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Sh. Rajpal, Inspector-11 (Retd),

PUNSUP, H.No.5343, Gali NO.9,

Meharpura, Nawakot/Damganj,

Amritsar.

Appellant

Versus

**Public Information Officer,**

O/o District Manager,

PUNSUP, Amritsar.

**First Appellate Authority**

o/o District Manager,

PUNSUP, Amritsar.

.Respondent

**Appeal Case No. 610 of 2018**

**PRESENT:** (i) Sh. Rajpal, the appellant.

(ii)Sh. Keshav Chander, Sr. Auditor on behalf of the respondent.

**ORDER**

The RTI application is dated 18.08.2017 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 21.09.2017 and second appeal was filed in the Commission on 12.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 05.04.2018 in the Commission.

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

4. The respondent states that he has brought the information to deliver it personally to the appellant, today in the Commission.

5. After going through the information, the appellant states that the information relating to personal files of Sardool Singh PDC and Sh. Jagjit Singh, Inspector has not been provided.

6. The respondent states that this information is personal information which cannot be supplied as the third party information has denied that their personal information should not be disclosed to anybody else. Copy of the same is taken on record.

Contd…p-2

**Appeal Case No. 610 of 2018**

7. The appellant states that he is satisfied with the reply of the respondent and wants to close the case.

8. After hearing both the parties and perusing the record, it is ascertained that the information which was available in the record of the respondent stands supplied to the appellant with which the appellant is satisfied and has acknowledged the same.

9. In view of the above, no further cause of action is left in the instant Appeal Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Rakesh Kumar Gupta,

8/237, Jagraon Road, Mandi Mullanpur,

Distt: Ludhiana.

Appellant

Versus

**Public Information Officer**,

O/o State Election Commission,

Punjab, Sector:17,

Chandigarh.

**First appellate Authority**

o/o State Election Commission,

Punjab, Sector:17,

Chandigarh.

**Public Information Officer,**

o/o Additional Deputy Commission (Development)

-cum-Additional District Controller Officer,

Ludhiana.

Respondent

**Appeal CASE NO. 475 OF 2018**

**PRESENT:** (i) Sh. Rakesh Kumar Gupta, the appellant.

(ii) Sh. Gurcharan Singh, Sr. Assistant, Sh. Avtar Singh, PIO o/o ADC and Sh. Gurdip Singh, Suptd., on behalf of the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 22.02.2018.

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

3. Sh. Avtar Singh, PIO is appearing on behalf of o/o ADC (D), Ludhiana and states that the inquiry is still pending with the SDM (West), Ludhiana and will take some more time. They are the competent authority to complete the inquiry.

4. The PIO o/o ADC (D), Ludhiana is directed to look into the matter and submit the final action taken report, before the next date of hearing, failing which penalty will be initiated against the PIO for non compliance the orders of the Commission.

Contd…p-2

**Appeal CASE NO. 475 OF 2018**

5. The PIO o/o State Election Commission, Punjab is also directed to appear personally, on the next date of hearing.

6. The matter to come up for further hearing now on **19.06.2018 at 11.30AM.** Copies of the order be sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

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Sh. Surinder Arora,

B-X-245, Chowk, NImwara Boota Jat,

Mohala, Ludhiana.

. Complainant

Versus

**Public Information Officer,**

O/o Markfed, Punjab,

Sector:34/A, Chandigarh.

.Respondent

**Complaint Case No. 225 of 2018**

**PRESENT:** (i) None is present on behalf of the complainant.

(ii)Sh. Rajinder Sharma, PIO, the respondent.

**ORDER**

The RTI application is dated 04.12.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 12.02.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 05.04.2018 in the Commission.

3. The complainant is absent for today’s hearing without any intimation to the Commission.

4. The respondent files reply to the Notice of the Commission mentioning therein that the first reply has been sent to the complainant vide letter dated 16.01.2018 as the concerned file was not traceable and again the information has been sent to the complainant by registered letter dated 15.02.2018 and after that no deficiency, has been pointed out by the complainant.

5. The attention of the complainant is drawn to the decision of the Hon'ble Supreme Court of India dated 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 titled Chief Information Commissioner and Another Vs. State of Manipur and Another (arising out of SLP © No.32768-32769/2010) wherein it has been held that *while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the*

*Contd…p-2*

**Complaint Case No. 225 of 2018**

*information. As per the above decision of the Hon'ble Supreme Court of India, the Information Commission has a power to receive and enquire into the complaint of any person who has been refused access to any information requested under this Act (section 18 (1)(b)} or has been given incomplete, misleading or false information under the Act (Section 18(1)(e) or has not been given a response to a request for information or access to information within time limits specified under the Act (Section 18(1)(c))*.

