

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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S Jasbir Singh,
Village Bholapur, Jhabewal,
Post Office-Ramgarh, Distt Ldh

-----Appellant

Vs.

Public Information Officer,
O/o Chief Secretary
To Government of Punjab,
Pb Civil Sectt, Chandigarh

First Appellate Authority
O/o Chief Secretary
To Government of Punjab,
Pb Civil Sectt, Chandigarh

(Registered Post)

Public Information Officer,
Superintendent, PCS Branch,
6th Floor, Pb Civil Sectt-I, Chd

-----Respondent

Appeal Case No. 2608 of 2018

Present : (i) None is present on behalf of the appellant
(ii) For the respondent: Sh. Manoj Kumar, Sr. Assistant-cum APIO

ORDER

This order may be read with reference to the previous order dated 22.10.2019 vide which neither the appellant nor the respondent was present.

2. The appellant is absent today. He has sent a letter stating that he is unable to attend today's hearing.
3. Respondent files his reply which is as under:-

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Appeal Case No. 2608 of 2018

ਵਿਸ਼ਾ: ਅਪੀਲ ਕੇਸ ਨੰ: 2608 ਆਵ 2018-ਸ਼੍ਰੀ ਜਸਬੀਰ ਸਿੰਘ ਵਾਸੀ ਗੁਰੂ ਨਾਨਕ ਨਗਰ, ਪਿੰਡ ਰੋਲਾਪੁਰ
ਬਾਬੇਵਾਲ, ਭਾਕ ਰਾਮਗੜ੍ਹ, ਲੁਧਿਆਣਾ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਦੇ ਹੁਕਮ ਮਿਤੀ 17.09.2019 ਅਤੇ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਨੰ. 5/33/2018-
3ਪੀ.ਸੀ.ਐਸ./203, ਮਿਤੀ 26.09.2018 ਦੇ ਸਾਧ ਵਿੱਚ।
2. ਵਿਸ਼ਾ ਐਕਿਤ ਅਪੀਲ ਕੇਸ ਮਿਤੀ 22.10.2019 ਨੂੰ ਸੁਣਵਾਈ ਲਈ ਨਿਰਧਾਰਿਤ ਹੈ।
3. ਉਕਤ ਸਬੰਧੀ ਮਾਨਯੋਗ ਕਮਿਸ਼ਨ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਅਪੀਲਕਰਤਾ ਵਲੋਂ ਆਰ.ਟੀ.ਆਈ.ਐਕਟ
2005 ਤਹਿਤ ਹੇਠ ਲਿਖੀ ਸੂਚਨਾ ਮੁਹੱਈਆ ਕਰਵਾਉਣ ਲਈ ਬੇਨਤੀ ਕੀਤੀ ਜੀ:-
ਸਮੂਹ ਪੰਜਾਬ ਰਾਜ ਵਿੱਚ ਜਨਵਰੀ ਸਾਲ, 2010 ਤੋਂ ਲੈ ਕੇ ਫਰਵਰੀ, 2018 ਤੱਕ ਪੀ.ਸੀ.ਐਸ. ਅਤੇ ਪੀ.ਸੀ.ਐਸ.
ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਜੁਭੀਬੀਅਲ ਕੋਰਟ/ਪੰਜਾਬ ਰਾਜ ਮਨੁੱਖੀ ਅਧਿਕਾਰ ਕਮਿਸ਼ਨ, ਪੰਜਾਬ ਰਾਜ ਸੇਵਾ ਅਧਿਕਾਰ
ਕਮਿਸ਼ਨ ਅਤੇ ਪੰਜਾਬ ਰਾਜ ਸੂਚਨਾ ਅਧਿਕਾਰ ਕਮਿਸ਼ਨ ਤੋਂ ਕਿਸੇ ਪ੍ਰਕਾਰ ਦੀ ਸਜ਼ਾ ਹੋਈ ਹੋਵੇ, ਜੁਰਮਾਨਾ ਕੀਤਾ
ਗਿਆ ਹੋਵੇ ਜਾਂ ਫਿਰ ਅਦਾਲਤੀ ਕੇਸ ਚਲਦਾ ਹੋਵੇ, ਉਸ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਸੂਚਨਾ/ਲਿਸਟ ਦਿੱਤੀ ਜਾਵੇ।
4. ਅਪੀਲਕਰਤਾ ਵਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਸਪੈਸੀਫਿਕ ਨਹੀਂ ਸੀ। ਉਸ ਵਲੋਂ ਜਿਹੜੀ ਸੂਚਨਾ ਮੰਗੀ ਗਈ ਹੈ, ਉਹ
create ਕਰਨੀ ਪਵੇਗੀ, ਜੋ ਭਾਰਤ ਸਰਕਾਰ ਵੱਲੋਂ ਸੂਚਨਾ ਅਧਿਕਾਰ ਐਕਟ ਸਬੰਧੀ ਮਿਤੀ 28.11.2013 ਨੂੰ ਜਾਰੀ ਕੀਤੀਆਂ
ਗਾਈਡਲਾਈਨਾਂ ਦੇ ਪੈਰਾ 10 ਅਨੁਸਾਰ create ਨਹੀਂ ਕੀਤੀ ਜਾਣੀ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਅਪੀਲਕਰਤਾ ਵਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ
ਐਕਟ ਦੀ ਧਾਰਾ 6 (1) (ਬੀ) ਅਨੁਸਾਰ ਸਪੈਸੀਫਿਕ ਨਹੀਂ ਹੈ। ਇਸ ਲਈ ਅਪੀਲਕਰਤਾ ਨੂੰ ਉਕਤ ਸਬੰਧੀ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਮਿਤੀ
23.03.2018 ਰਾਹੀਂ ਲਿਖਿਆ ਗਿਆ ਸੀ।
5. ਇੱਥੇ ਇਹ ਵੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਅਪੀਲਕਰਤਾ ਵਲੋਂ ਤੱਥ ਛੁਪਾਉਂਦੇ ਹੋਏ ਅਪੀਲ ਦਾਇਰ ਕੀਤੀ ਗਈ ਹੈ,
ਕਿਉਂਕਿ ਉਸ ਵਲੋਂ ਅਪੀਲ ਵਿਚ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਮਿਤੀ 23.03.2018 ਦਾ ਕੋਈ ਜਿਕਰ ਨਹੀਂ ਕੀਤਾ ਗਿਆ।
6. ਇਸ ਲਈ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਉਕਤ ਅਪੀਲ ਰੱਦ ਕਰਨ ਦੀ ਕ੍ਰਿਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ,
ਕਿਉਂਕਿ ਪੀ.ਸੀ.ਐਸ. ਅਧਿਕਾਰੀਆਂ ਦੀ ਅਜਿਹੀ ਪੌਣੀ ਲਿਸਟ, ਜਿਵੇਂ ਕਿ ਅਪੀਲਕਰਤਾ ਵਲੋਂ ਮੰਗ ਕੀਤੀ ਗਈ ਹੈ, ਉਪਲਬਧ ਨਹੀਂ
ਹੈ।

