



Sh. Deepak Dawra, S/o Sh.Satish Kumar,
R/o Gali EyeDaanWali, NearShaniMandir,
Distt.Fazilka

... Appellant

Versus

Public Information Officer,
O/o DEO (EE),
Fazilka.

First Appellate Authority,
DEO (EE),
Fazilka

..... Respondent

Appeal Case No. 2004 of 2020

PRESENT: Sh.Ankush Kumar for the Appellant
Sh.Rajinder Kumar, Dealing Assistant O/o DEO and Sh.Ajay Thukral,
Head Teacher of Sri Jain Elementary Primary School for the Respondent

ORDER:

The appellant through RTI application dated 03.02.2020 has sought information regarding leave record of Sh.Ajay Thukral, Head Master Sri Jain Elementary Primary School from Jan 2015 to December 2019 – leave availed – medical fitness certificate and other information as enumerated in the RTI application from the office of DEO(EE) Fazilka. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 17.03.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. The appellant claims that the PIO has not provided the information.

The respondent present from the office of DEO informed that since the information sought was in the custody of the head teacher, Sri Jain Elementary Primary School, the RTI application was transferred to them vide letter dated 04.02.2020 under section 6(3)(1)(ii).

The respondent present from Sri Jain Elementary Primary School informed that he is the only teacher in the school since 2017, handling five classes (having 53 students) and other administrative work, due to which the information could not be provided within time.

Having gone through the RTI application and hearing both the parties, the Head Teacher to whom the RTI has been transferred is directed to provide a record of casual, earned and medical leave availed by Sh. Ajay Thukral(Jan 2015-December 2019) to the appellant . However, medical certificate/fitness certificate, which is personal information, is not to be provided.

Furthermore, it has come to my notice that Sh.Ajay Thukral is a single teacher in this school since 2017 and according to him he single handedly teaches all five classes (53 students). Since this appears to be an appalling state of affairs, I'm bringing this matter to the notice of Secretary Education to look into the matter & probe into it.

To come up for further hearing on **11.01.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh
Dated:02.12.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Narinder Kumar Jain, S/o Sh Ram Kumar Jain,
Near Jain High School, Distt.Fazilka.

... Appellant

Versus

Public Information Officer,
O/o DEO (EE),
Fazilka.

First Appellate Authority,
DEO (EE),
Fazilka

..... Respondent

Appeal Case No. 2003 of 2020

PRESENT: Sh.Narinder Kumar as the Appellant
Sh.Davinder Kumar, Legal Assistant O/o DEO, Ms.Subita O/o
Block Primary Education Officer and Sh.Ajay Thukral, Head
Teacher of Sri Jain Elementary Primary School for the respondent

ORDER:

The appellant through RTI application dated 10.12.2019 has sought information regarding details of funds released for mid day meal to Sri Jain Elementary Primary School Fazilka – fund utilized and funds pending from 01.04.2019 to 10.12.2019 and other information concerning the office of DEO(EE) Fazilka. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.02.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. The appellant claims that the PIO has not provided the information.

The respondent present from the office of DEO(EE) informed that since the information relates to Block Primary Education Officer, Block Fazilka-2, the RTI application was transferred to the vide letter dated 12.12.2019 under section 6(3)(1)(2). The respondent present from the Block Primary Education Officer informed that the information is available with the Head teacher of the concerned school.

Sh.Ajay Thukral, Head Teacher is present and pleaded that the information sought by the appellant is in question form, it cannot be provided.

The Commission makes it clear that if the sought information exists, even though it appears to be in question form, it should be provided. The PIO is directed to provide the information and send a compliance report to the Commission.

To come up for compliance on **11.01.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh
Dated:02.12.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Rakesh Parkash s/o Sh.Jagan Nath,
R/o New Road, Kesar Vakilwali Gali,
Mansa.

.... Complainant

Versus

Public Information Officer,
O/o District Treasury Officer,
Mansa.

Complaint case No.473 of 2020

PRESENT: Sh.Rakesh Parkash as the Complainant
Sh.Jagtar Singh, District Treasury Officer, Mansa for the Respondent

ORDER:

The complainant through RTI application dated 12.05.2020 has sought information regarding copies of Bills dated 26.02.2019, 12.07.2019, 25.04.2019, 22.10.2019, 6.11.2019, 8.05.2019, 21.06.2019, 20.09.2019 alongwith amount released from treasury against these bills – account number in which the amount was deposited, name of account holder – name of official responsible for deposit of amount in the account of account holder - and other information concerning the office of District Treasury Officer, Mansa. The complainant was not satisfied with the reply of the PIO dated 09.06.2020 after which the complainant filed a complaint in the Commission on 27.07.2020.

