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**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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Registered post

Sh.Amrik Singh, S/o Sh.Kaur Singh

H No. 481, Ksihan Bagh Colony, Street No. 8

Haripura Road, Sangrur

 Complainant

Versus

**Public Information Officer,**

o/o Principal,

Sadhu Ashram Sarvhitkari Sr Sec Vidya Mandir School

Haripura Road, Sangrur

**First Appellate Authority,**

o/o DEO(SE),Sangrur ...Respondent

**Complaint Case No. 247 of 2018**

Present: (i) Sh. Amrik singh the Complainant

 (ii) For the respondent : Sh. Ajay Goyal, vice Principal

**ORDER**

 This order may be read with reference to the previous order dated 31.05.2018.

2. As directed during the last hearing, respondent files an affidavit :-

"*1. That Sadhu Ashram Sarvhitkari Sr Sec. Vidya Mandir Sangrur is purely Private School. 2) Sadhu Ashram Sarvhitkari Sr Sec Vidya Mandir Sangrur is run by Sarvhitkari Educational Society registered in Chandigarh. 3) This school is not getting any type of financial help from the government. 4) No grant has been given directly or indirectly to this school by the government. 5) The school is totally dependent for finance on its own resources"*

3. Original affidavit is handed over to the complainant. Since, the order of the Commission has been complied, no cause of action is left. The complaint filed by the Complainant is therefore **disposed of and closed. Cop**y of the order be sent to the parties.

 Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 03.07.2018 State Information Commissioner**

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Sh Sh Manjeet Singh, S/o Sh Tara Singh,

R/o Ward No-8, Near 66KV Electricity House,

Chainpura Basti, Lehragaga,

Distt Sangrur.. Complainant.

Versus

**Public Information Officer,**

SSP,

Sangrur . ...Respondent

**Complaint Case No. 355 of 2018**

Present : (i) Sh.Manjeet Singh the complainant

 (ii) For the respondent : Sh.Ajaib Singh, ASI

**ORDER**

 This order may be read with reference to the previous order dated 07.06.2018 vide which the complainant was directed to inspect the record.

2. The complainant states that incomplete information has been given to him so far.

3. Respondent files written reply ,which is taken on record. He is directed to ensure that complete information is furnished to the complainant before the next date of hearing. However, if this information is not available on record, the PIO shall file an affidavit on oath stating the same.

4. **Sh. Harmeet Singh Hundal, SP(D)-cum APIO is directed to come present on the** next date of hearing with an affidavit.

5. To come up on **11.07.2018 at 11.00 AM**. Copy of the order be sent to the parties.

 Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 03.07.2018 State Information Commissioner**

***Through registered post***

CC: Sh. Harmeet Singh Hundal, SP(D)-cum APIO

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Registered post

Sh Manjit Singh, S/o Sh Talwinder Singh,

Village Thathian, P.O Bandala,

Distt Amritsar... Complainant.

Versus

**Public Information Officer,**

BDPO, Block Jandiala Guru,

Distt Amritsar. ...Respondent

**Complaint Case No. 365 of 2018**

Present : (i) Sh.Manjit Singh the complainant

 (ii) For the Respondent : Sh. Balwinder Singh,

**ORDER**

 This order may be read with reference to the previous order dated 11.06.2018 vide which Sh. Bhagwan Singh was directed to come present.

2. Today again Sh Bhagwan Singh is not present and the respondent Sh. Balwinder Singh is not aware about the facts of the case.

3. Last opportunity is given to Sh. Bhagwan Singh , BDPO to appear before the Commission, failing which action under Section 20 (1) of the RTI Act will be initiated.

4. To come up on **25.07.2018 at 11.00 AM.** Copy of the order be sent to the parties **through registered post.**

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 03.07.2018 State Information Commissioner**

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**Registered post**

Smt Manu Kataria, (UDC Accounts),

# 1392/1, B-Tank, Kacha, Patiala. Complainant.

Versus

**Public Information Officer,**

Deputy Chief Accounts Officer,

PSPCL, Patiala

**Remanded back**

**First Appellate Authority**

o/o Chief Financial Officer,

PSPCL,Patiala ...Respondent

**Complaint Case No. 367 of 2018**

Present : (i) Smt.Manu Kataria the complainant

(ii) For the respondent : sh. Rajinder Kumar, PIO, Sh. Navdeep Singh, Sr. Assistant

**ORDER**

 As directed during the last hearing, the respondent files an affidavit. Original affidavit is handed over to the complainant. The complainant has gone through the same and states that he is not satisfied with the affidavit.

