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**Sh. Roop Singh**

S/o Sh. Makkar Singh

House No. 654-C, Type-II,

Rail Coach Factory,

Hussianpur, Kapurthala. Appellant

Versus

**Public Information Officer**

O/o Rail Coach Factory

Employees Primary Co-operative

Consumer Store Ltd.

Hussianpur, Kapurthala.

**First Appellate Authority**

O/o President, Rail Coach Factory

Employees Primary Co-operative

Consumer Store Ltd.

Hussianpur, Kapurthala.  Respondent

**APPEAL CASE NO. 369 of 2015**

**Present:** Adv. IPS Manjat on the behalf of appellant.

 Adv. Harbans Sharma present on the behalf of respondent PIO.

**ORDER**

1. Adv. IPS Manjat present on the behalf of appellant know the decision of State Information Commission whether **Rail Coach Factory Employees Primary Co-operative Consumer Store Ltd. Hussainpur, Kapurthala is a Public Authority or not** so that he may demand the requisite information or not.
2. Adv. Harbans Sharma present on the behalf of respondent PIO states and submits copies of orders of Hon’able Judge Sh. G.S. Sandhawalia of Punjab and Haryana High Court for Case – CWP-9873-2015 dated 03.10.2016 and orders of Hon’able Judge Sh. Thottathil B. Radhakrishanan of Kerela High Court for Case – WP(C) No. 18175 of 2006(L) 03.04.2009 **to support his petition that** **Rail Coach Factory Employees Primary Co-operative Consumer Store Ltd. Hussainpur, Kapurthala is a not Public Authority**  **that the said respondent is liable or bound to supply the requisite information**. The judgments are taken on record.
3. Adv. Harbans Sharma also states that the above said respondent is not the Pubic authority as substantially finance as only facilities like discounted tickets and/or railways passes, office space and subsidized or free electricity for their office or employees and it does not cover major finance of Rail Coach Factory as employees may on an average use railway facility about two times a year and similarly electricity and office space etc does not cover the major finance of Rail coach Factory.

Page 1 of 2

**APPEAL CASE NO. 369 of 2015**

For a comparison he also quoted an example that grants provided to private colleges and institutes by Government or Universities which is more than the facilities or finance provided to the said respondent and still the said colleges and institutes does not comes under Public Authorities. Another example he gave of Markfed is 90% financed by Government bodies therefore it comes under Pubic Authority and the said respondent is negligibly facilitated/financed by Rail Coach factory and thus on all the above said these grounds, the above said respondent is liable or bound to supply to the requisite information to the appellant.

1. After hearing both the parties and going through the case file, to decide the matter judgment is **Reserved.**
2. Announced in the Court. Copy of the order to be sent to the parties.

 **Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

Page 2 of 2

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**Sh. Raj Karan**

S/o Sh. Chamba Ram

R/o Vasti Darian Wali,

Tehsil Guruharsahai

District Ferozepur. Complainant

Versus

**Public Information Officer**

O/o Registrar Societies and Firms

Building 17 Bays, 3rd floor

Sector-17, Chandigarh. Respondent

**Complaint Case No. 1012 of 2017**

**Present:** Sh. Raj Karan, the appellant in person.

 Sh. Satnam Singh, SA (98556-11320) present on the behalf of respondent PIO

**ORDER**

1. Sh. Satnam Singh, SA states hands over the requisite information to the appellant during the hearing.
2. On this, Sh. Raj Karan, the appellant shows his dissatisfaction that information is that partial information has been provided to him and information is being intentionally hidden by the respondent PIO. He further verbally pointed out deficiencies to the respondent during the hearing.
3. After hearing both the parties and going through the case file it is found that partial information has been provided to the appellant therefore the respondent PIO is directed to provide the complete requisite information by the next date of hearing to the appellant, failing to which action under Section 20(1) will be initiated against him.
4. Appellant is also advised to pint out deficiencies if any after receiving the pending information from the respondent PIO as directed in point no. 3 of this order.
5. The matter is adjourned for further hearing on **09.03.2018 at 11:30 AM.**
6. Announced in the Court, copy of the order to be sent to the parties.