The case has come up for hearing today through video conferencing at DAC Mansa. The respondent present informed that since the case is pending with Commissioner Ciber Crime Branch for enquiry, the information cannot be provided and the reply has already been sent to the complainant on 09.06.2020.

The complainant claims that when the RTI application was filed, the record was available with the District Treasury office.

Having gone through the RTI application, reply of the PIO and hearing both the parties, it is settled that the PIO provides whatever information is in his custody.

To come up for further hearing on **01.02.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mansa.

Chandigarh
Dated 02.12.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh.
Ph: 0172-2864114, Visit us @ www.infocommpunjab.com,
Email: psicsic30@punjabmail.gov.in



Sh Rajinder Kumar, S/o Sh. Mehar Chand,
Ward No-2, Supreme Enclave,
Near vishvkarma Bhawan,
Link Road, Mansa.

... Appellant

Versus

Public Information Officer,
O/o Additional Secretary,
Local Govt, Sector-35,
Chandigarh.

First Appellate Authority,
O/o Additional Secretary,
Local Govt, Sector-35,
Chandigarh

..... Respondent

Appeal Case No. 1946 of 2020

PRESENT: Sh.Rajinder Kumar as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 15.06.2020 has sought information regarding cancellation of charge of council Sh.Anil Kumar Councilor Ward No.23 MC Mansa and action taken against the council and other information concerning the office of Additional Secretary, Local Govt. Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 30.06.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Mansa. The appellant claims that his RTI application dated 15.06.2020 and First Appeal dated 30.06.2020 have not been accepted by the office of the Local Government and was returned to him with the following remarks- "Refused by Under Secretary". The appellant further informed that after the issue of notice of the Commission, the appellant has received a reply from the PIO on 01.11.2020 but the information has not been supplied by the PIO as per the RTI application.

From the above it is observed that the Under Secretary, Local Govt. Punjab has refused to accept the RTI application, the first appeal and sent a reply to the appellant only after the Commission issued a notice.

Given the above facts I am also making an observation here that this trend of returning RTI applications by the under secretary has been noticed in the previous appeal cases too and was brought to the notice of the concerned department. However, with more such instances showing up it is a matter of serious concern .

Hence, taking a strict view on this gross violation of an act passed by the Parliament of India , I hereby direct the Secretary, Local Govt. Department, Punjab to enquire into the matter that why RTI applications are being refused by the Under Secretary. To submit an enquiry report to the Commission on the matter before the next date of hearing.

Appeal Case No. 1946 of 2020

I am also enclosing a copy of the RTI application for the PIO to relook at the application and provide the information accordingly. In case of any clarification, the PIO may contact the appellant to sort out his grievances.

To come up for further hearing on **01.02.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mansa. The PIO to appear at Chandigarh.

**Chandigarh
Dated 02.12.2020**

Sd/-
**(Khushwant Singh)
State Information Commissioner**

**CC to: The Secretary,
Local Govt. Punjab,
Chandigarh.**

PUNJAB STATE INFORMATION COMMISSION
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Sh Rajinder Kumar, S/o Sh. Mehar Chand, Ward
No-2, Supreme Enclave,
Near vishvkarma Bhawan,
Link Road, Mansa.

... Appellant

Versus

Public Information Officer,
O/o Director,
Local Govt, Sector-35,
Chandigarh.

First Appellate Authority,
O/o Director,
Local Govt, Sector-35,
Chandigarh

..... Respondent

Appeal Case No. 2219 of 2020

PRESENT: Sh.Rajinder Kumar as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 11.05.2020 has sought information on 12 points regarding letter of the Director Local Govt No.17896 dated 28.04.2020 regarding meeting dated 17.01.2020 – letter No.149-50 dated 20.01.2020 - report of EO vide letter dated 24.01.2020 and other information as enumerated in the RTI application concerning the office of Director , Local Govt. Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 15.06.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Mansa. The appellant claims that the PIO has not provided the information.

