent and peruse the original records, on any working day with prior notice to the PIO. The respondent is directed to provide access to records in his office and give copies of documents needed by the appellant. Fifty pages are to be given, free of cost, additional pages to be provided at the cost of two rupees per page.

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**AC.No. 3960 of 2019**

7. The appellant observed that he cannot appear in person at the Punjab State Information Commission for next hearing due to the distance involved and requested for hearing through video conference.

8. On the request of the appellant, the matter to come up for further hearing now on **20.01.2020 at 11.30AM through video conference at O/o Deputy Commissioner, Faridkot.** Copies of the order be sent to the parties.

Sd/-

**Chandigarh  
02.12.2019**

**((Lt Gen Ajae Kumar Sharma, (Retd))  
Punjab State Information Commissioner**

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Sh. Gagandeep Singh Janjua,  
Village:Tura, P.O: Khumb, Tehsil:AMloh,  
Distt:Fatehgarh Sahib.

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Deputy Commissioner,  
Shahid Bhagat Singh Nagar,  
Nawanshahar.

**First Appellate Authority-cum-**  
Deputy Commissioner,  
Shahid Bhagat Singh Nagar.

.....Respondent

**AC.No. 4001 of 2019**

**PRESENT:**

- (i) None is present on behalf of the appellant.
- (ii) Ms. Paramjit Kaur, Clerk o/o Deputy Commissioner, SBS Nagar on behalf of the respondents.

**ORDER**

1. The RTI application is dated 19.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 19.08.2019 and second appeal was filed in the Commission on 24.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.12.2019 by the Commission.

3. The appellant is absent for today's hearing without any intimation to the Commission.

4. Ms. Paramjit Kaur, Clerk appeared on behalf of the PIO o/o Deputy Commissioner, Shaheed Bhagat Singh Nagar for today's hearing, having been duly authorized by the PIO. She filed reply to the Notice of the Commission mentioning therein that the information pertaining to point no.1 has been supplied to the appellant. She further adds that point nos. 2 and 3 being hypothetical questions cannot be answered by the PIO as per the Govt. of India notification no. 1/4/2009-IR dated 05.10.2009.

5. After perusing the record and reply filed by the PIO, I overrule the objection of the respondent and direct that the respondent mention clearly as to who ordered the investigation initially,

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**AC.No. 4001 of 2019**

thereafter on whose orders the investigation was transferred from Sub Divisional Magistrate, Banga to Sub Divisional Magistrate, Nawanshahar. Information will also be given on the present status of the investigation.

6. Last opportunity is now being given to the appellant to follow up the case before the Commission by appearing in person, failing which decision will be taken in his absentia based on documents available on file. The Bench also directed to the PIO to appear in person on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

7. The matter to come up for further hearing now on **07.01.2020 at 11.30AM**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh  
02.12.2019**

**(Lt Gen Ajae Kumar Sharma, (Retd))  
Punjab State Information Commissioner**

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Sh.Kimti Lal,S/o Sh. Amar Nath,  
H.No.346, Urban Estate, Phase-1,  
Jalandhar.

...Appellant

**Vs**

**Public Information Officer,**  
O/o Tehsildar,  
Jalandhar-1, Jalandhar.

**First Appellate Authority-cum-**  
O/o Sub Divisional Magistrate,  
Jalandhar.

...Respondent

**AC.No.3966 of 2019**

**PRESENT :** None of the parties.

## **ORDER**

1. The RTI application is dated 04.10.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 29.10.2018 and second appeal was filed in the Commission on 22.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 02.12.2019 by the Commission.
3. The appellant is absent for today's hearing without any intimation to the Commission.
4. A letter has been received from the Sub Divisional Magistrate, Jalandhar-(1)-cum-First Appellate Authority in the Commission vide diary no. 22889 dated 27.11.2019 mentioning therein that PIO o/o Tehsildar, Jalandhar has already given the information to the appellant vide letter dated 09.05.2019.
5. The PIO has not appeared for today's hearing, inspite of the Notice of the Commission. This shows his disregard to the authority of the Commission. The absence of the PIO is viewed seriously. It has also affected hearing and disposal of the case today. The PIO is directed to appear in person on the next date of hearing alongwith the entire records related to the RTI application of the appellant, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

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**AC.No.3966 of 2019**

6. Opportunity is again being given to the appellant to appear in person, before the Commission and bring out any issues/short comings related to information provided by the PIO.

7. The matter to come up for further hearing now on **08.01.2020 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh  
02.12.2019**

Sd/-  
**((Lt Gen Ajae Kumar Sharma,(Retd))  
Punjab State Information Commissioner**

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Sh. Mohinder Pal Singh,  
C/o Prem C Khanna, Advocate,  
# 144, Court Complex, Rajpura,

.....Complainant.

**Vs**

**Public Information Officer,**  
O/o Executive Officer,  
Nagar Council, Rajpura,  
Distt:Patiala.

## **Remanded Back**

### **First Appellate Authority**

o/o Deputy Director,  
Local Govt., Patiala.

.....Respondent

**CC.No. 938 of 2019**

**PRESENT :** (i) Sh. Mohinder Pal Singh, the complainant.  
(ii) Sh. Inderjit Singh, Clerk o/o Executive Officer, Nagar Council, Rajpura, on behalf of the respondent.

## **ORDER**

1. The RTI application is dated 16.09.2019 whereby the complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 23.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 02.12.2019 by the Commission.
3. The complainant states that till date, complete information has not been given to him by the respondent.
4. Sh. Inderjit Singh, Clerk appeared on behalf of the PIO O/o Executive Officer, Nagar Council, Rajpura for today's hearing, having been duly authorized by the PIO. He filed reply to the Notice of the Commission mentioning therein that the information is being denied as it is related to third party which is exempted under Section 8(1)(J) of the RTI Act. Further consent to share the information has not been given by the third party in question. He stated that reply to the RTI application of the complainant has been sent to him on 17.10.2019. Copy of the same is taken on record.

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**CC.No. 938 of 2019**

5. The complainant had filed a RTI application with the PIO on 16.09.2019 for certain information. He received a reply dated 17.10.2019 from the PIO, which he found unsatisfactory. The complainant therefore filed a complaint with the Commission on 23.10.2019 under Section 18 of the RTI Act.

6. From perusal of the record as available on the file, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the complainant.

7. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant case. Consequently, the First Appellate Authority (FAA) has not had the chance to review the PIO's decision as envisaged under the RTI Act.

8. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with by the decision of the First Appellate Authority (FAA). He is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

9. In view of the above, the case is **disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh  
02.12.2019**

Sd/-  
**((Lt Gen Ajae Kumar Sharma,(Retd))  
Punjab State Information Commissioner**



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