 **Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

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**Ms. Meetika** W/o Dr. Aman Kamra

H.No. 125, Kendriya Vihar,

Sector-48, (80998-20001)

Chandigarh. Complainant

Versus

**Public Information Officer**

O/o Registrar Baba Farid

University of Health Sciences

Faridkot. Respondent

**Complaint Case No. 1013 of 2017**

**Date of Institution: 19.09.2017**

**Date of Decision: 05.02.2018**

**Present:** Nobody on behalf of the complainant.

For the respondent: Advocate Niharika Gupta (85580-60900).

**ORDER**

1. Ms. Niharika Gupta on the behalf of respondent PIO states that requisite information has already been supplied to the complainant and no deficiency has been pointed out till date.
2. Ms. Meetika, complainant is absent second time without any intimation to the Commission for today’s hearing and nor did she file any reply in this regard. She was also absent on previous hearing dated 02.01.2018.
3. After hearing the respondent and examining the case file, it is found that on the previous hearings dated 05.12.2017, complainant, Ms. Meetika requested for an adjournment to go through the supplied information and complainant was advised to point out the deficiency, if any, in written to the respondent PIO along with a copy to the Commission and again last opportunity was given the complainant on 02.01.2018 in this regard but she failed to do so.
4. In the view of above, it has been assumed that the complainant is satisfied with the information received or lost interest in this case, and hence no further action is required in this case, therefore this instant complaint case is **disposed of and closed**.
5. Announced in the Court, copy of the order to be sent to the parties.

**Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

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**Sh. Balaur Singh** (94654-15237)

S/o Sh. Mahinder Singh

R/o Village Ralla

Tehsil & District Mansa. Complainant

Versus

**Public Information Officer**

O/o BDPO, Bhikhi,

District Mansa. Respondent

**Complaint Case No. 483 of 2017**

**Present:** Sh. Balaur Singh, the complainant in person.

**ORDER**

1. Sh. Balaur Singh, the complainant stated that the respondent PIO was provided partial information and he requires information of 6 months so he denied collecting the information as partial information is of no use to him.
2. Respondent PIO is absent without ant intimation to the Commission for today’s hearing and nor did he/she files any reply in this regard.
3. In view of the above, respondent PIO from the office of BDPO, Bhikhi, District Mansa will **show cause** under Section 20 (1) of the RTI Act, as to why penalty be not imposed upon him/her for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

In addition to his submission, the respondent PIO is also hereby given an opportunity under Section 20(1) provision, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing.

He/she may note that in case he/she does not file his/her submission and does not avail himself/herself of the opportunity of personal hearing on the next date fixed, it will be presumed that he/she has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

1. After hearing the complainant and going through the documents placed on record, last opportunity is given to the respondent PIO from the O/o BDPO, Bhikhi, District Mansa is directed to appear personally on next date of hearing along with the directions to provide the requisite information to the appellant, by the next dated hearing.

Page 1 of 2

**Complaint Case No. 483 of 2017**

6. The matter is adjourned for further hearing on **09.03.2018 at 11.30 AM**.

7. Announced in the Court, copy of the order to be sent to the parties.

 **Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

***Note:*** *Ms. Bhagwant Kaur, BDPO along with Sh. Darshan Singh, Superintendent (81465-43401) appeared late after the hearing was over along with the requisite information to hand it to the complainant and read out the above said order.*

*Ms. Bhagwant Kaur (BDPO) further added that the complainant is denting to collect information saying that it is incomplete information and he needs information of 6 months but she cleared the fact* ***the complainant requested the information of the MELA (Fate) dated 28, 29 and 30 March 2017 which is readily available with her.***  *She further added that information that is readily available with her is complete as per RTI application of the complainant and no other information is pending other than the said information.*

*After hearing the respondent PIO also, the respondent PIO is given last opportunity along with directions to bring the complete requisite information as per RTI application on next hearing to hand it over to the complainant so the deficiencies if any, may be pointed out by the complainant during the next hearing dated* ***09.03.2018 at 11.30 AM****.*

 **Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

Page 2 of 2

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**Sh. Jaspal Singh** (98150-17246)

S/o Sh. Ramesh Arora

House No. 319/3, Gurdeep Nagar,

Jagraon, Ludhiana. Appellant

Versus

**Public Information Officer**

O/o Deputy Director,

Urban Local Bodies, Ludhiana

**First Appellate Authority**

O/o DC, Ludhiana.  Respondent

**Appeal Case No. 2744 of 2017**

**Present:** Sh. Jaspal Singh, the appellant in person.

Sh. Sukhdev Singh Randhawa, EO cum PIO (98143-38927) in person.