The respondent is absent. Having gone through the file, the Commission observes that the copy of the RTI application that is with the commission is not legible. The appellant is directed to send a legible copy of RTI application to the Commission.

The PIO is directed to relook at the RTI application and provide the information to the appellant as per the RTI application.

To come up for further hearing on **01.02.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Mansa. The PIO to appear at Chandigarh.

Chandigarh
Dated 02.12.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

Note: Sh.Jang Bahadur Singh, Sr.Assistant O/o Local Govt.(General Branch) appeared late and brought the information. A copy of the information is being sent to the appellant with the order and the appellant is directed to point out the discrepancies, if any, in writing to the PIO and the PIO is directed to remove the same.

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Sh Rajinder Kumar, S/o Sh. Mehar Chand, Ward
No-2, Supreme Enclave,
Near vishvkarma Bhawan,
Link Road, Mansa.

... Appellant

Versus

Public Information Officer,
O/o Additional Secretary,
Local Govt, Sector-35,
Chandigarh.

First Appellate Authority,
O/o Additional Secretary,
Local Govt, Sector-35,
Chandigarh

..... Respondent

Appeal Case No. 2220 of 2020

PRESENT: Sh.Rajinder Kumar as the Appellant
None for the Respondent

ORDER: The appellant through RTI application dated 10.06.2020 has sought information regarding cancellation of charge of council Sh.Anil Kumar Councilor Ward No.23 MC Mansa and action taken against the counsel and other information concerning the office of Additional Secretary, Local Govt. Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 13.07.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Mansa. The appellant claims that the PIO has not provided the information . The appellant further informed that his First Appeal dated 13.07.2020 has been returned back to him with the remarks of the postal authority "Refused by Under Secretary".

It is clear that the Under Secretary, Local Govt. Punjab has refused to accept the First Appeal. This trend has also been observed in the previous appeal cases. Taking a strict view on this, I hereby direct the Secretary, Local Govt. Department, Punjab to enquire into the matter that why the RTI application/appeals are being refused by the Under Secretary and submit enquiry report to the Commission.

I am also sending a copy of the RTI application and direct the authority to reply as per the RTI application as the appellant has shown dissatisfaction over the reply that has been sent. The matter be taken serious and enquiry report be sent why appeals are being refused from receipt.

In the meantime, the appellant is directed to send a legible copy of the RTI application to the Commission.

To come up for further hearing on **01.02.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mansa. The PIO to appear at Chandigarh.

Chandigarh
Dated 02.12.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :Secretary,Local Govt.Pb, Chandigarh



Sh Rajinder Kumar, S/o Sh. Mehar Chand,
Ward No-2, Supreme Enclave,
Near vishvkarma Bhawan,
Link Road, Mansa.

... Appellant

Versus

Public Information Officer,
O/o Director,
Local Govt, Sector-35,
Chandigarh.

First Appellate Authority,
O/o Director,
Local Govt, Sector-35,
Chandigarh.

..... Respondent

Appeal Case No. 2128of 2020

PRESENT: Sh.Rajinder Kumar as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 13.05.2020 has sought information regarding decision taken vide resolution No.365 to 382 of general meeting dated 17.01.2020 of NC Mansa alongwith noting – resolution no.364 dated 29.11.2019 alongwith notice and other information concerning the office of Director , Local Govt. Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 15.06.2020 which took no decision on the appeal. After filing first appeal, the PIO sent reply to the appellant vide letter dated 25.06.2020 stating that the matter is under consideration. On being not satisfied with the reply, the appellant filed 2nd appeal in the Commission on 10.08.2020.

The case has come up for hearing today through video conferencing at DAC Mansa. The appellant claims that the PIO has not provided the information.

The respondent is absent. Having gone through the file, the Commission observes that the copy of the RTI application with the commission is not legible. The appellant is directed to send a legible copy of RTI application to the Commission.

The PIO is directed to relook at the RTI application and provide the information to the appellant as per the RTI application.

To come up for further hearing on **01.02.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Mansa. The PIO to appear at Chandigarh.

Chandigarh
Dated 02.12.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

Note: Sh.Jang Bahadur Singh, Sr.Assistant O/o Local Govt.(General Branch) appeared late and brought the information. A copy of the information is being sent to the appellant with the order and the appellant is directed to point out the discrepancies, if any, in writing to the PIO and the PIO is directed to remove the same.