6. In the complaint cases, it is to be seen whether the intention of the respondent-PIO is clear or not. In this case, the complainant has filed RTI on 04.12.2017 and the respondent-PIO has replied to the RTI application on 16.01.2018. He further states that the information has been sent to the complainant vide letter dated 15.02.2018, well in time.

7. In view of the above, no further cause of action is left in the instant Complaint Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

**Sd/-**

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

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Ms. Kulwant Kaur,

D/o Sh. Narinderjit Singh,

Adda Chahai, Amritsar Road,

Distt: Tarn Taran.

. Complainant

Versus

**Public Information Officer,**

O/o Chairman,

SC/ST Commission, Punjab,

Second Floor, Room No.108,

Punjab Civil Sectt., Chandigarh.

.Respondent

**Complaint Case No. 233 of 2018**

**PRESENT:** (i) None is present on behalf of the complainant.

(ii)Smt. Bhawana Sethi, Clerk on behalf of the respondent.

**ORDER**

The RTI application is dated 04.12.2017 whereby the information- seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 15.02.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 05.04.2018 in the Commission.

3. The complainant is absent for today’s hearing without any intimation to the Commission.

4. The respondent files reply to the Notice of the Commission mentioning therein that the first reply has been sent to the complainant vide letter dated 03.01.2018 and again the information has been sent to the complainant by registered letter dated 02.02.2018 and after that no deficiency, has been pointed out by the complainant.

5. The attention of the complainant is drawn to the decision of the Hon'ble Supreme Court of India dated 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 titled Chief Information Commissioner and Another Vs. State of Manipur and Another (arising out of SLP © No.32768-32769/2010) wherein it has been held that *while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the*

*Contd…p-2*

**Complaint Case No. 233 of 2018**

*information. As per the above decision of the Hon'ble Supreme Court of India, the Information Commission has a power to receive and enquire into the complaint of any person who has been refused access to any information requested under this Act (section 18 (1)(b)} or has been given incomplete, misleading or false information under the Act (Section 18(1)(e) or has not been given a response to a request for information or access to information within time limits specified under the Act (Section 18(1)(c))*.

6. In the complaint cases, it is to be seen whether the intention of the respondent-PIO is clear or not. In this case, the complainant has filed RTI on 04.12.2017 and the respondent-PIO has replied to the RTI application on 03.01.2018 and again on 02.02.2018 by registered post, well in time.

7. In view of the above, no further cause of action is left in the instant Complaint Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

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Sh. Tarsem Lal Jindal,

Neeli Chatri Wala,

H.No.306, Aastha Colony,

Dhanola Road, Barnala. Appellant.

Versus

**Public Information Officer,**

O/o District Programme Officer,

Barnala.

**First Appellate Authority,**

O/o Director,

Social Security Women and Child

Development, Punjab, Sector:34-A,

Chandigarh.

Respondent

**Appeal** **Case No. 617 of 2018**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii)Sh. Sukhdeep Singh, PIO the respondent.

**ORDER**

The RTI application is dated 29.11.2017 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 30.12.2017 and second appeal was filed in the Commission on 12.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 05.04.2018 in the Commission.

3. A letter has been received from the appellant in the Commission vide diary no. 6802 dated 03.04.2018 mentioning therein that complete information has not been supplied to him by the respondent.

4. The respondent files reply to the Notice of the Commission mentioning therein that the information has already been supplied to the appellant vide letter dated 28.02.2018.

5. The respondent is directed to file an affidavit that the information which has been supplied is as per office record and on what basis the information has been delayed, on the next date of hearing with a copy to the appellant, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

Contd..p-2

**Appeal** **Case No. 617 of 2018**

6. Last opportunity is given to the appellant to follow up his case in the Commission and seek the specific information from the respondent within ten days, failing which decision shall be taken on merit.

7. The matter to come up for further hearing now on **19.06.2018 at 11.30AM.** Copies of the order be sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

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Sh. Tarsem Lal Jindal,

Neeli Chatri Wala,

H.No.306, Aastha Colony,

Dhanola Road, Barnala. Appellant.

Versus

**Public Information Officer,**

O/o Deputy Director,

Social Security Women and Child

Welfare, Punjab, Sector:34-A,

Chandigarh.