**ORDER**

1. Sh. Jaspal Singh, the appellant states as on previous hearing that respondent provided two nakshas’ to him of the same colony (Grewal Colony) as requisite information relates with this colony. He requested to the respondent during the hearing to make this clear that which naksha is correct. He also mentioned that he has inspected the official record as per the last order of the Commission.
2. Sh. Sukhdev Singh Randhawa, EO states that original ‘naksha’ or site was sent to FAA and the second ‘naksha’ or site plan was forged ‘naksha’ which the PIO has got prepared or created inadvertently on the request of appellant. He further states that he does not have the authority to check the authenticity of information provided by earlier PIO as he as a PIO has only right to provide information as available in records.
3. On the directions of the Commission, Sh. Sukhdev Singh, EO also filed a written reply as mentioned above which the appellant denied to take and requested the Commission to transfer the case to **Hon’able CIC**. The above said reply by the respondent PIO is taken on record.
4. After hearing both the parties and going through the case file, on the request of appellant, I am of the considered view that an important issue is involved in this case, hence, **this case file is sent to Deputy Registrar to place it before the Hon’ble CIC to constitute a Full Bench/Larger Bench in this case to decide this issue.**
5. Announced in the Court, copy of the order to be sent to the parties.

**Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

**Copy to:** The Deputy Registrar

(Along with Case File)

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**Sh. Kuldip Singh**

S/o Sh. Raghunath Dass,

Bazar Vakilan, Hoshiarpur-146001. Appellant

Versus

**Public Information Officer**

O/o Director,

Urban Local Bodies, Pb.,

Chandigarh

**First Appellate Authority**

O/o Director, Urban Local Bodies,

Punjab, Chandigarh.  Respondent

**Appeal Case No. 2792 of 2017**

**Present:** Sh. Ankit Khanna on behalf of the appellant.

Sh. Munish Garg, Clerk (95695-95691) on the behalf of respondent PIO.

**ORDER**

1. Sh. Munish Garg, Clerk states that requisite information is not available in the official record. He further added that same was intimated to the appellant. He also gave the reference of written reply letter no. 78829 dated 27.12.2017 signed by PIO cum Superintendent, which is already on record and handed a copy of it to Sh. Ankit Khanna reprenstative of the appellant.
2. On previous hearing, Sh. Muneet Khanna the reprenstative of the appellant states that he had not received the said letter from the respondent PIO which today the respondent PIO has handed over to h. Ankit Khanna reprenstative of the appellant.
3. Sh. Ankit khanna was not satisfied with the reply filed by the respondent PIO and requested for an adjournment to file supporting documents in this regards the complete and/or requisite information has not been provided to him.
4. After hearing both the parties and going through the case file, on the request of the representative of appellant, one opportunity is given to the appellant (or his representative) to present documents if any in support that requisite or complete information has not been provided to him, failing to which the case would be considered as for non-pursuance by the appellant.
5. The matter is adjourned for further hearing on **09.03.2018 at 11:30 AM.**
6. Announced in the Court, copy of the order to be sent to the parties.

**Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

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**Sh. Tanveer Singh,**

H-9, Polytechnic Road, Dashmesh

Avenue, Block B, Near CIPET,

Amritsar – 143004 (99151-06112) Appellant

Versus

**Public Information Officer**

O/o Baba Farid University

of Health Sciences, Faridkot.

**First Appellate Authority**

O/o Registrar, Baba Farid University

of Health Sciences, Faridkot. Respondent

**Appeal Case No. 2591 of 2017**

**Present:** Sh. Tanveer Singh the appellant in person.

Adv. Nitika Bansal present for Adv. Nitin Kaushal on the behalf of respondent PIO.