2. I have gone through the file and found that this is the complainant and there is the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP © No. 32768-32769/2010)-Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof , it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

**Complaint Case No. 367 of 2018**

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

3. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse about the provided information, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act 2005, who will decide time limit accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

4. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

5. In view of the observations noted above, the instant case is **disposed of .** Copies of this decision be sent to the parties ***through registered post.***

 Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 03.07.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh Lakhwinder Singh,

H No-15, Gurdeep Singh Colony(Back Side Thapar College(,

Near Ablowal P.O Sidhuwal,

Patiala. . Appellant.

Versus

**Public Information Officer,**

Registrar, IBHO, (Water Resource Department),

Irrigation, Hydel Building, Sector-18, Chandigarh.

**First Appellate Authority,**

Director, Water Cell,

Water Resource Department,

Sec-17-E, Chandigarh. ...Respondent

**Appeal Case No. 1074 of 2018**

Present : (i) Sh. Lakhwinder Singh the appellant

 (ii) For the respondent :Sh. Kamaljit Singh, Sr. Assistant

**ORDER**

 The appellant- Sh. Lakhwinder Singh has given in writing that he has received the information and is satisfied. He also adds that he has also received compensation amount.

2. 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 order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 03.07.2018 State Information Commissioner**

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Sh Baldev Raj,

Royal County Colony, Near Taru da Wara,

Phagwara. . Appellant.

Versus

**Public Information Officer,**

DC.

Kapurthala.

**First Appellate Authority,**

Commissioner, Division Jalandhar,.

Jalandhar ...Respondent

**Appeal Case No. 998 of 2018**

Present : (i) Sh. Baldev Raj the appellant

(ii) For the respondent : Sh.Surinder Kumar, Patwari, Sh. Nirmal Singh, Supdt.

**ORDER**

 This order may be read with reference to the previous order dated 06.06.2018.

2. As directed during the last hearing, respondent files an affidavit which is as under;-

:*that in appeal case 998 of 2018 regarding your order dated 06.06.2018 I, state that the Mutation are in serial order and the page marking marked by Patwari is also in serial order. The patwari form no. 15 supplied by government printing press in serial no. 29, 96, 31. So there is no fault of Revenue Officials. Thus no record is manually manipulated and the serial number are in order.*

3. Original affidavit is handed over to the appellant. The appellant has gone through the same and is not satisfied. Sh.Jashanpreet, DRO is directed to come present on the next date of hearing with complete information in the commission office.

4. To come up on **10.07.2018 at 11.00 AM.** Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 03.07.2018 State Information Commissioner**

***Through registered post***

CC:Sh.Jashanpreet, DRO, Kapaurthala

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**Registered post**

Sh Gurcharan S/o Sh Sohan Lal,

R/o village Chak Mahanta Wala, Tehsil Guruharshai,

Distt Ferozepur Appellant.

Versus

**Public Information Officer,**

Panchayat Secretary, Gram Panchayat,

Chak Mahanta Wala, Tehsil Guruharshai,

Distt Ferozepur..

**First Appellate Authority,**

DDPO, Distt Ferozepur.

**Public Information Officer,**

o/o BDPO, Guruharsahai,

Ferozepur ...Respondent

**Appeal Case No. 1010 of 2018**

Present : (i) Sh. Gurcharan the appellant

 (ii) None is present on behalf of the respondent

**ORDER**

 This order may be read with reference to the previous order dated 09.05.2018 and 06.06.2018 vide which PIO, O/o BDPO, Guruharsahai Ferozepur is directed to come present.

2. But today again PIO,o/o BDPO, Guruharsahai is not present, which shows that they have no regard for the orders issued by the Commission. This is indeed serious matter. The appellant states that he has not received any information so far.

3. This has resulted in much avoidable inconvenience and hardship to the Appellant. He is, therefore, entitled to be compensated under Section 19(8)(b**) of** RTI Act 2005 for the loss and detriment suffered by him. In the circumstances, I am of the view that ends of justice would be met if a sum of **Rs.2000/- (Rupees Two Thousand Only)** is awarded to the Appellant as compensation. I order accordingly.

4. This amount shall be payable by the Respondent, o/o BDPO, Guruharsahai from the State exchequer within fifteen days from the receipt of this order under intimation to the Commission.

**Appeal Case No. 1010 of 2018**

5. Looking at the lackadaisical and highly irresponsible attitude of the respondents, BDPO, Guruharsahai is directed to show cause under Section 20(1) of the RTI Act, before the penalty is imposed as to:-

(i) Why supply of information as per RTI request sent to him has been delayed.

(ii) Why penalty be not imposed upon him for not supplying the information within time as prescribed under RTI Act 2005.

6. Respondent-PIO is directed to file an affidavit in this regard before the next date of hearing. Respondent-PIO is also directed to supply complete information to the appellant before the next date of hearing.