**First Appellate Authority,**

O/o Director,

Social Security Women and Child

Welfare, Punjab, Sector:34-A,

Chandigarh.

Respondent

**Appeal** **Case No. 618 of 2018**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii)Smt. Nirmal Kumari, on behalf of the respondent.

**ORDER**

The RTI application is dated 29.11.2017 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 30.12.2017 and second appeal was filed in the Commission on 12.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 05.04.2018 in the Commission.

3. A letter has been received from the appellant in the Commission vide diary no. 6809 dated 03.04.2018 mentioning therein that no information has been supplied to him by the respondent.

4. The respondent files reply to the Notice of the Commission mentioning therein that the appellant has sought very voluminous information, which relates to the 22 districts of Punjab. She further states that the appellant was asked to seek the specific information.

5. The respondent is directed to file an affidavit that the information which has been sought by the appellant is not available in their office record, on the next date of hearing with a copy to the appellant, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

Contd..p-2

**Appeal** **Case No. 618 of 2018**

6. Last opportunity is given to the appellant to follow up his case in the Commission, failing which decision shall be taken on merit.

7. The matter to come up for further hearing now on **19.06.2018 at 11.30AM.** Copies of the order be sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

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Sh. Joginder Singh,

S/o Sh. Dayal Singh,

H.No.B-IV/922, Old Radha Swami Street,

Barnala.

Appellant

Versus

**Public Information Officer,**

O/o Director,

Food Civil Supplies and Consumer Affairs,

Punjab, Chandigarh.

**First Appellate Authority**

o/o Director,

Food Civil Supplies and Consumer Affairs,

Punjab, Chandigarh.

.Respondent

**Appeal Case No. 614 of 2018**

**PRESENT:** (i) Sh. Joginder Singh, the appellant.

(ii) Sh. Pardeep Singh, AFSO and Sh. Jarnail Singh, Sr. Assisant o/o Director, FSC on behalf of the respondent.

**ORDER**

The RTI application is dated 11.09.2017 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 20.11.2017 and second appeal was filed in the Commission on 12.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 05.04.2018 in the Commission.

3. The appellant states that he has received the information except point no.6.

4. The respondent states that he has brought the information relating to point no. 6. Copy of the same is handed over to the appellant today in the Commission.

5. After going through the information the appellant states that he is satisfied with the information provided.

6. In view of the above, no further cause of action is left in the instant Appeal Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

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Sh. Swaran Singh,

Village Mehmood Khane Ke,

P.O: Amir Khas, Tehsil:Jalalabad,

West, Block Guruharsahai, Distt:Fazilka.

…Appellant

Versus

**Public Information Officer,**

O/o Tehsildar,

Guruharsahai, Distt:Ferozepur.

**First Appellate Authority,**

o/o SDM,

Guruharsahai, Distt:Ferozepur.

...Respondent

**Appeal Case No. 2690 of 2017**

**PRESENT:** (i) Sh. Sawaran 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 22.02.2018

2. The appellant states that he has received the information and is satisfied.

3. A letter has been received from the respondent in the Commission vide diary no. 6629 dated 28.03.2018 which is taken on record.

4. After hearing the appellant and perusing the record, it is ascertained that the information which has been sought by the appellant stands supplied to him with which the appellant is satisfied and has acknowledged in writing his satisfaction.

5. No further cause of action is left in the instant appeal Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

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Sh. Krishan Gopal Singla,

S/o Sh. Brij Lal, Ward No.16,

B /190, Sangrur Road, Dhuri,

Distt: Sangrur. Appellant.

Versus

**Public Information Officer,**

O/o Deputy Registrar,

Cooperative Societies,

Sangrur.

**First Appellate Authority,**

O/o Deputy Registrar,

Cooperative Societies,

Sangrur.

Respondent

**Appeal** **Case No. 627 of 2018**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Rakesh Kumar, ARO, Moonak on behalf of the respondent.

**ORDER**

The RTI application is dated 25.11.2017 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 26.12.2017 and second appeal was filed in the Commission on 13.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 05.04.2018 in the Commission.

3. A letter has been received from the appellant in the Commission by email dated 04.4.2018 mentioning therein that no information has been supplied to him by the respondent.

4. The respondent files reply to the Notice of the Commission that the information was related with the Sabha and they have written to the concerned Sabha to provide the information but till today, no reply has been given.