**ORDER**

1. Adv. Neetika Bansal states and submits a copy that **Annexure ‘E’ and ‘F’ was present in the reply of point 6 and 7 but was not marked** and submits another copy of it**.** This copy is taken on record.
2. Sh. Tanveer Singh the appellant, states that information that relates to point no. 3, 4 & 5 is still pending.
3. After hearing both the parties and going through the documents, the respondent PIO is directed to provide pending requisite information that relates to point no. 3, 4 & 5 to the appellant through registered post by the next date of hearing positively, and also present the copy of receipt of said registered post to the Commission on next date of hearing, failing to which action under section 20(1) of RTI would be initiated against the respondent PIO.
4. The appellant is also advised to represent this case in person or through any of his representative(s) on next date of hearing along with advice to point out deficiencies, if any after receiving the pending information to the respondent PIO along with a copy of it to Commission, failing to which the case would be considered as for non-pursuance by the appellant.
5. The matter is adjourned for further hearing on **09.03.2018 at 11:30 AM**.
6. Announced in the Court. Copy of the order to be sent to the parties.

 **Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

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**Sh. Duni Chand S/o Sh. Har Lal,**

R/o B - 20 -1298, Krishna Nagar,

Ludhiana. (94178-14871) Appellant

Versus

**Public Information Officer**

O/o Deputy Commissioner,

Faridkot.

**First Appellate Authority**

O/o Deputy Commissioner,

Faridkot. Respondent

**Appeal Case No. 2626 of 2017**

**Date of Institution: 22.09.2017**

**Date of Decision: 05.02.2018**

**Present:** Nobody present on the behalf of appellant.

Sh. Chetan, SA (94647-22691) present on behalf of the respondent.

**ORDER**

1. An email and a letter have been received in the Commission vide dairy no. 1585 dated 22.01.2018 and 2267 dated 01.02.2018 respectively signed by PIO D.C. office, Faridkot mentioning therein that certified copy of information has been sent to the appellant through registered post as directed in previous order dated 20.12.2017. These mails are taken on record.
2. Sh. Chetan, SA also states and submits a copy of letter along with certified copy of information as above with requisite information. These documents are taken on record.
3. Appellant is absent without any intimation to the Commission and nor did he file any reply in this regard.
4. After hearing the respondent and going through the documents placed on record, it has found that the requisite information stands supplied, and hence no further action is required in this case, therefore this instant appeal case is **disposed of and closed.**
5. Announced in the Court. Copy of the order to be sent to the parties.

 **Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

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**Sh. Rohit Sabharwal**

Kundan Bhawan, 126,

Model Gram, Ludhiana. Appellant

Versus

**Public Information Officer**

O/o Additional Chief Secretary,

Department Local Govt., Govt. of Punjab,

Punjab Civil Secretariat -2,

Sector 9, Chandigarh.

**First Appellate Authority**

O/o Additional Chief Secretary,

Department Local Govt., Govt. of Punjab,

Punjab Civil Secretariat -2,

Sector 9, Chandigarh. Respondent

**Appeal Case No. 2637 of 2017**

**Present:** Nobody present on the behalf of appellant.

Sh. Gurpreet Singh, Building Inspector (98723-41887) present on the behalf of respondent PIO.

**ORDER**

1. Appellant is not present for today’s hearing but an email has been received from the representative of the appellant, Ms. Sukhjinder Kaur in the Commission from email id sukhjindergrewal2913@gmail.com dated 05.02.2017 stating that the appellant is unable to attend today’s hearing and requested for an adjournment. She further added in mail that no information has been received from the appellant till date. Copy of this mail is taken on record.
2. Sh. Gurpreet Singh, Building Inspector, states and submits a letter signed by Sh. Satish Chandra. IAS (Additional Chief Secretary) with regards to directions as per previous order dated 20.12.2017. This letter is taken on record
3. After hearing the respondent and going through the case file, respondent PIO directed to supply the requisite information to the appellant through registered post and file an affidavit covering all the aspects of RTI application failing to which action under section 20 (1) of RTI would be initiated against the respondent PIO. The appellant is also advised to point out deficiencies, if any, to the respondent PIO along with a copy of it to Commission after receiving the requisite information from respondent as said above, failing to which the case would be considered as for non-pursuance by the appellant
4. The matter is adjourned for further hearing on **09.03.2018 at 11.30 A.M**.
5. Announced in the Court. Copy of the order to be sent to the parties.