7. He may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice.

8. Adjourned to **17.07.2018 (at 11.00 AM)** for further proceedings. Copies of the order be sent to the parties ***through registered post***.

 Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 03.07.2018 State Information Commissioner**

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**Registered post**

Sh Gurcharan S/o Sh Sohan Lal,

R/o village Chak Mahanta Wala, Tehsil Guruharshai,

Distt Ferozepur Appellant.

Versus

**Public Information Officer,**

APO MGNREGA, Block Guruharsahai,

Distt Ferozepur.

**First Appellate Authority,**

DDPO,

Distt Ferozepur.

**Public Information Officer**

o/o Panchayat Secretary,

BDPO,Guuharsahai, Ferozepur ...Respondent

**Appeal Case No. 1011 of 2018**

Present : (i) Sh. Gurcharan the appellant

 (ii) None is present on behalf of the respondent

**ORDER**

 This order may be read with reference to the previous order dated 09.05.2018 and 06.06.2018 vide which PIO, O/o BDPO, Guruharsahai Ferozepur is directed to come present.

2. But today again PIO,o/o BDPO, Guruharsahai is not present, which shows that they have no regard for the orders issued by the Commission. This is indeed serious matter. The appellant states that he has not received any information so far.

3. This has resulted in much avoidable inconvenience and hardship to the Appellant. He is, therefore, entitled to be compensated under Section 19(8)(b**) of** RTI Act 2005 for the loss and detriment suffered by him. In the circumstances, I am of the view that ends of justice would be met if a sum of **Rs.2000/- (Rupees Two Thousand Only)** is awarded to the Appellant as compensation. I order accordingly.

4. This amount shall be payable by the Respondent, o/o BDPO, Guruharsahai from the State exchequer within fifteen days from the receipt of this order under intimation to the Commission.

**Appeal Case No. 1011 of 2018**

5. Looking at the lackadaisical and highly irresponsible attitude of the respondents, BDPO, Guruharsahai is directed to show cause under Section 20(1) of the RTI Act, before the penalty is imposed as to:-

(i) Why supply of information as per RTI request sent to him has been delayed.

(ii) Why penalty be not imposed upon him for not supplying the information within time as prescribed under RTI Act 2005.

6. Respondent-PIO is directed to file an affidavit in this regard before the next date of hearing. Respondent-PIO is also directed to supply complete information to the appellant before the next date of hearing.

7. He may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice.

8. Adjourned to **17.07.2018 (at 11.00 AM)** for further proceedings. Copies of the order be sent to the parties ***through registered post***.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 03.07.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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Sh Ramesh Pal Daaria,

 # 7, F.F, Sector-27-A,

Chandigarh. . Appellant.

Versus

**Public Information Officer,**

Assistant General Manager,(HR),

PUDA, Sector-62, Mohali.

**First Appellate Authority,**

PUDA, Sector-62,

Mohali ...Respondent

**Appeal Case No. 951 of 2018**

Present : (i) Sh.Ramesh Pal the appellant

(ii) for the respondent : Sh. Harsimran Singh, Clerk, Sh.Sunil Kumar, Clerk, Sh.Gagandeep Singh, Clerk

**ORDER**

 This order may be read with reference to the previous order dated 06.06.2018 vide which the appellant was directed to inspect the record.

2. Today the respondent states that they have brought complete information today in the Commission, which is handed over to the appellant. The appellant has gone through the same and states that the information pertaining to point no. 15 has not been given to him. Respondent states that the information pertaining to point no. 15 is third party information.

3. Respondent is directed to bring complete information in the Commission on the next date of hearing. The Commission will decide the matter on next date.

4. To come up on **26.07.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 03.07.2018 State Information Commissioner**

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Sh Tejinder Singh,

Village Bholapur, P.O Ramgarh,

Chandigarh Road, Ludhiana. Appellant.

Versus

**Public Information Officer,**

SDM, (Licensing Authority & Registering),

Tarn Taran..

**First Appellate Authority,**

DC,

Tarn Taran ...Respondent

**Appeal Case No. 943 of 2018**

Present : (i) Sh. Tejinder Singh the appellant

 (ii) None is present on behalf of the respondent

**ORDER**

 This order may be read with reference to the previous order dated 03.05.2018 vide which respondent stated that the appellant had not deposited documentation fee.

2. Today Sh.Tejinder Singh the appellant states that he has not received any letter regarding documentation fee from the respondent.

3. Therefore, respondent is directed to come present on the next date of hearing with proof and photocopy of record in the Commission.

4. To come up on **17.07.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 03.07.2018 State Information Commissioner**