5. Sh. Jugraj Singh, Secretary to Rampura Jawahar Wala, Service Sabha, Jawaharwala, Sangrur files reply to the Notice of the Commission mentioning therein that reply to the RTI application of the appellant has already been supplied to him vide letter dated 17.12.2017 that they do not covered under the jurisdiction of the RTI Act, 2005 i.e. the information cannot be supplied to him.

Contd…p-2

**Appeal** **Case No. 627 of 2018**

5. The PIO o/o Deputy Registrar, Cooperative Societies, Sangrur is directed to appear personally on the next date of hearing alongwith the written reply in response to the RTI application of the appellant, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. Last opportunity is given to the appellant to follow up his case in the Commission, on the next date of hearing, failing which decision shall be taken on merit.

7. The matter to come up for further hearing now on **19.06.2018 at 11.30AM.**  Copies of the order be sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Ranjish Kumar,

# 19274, Street No.6,

Bibi Wala Road, Bathinda.

Appellant

Versus

**Public Information Officer**,

O/o Principal,

RR Bawa DAV College for Boys,

Batala, Distt:Gurdaspur.

**First Appellate Authority**

o/o Principal,

RR Bawa DAV College for Boys,

Batala, Distt:Gurdaspur.

Respondent

**Appeal CASE NO. 3747 OF 2017**

**PRESENT:** (i) Sh. S.C.Arora on behalf of the appellant.

(ii) Sh. Dharampal, Office Suptd., on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 22.02.2018.

2. Sh. S.C.Arora is appearing on behalf of the appellant and states, that till today, no information has been supplied to the appellant.

3. The respondent states that he has brought the information to deliver it personally to the appellant today in the Commission. Copy of the same is handed over to the representative of the appellant.

4. After going through the information, the representative of the appellant states that he is satisfied with the information provided today.

5. In view of the above, no further cause of action is left in the instant Appeal Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Rajesh Kumar,

S/o Sh. Mehar Chand Sharma,

446-Diamond Avenue, Manjitha Road,

Amritsar.

Appellant

Versus

**Public Information Officer**,

O/o Deputy Commissioner of Police,

Amritsar.

**First Appellate authority**

o/o Police Commissioner,

Amritsar.

Respondent

**Appeal CASE NO. 3736 OF 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Surinder Singh, Dealing Hand on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 22.02.2018.

2. A letter has been received from the appellant in the Commission by email mentioning therein that till today, no information has been supplied to him by the respondent and has requested to take necessary action in the interest of justice.

3. The respondent states that complete information as per office record has already been supplied to the appellant by hand.

4. The respondent is directed to file an affidavit that the information which was available in the record stands supplied and nothing is pending to be supplied to the appellant. He is also directed to bring the original file on the next date of hearing, for the perusal of the appellant.

5. The appellant is also advised to follow up his case in the Commission, failing which decision shall be taken on merit.

6. The matter to come up for further hearing now on **19.06.2018 at 11.30AM. Copies** of the order be sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Pawan Kumar Sharma, Advocate,

Kothi No. 585,Phase-2, Mohali.

Complainant.

Versus

**Public Information Officer**,

O/o Assistant Registrar,

Cooperative Societies,

Verka Milk Plant, Phase-6,

Mohali.

Respondent

**Complaint Case No. 1211 of 2017**

Present : (i) Sh. Pawan Kumar Sharma, the complainant.

(ii) Sh. Amrit Singh, Sr. Assistant is present on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 22.02.2018.

2. The complainant states that till today, complete information has not been supplied to him by the respondent.

3. The respondent states that the information which was available in their record has been supplied to the complainant. He further submits that after receiving the RTI application of the complainant, he has forwarded the same to the concerned inspector vide letter dated 06.09.2017 that to provide the information to the complainant but they have replied that they does not covered under the preview of the RTI Act, 2005. He further adds that due to lack of knowledge of the RTI Act, they have not intimated the complainant in time but the information which was available stands supplied to him.

4. After hearing both the parties and perusing the record available on file it emerges that the respondent has provided the satisfactory information to the complainant but after the delay of two months. Therefore, the PIO is warned to be careful in future while dealing with the RTI application. I am satisfied with the reply of the respondent PIO and therefore the show cause notice issued to him is hereby discharged. **In the given circumstances, this case is hereby, remanded back to the PIO** who is directed to decide the RTI application afresh as per provisions of the RTI Act 2005. In view of the above, the instant Complaint Case is hereby, **disposed of and closed.**

Ssd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**05.04.2018 State Information Commissioner**