 **Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

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**Sh. Gursewak Singh, S/o Sh. Karam Singh,**

Village Saidpura, Tehsil Khamano,

PO- Bhari, District – Fatehgarh Sahib (98152-85150) Complainant

Versus

**Public Information Officer**

O/o Registrar, Baba Farid

University of Health Sciences,

Faridkot 151203 (01639-256232, 236).

**Public Information Officer**

O/o Punjab Nurses Registration Council,

Sikhya Bhawan, 7th Floor, E-Block,

Phase 8, Sector 62, SAS Nagar, Mohali 160062 Respondent

 **Complaint Case No. 1150 of 2017**

**Date of Institution: 22.09.2017**

**Date of Decision: 05.02.2018**

**Present:** Nobody present on the behalf of the appellant.

Ms. Darshi Devi, JA present on the behalf of respondent PIO from O/o PNRC and Adv. Niharika Gupta (85580-60900) Registrar, Baba Farid University of Health Sciences, Faridkot.

**ORDER**

1. Appellant is absent for today’s hearing but a letter has been received in the Commission vide diary no. 2378 dated 02.02.2018 mentioning therein that he has received the requisite information through registered post on 29.01.2018.
2. Ms. Darshi Devi, JA stated as mention above in point no. 1 of this order.
3. After hearing the respondent and going through the documents placed on records, it has found that the requisite information stands supplied and the complainant is satisfied with it, and hence no further action is required in this case, therefore this instant complaint case is **disposed of and closed.**
4. Announced in the Court, copy of the order to be sent to the parties.

**Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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**Sh. Tanveer Singh, (99151-06112)**

H-9, Polytechnic Road, Dashmesh Avenue,

Block B, Near CIPET, Amritsar -143004 Appellant

Versus

**Public Information Officer**

O/o Punjab Nurses Registration Council,

Sikhya Bhawan, 7th Floor, E-Block,

Phase 8, Sector 62, SAS Nagar, Mohali 160062.

**First Appellate Authority**

O/o Punjab Nurses Registration Council,

Sikhya Bhawan, 7th Floor, E-Block,

Phase 8, Sector 62, SAS Nagar, Mohali 160062. Respondent

 **Appeal Case No. 2990 of 2017**

**Present:** Sh. Tanveer Singh, the appellant in person.

Ms. Darshi Devi, JA along with Ms. Meenakshi, Assistant present on the behalf of respondent PIO.

**ORDER**

1. Sh. Tanveer Singh, the appellant states that copy of rules may be provided as requisite in RTI application. He further states that no rule for cancellation of certificate of student is mentioned in copy of rules on website.
2. On this, Ms. Darshi Devi states that copy of rules requisite is available on official website of PNRC. She also states that there is no rule for cancellation of certificate/degree of student and neither PNRC has any authority to cancel the certificate/degree of student
3. Sh. Tanveer Singh, the appellant, on this requested again for certified copies of copy of rules for legal purpose and requested for written reply regarding the cancellation of certificate/degree of student. He also handed over the copy of supporting judgments to the respondent PIO during the hearing
4. After hearing both the parties and going through the documents placed on record, last opportunity is given to the respondent PIO is directed to provided the certified copy of rules requisite in RTI application and also written reply regarding the cancellation of certificate/degree covering all the aspects of RTI application to the appellant by the next date of hearing, failing to which action under section 20(1) of RTI would be initiated against the respondent PIO.
5. The matter is adjourned for further hearing on **09.03.2018 at 11.30 AM**.
6. Announced in the Court, copy of the order to be sent to the parties.

**Sd/-**

**Chandigarh (Dr. Pawan Kumar Singla)**

**Dated: 05.02.2018 at 11:30 AM State Information Commissioner**