4. After hearing the respondent and gone through the reply, it is observed that the appellant has not demanded specific information.

The Supreme Court of India in Civil Appeal No. 6454 of 2011 Central Board of Secondary Education Vs Aditya Bandopadhyay and ors. has in its judgment dated 09.08.2011 observed as under -

(37 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,

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Appeal Case No. 2608 of 2018

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.)

5. Since, the information is not specific, and the appellant is absent for third consecutive hearing, no cause of action is left. The instant Appeal is devoid of merit which is hereby **closed and disposed of**.

6. Announced in the Court. Copy of the order be sent to the parties.

Chandigarh
Dated: 02.12.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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

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Sh. Satish Kumar Bhiri, Advocate
Near Nehru park, Jaito, Distt. Faridkot -151202

Vs

Public Information Officer,
O/o MD,PUNGRAIN, Sector 39
Punjab, Chandigarh

First Appellate Authority
O/o Secretary PUNGRAIN, Punjab
Chandigarh

.....Appellant

.....Respondent

AC.No. 1958 of 2019

Present : (i) None is present on behalf of the appellant
(ii) for the respondent : Sh. Amit Kumar, Inspector

ORDER

This order may be read with reference to the previous order dated 14.10.2019 vide which neither the appellant nor the respondent was present.

2. Today the respondent states that the information, as exists, in the record has been provided to the appellant. He files his reply mentioning therein that no information is either pending or available with this office.

3. The appellant is absent today. He was not present even on the last two hearings. It is presumed therefore that he is satisfied with the information provided. Moreover the respondent has also given in writing that no information is either pending or available with this office.

4. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is therefore disposed of and closed. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 02.12.2019

(Preety Chawla)
State Information Commissioner

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Sector 16, Chandigarh.

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S. Jasbir Singh, Village Bholapur,
Jhabewal, Post Office Ramgarh,
District Ludhiana

Vs

Public Information Officer,
O/o Finance Commissioner (Revenue)
Punjab, Chandigarh - 160017

First Appellate Authority
O/o Finance Commissioner (Revenue)
Punjab, Chandigarh – 160017

Public Information Officer
O/o Deputy Commissioner, Ludhiana

.....Appellant

.....Respondent

AC No. 1325 of 2019

Present: (i) None is present on behalf of the appellant
(ii) Smt. Pooja Rani, Sr. Assistant, o/o DC, Ludhiana and Sh. Kulwant Singh,
Clerk, o/o Personnel Department on behalf of the respondent

ORDER

This order may be read with reference to the previous order dated 22.10.2019 vide which the appellant was not present.

2. Today again the appellant is not present.

3. Respondent states that the information has already been sent to the appellant. He files his reply mentioning therein that no information is either pending or available with this office.

3. The appellant is absent today. He was not present even on the last two hearings. It is presumed therefore that he is satisfied with the information provided. Moreover the respondent has also given in writing that no information is either pending or available with this office.

4. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is therefore disposed of and closed. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 02.12.2019

(Preety Chawla)
State Information Commissioner

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

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Sh. Raminderjit Singh
741, Sunny Enclave
Kharar, Mohali

Vs

.....Appellant

Public Information Officer,
O/o Deputy Registrar Cooperative Societies,
Sector 76, Mohali

First Appellate Authority
O/o Deputy Registrar Cooperative Societies,
Sector 76, Mohali

.....Respondent

AC.No. 1950 of 2019

Present: (i) Sh Raminderjit Singh, Appellant.
(ii) For the respondent : Sh. Prem, Sudpt

ORDER

This order may be read with reference to the previous order dated 22.10.2019 vide which a show cause notice was issued to the respondent-PIO.

2. Today the appellant states that he is not satisfied with the information provided by the respondent.
3. Respondent states that the information will be provided to the appellant as soon as possible.
4. Respondent is directed to file reply of show cause notice issued to him before the next date of hearing. He is also directed to provide complete information to the appellant before the next date of hearing.
5. To come up on **18.12.2019 at 11.00 AM** for further proceedings. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 02.12.2019

(Preety Chawla)
State Information Commissioner

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Sh. Kaur Singh Sidhu,
House No. 4, New Officer Colony,
Patiala - 147001

-----Complainant

Vs.

Public Information Officer,
O/o Nagar Improvement Trust,
Patiala

-----Respondent

Complaint Case No. 814 of 2019

Present: (i) None for the Appellant
(ii) For the Respondent-Sh Tarsem Singh, Jr Asstt.

ORDER

This order may be read with reference to the previous order dated 18.11.2019.

2. The Complainant is not present today.
3. The Respondent states that some more time is required to provide the information.
4. The perusal of the file shows that the Appellant is not present today. The Respondent had sought some time on the previous date of hearing also. Hence, one last opportunity is given to the Respondent to provide complete information to the Complainant before the next date of hearing.
5. To come up on **18.12.2019 at 11:00 AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 02.12.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Tejinder Singh, Advocate
Civil Court, Tehsil Complex
Backside Sanjh Kender,
Phillaur, Distt. Jalandhar - 144410

Vs.

-----Appellant

Public Information Officer,
O/o Food Safety Officer,
Amritsar
First Appellate Authority
o/o Civil Surgeon, Amritsar

-----Respondent

Appeal Case No. 3017 of 2019

Present: None for the parties.

ORDER

This order may be read with reference to the previous order dated 14.10.2019

2. The Appellant is not present today.
3. No one has appeared on behalf of the Respondent today. However, an e-mail has been received from the O/o Respondent stating that the information has already been provided to the Appellant.
4. The perusal of the file ascertains that the information has been sent to the Appellant by post. The Appellant is not present today. He was not even present on the previous date of hearing. Hence, it may be presumed that the Appellant is satisfied with the information provided. In view of the above, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 02.12.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Prem Singh, VPO Amarpura (BAhab Wala)
Tehsil Abohar, Distt. Fazilka - 152116

.....Appellant

Vs

Public Information Officer,
O/o BDPO, Abohar, Distt. Fazilka

First Appellate Authority
O/o BDPO, Abohar, Distt. Fazilka

.....Respondent

AC.No.2127 of 2019

Alongwith

AC No. 2124 of 2019

AC No. 2123 of 2019

Present: None for the parties.

ORDER

This order may be read with reference to the previous order dated

2. The Appellant is not present today. However, an e-mail has been received from the Appellant mentioning therein that he has received the complete information and is satisfied with it.

3. Since the complete information has been provided to the Appellant therefore, no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 02.12.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Sawinder Singh, (M:9814824772)
S/o S Bal Singh,
VPO Shutrana, Tehsil-Pattaran,
Distt Patiala-147105

.....Appellant

Vs

Public Information Officer,
O/o Asstt. Food Supply Officer, Pattran
Distt Patiala
First Appellate Authority,
O/o District Controller,
Food Civil Supplies and consumer Affairs, Patiala

.....Respondent

AC No. 2502 of 2019

Present : (i) None for the Appellant
(ii) For the respondent : Sh Simranjeet Singh, AFSSO and Sh Saurabh Gupta, AFSSO

ORDER

This order may be read with reference to the previous order dated 23.10.2019.

2. The Appellant is not present today. However, an e-mail has been received mentioning therein that he shall not be able to attend the hearing today. Copy of the same is taken on record. Further, another letter has been received from the Appellant vide Commission diary no.22138 dated 18.11.2019, stating that he had gone to the office of the Respondent for the inspection of record but the record was not shown to him properly.

3. The Respondent states that, as directed in the previous hearing, the Appellant had visited their office and inspected the record. The Respondent also shows a copy of the receiving given by the Appellant after the inspection of record mentioning therein that he had inspected record. Further, the Respondent also states that the information, as available, in their official record has been provided to the Appellant.

4. The perusal of the file ascertains that the available information has been provided to the Appellant. The appellant is not present today. Hence, one opportunity is given to the Appellant to appear before the Commission and state his case. To come up on **18.12.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated:02.12.2019

Sd/-
(Preety Chawla)
State Information Commissioner