

PUNJAB STATE INFORMATION COMMISSION
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Helpline No. 0172-2864100



Sh.Dinesh Kumar, House No. 2859,
Ward No. 22, Kharar, Distt. Kharar (9316600064)

.....Complainant

..Vs

Registered post: **Public Information Officer,**
O/o EO, MC, Kharar
Distt. Mohali

.....Respondent

CC No. 39 of 2021

Present : (i) Sh. Dinesh Kumar, the Complainant
 (ii) For the respondent : Sh. Balwinder Singh, Clerk (9872278305)

ORDER

The RTI application is dated 31.07.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 31.12.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 06.04.2021 in the Commission i.e. today.

3. The complainant states that no information has been given to him so far.

4. Sh. Balwinder Singh is appearing on behalf of the respondent today.

5. After hearing both the parties, it is observed that no information has been given to the Complainant so far. The respondent, who is appearing on behalf of the respondent, is not aware about the facts of the case. This shows that the respondent-PIO has no regard for the orders issued by the Commission.

6. It is observed that the respondents are being represented by very low level officials who are not in a position to satisfy the commission and the appellant. From the next date of hearing, no person below the PIO or APIO will be allowed to appear. Appearance of low level officials will amount to disrespect to the RTI Act besides invoking the provisions of imposition of penalty and also award of compensation to the appellant and also recommendation of disciplinary action against the PIO under Section 20 of RTI Act, 2005.

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CC No. 39 of 2021

7. To come up on **31.05.2021 at 10.30 AM** for further proceedings in the Commission office. Copy of the order be sent to the parties.

Sd/-

Dated : 06.04.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Pawan Kumar Sharma, Advocate
Kothi No. 585 , Phase 2, Mohali (9463950619)

.....Appellant

..Vs

Public Information Officer,
O/o Deputy Commissioner, Mohali
First Appellate Authority
O/o Deputy Commissioner, Mohali

.....Respondent

AC No. 301 of 2021

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Akshay, J.E. and Sh. Sukhwinder Singh, ACE-cum-APIO

ORDER

1. The RTI application is dated 1910.2020 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 16.11.2020 and second appeal was filed in the Commission on 04.01.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.04.2021 in the Commission i.e. today.

3. The appellant is absent today. He has sent mail mentioning therein that he is unable to attend the hearing as *he has preoccupied in CIVIL COURTS*. He further adds that no information has been given to him so far.

4. The respondent states that the information demanded by the appellant is very voluminous and not maintained by the office. He further adds that the appellant was asked to visit the office by the First Appellate Authority on 22.12.2020, 05.01.2021 and 15.01.2021, but he has not attended any hearing.

5. After hearing the respondent and examining the case file, it is observed that the information demanded by the appellant is very voluminous. The appellant may take note that there is the judgment of The Supreme Court of India in Civil Appeal No. 6454 of 2011

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AC No. 301 of 2021

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, 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.)

6. This is the first date of hearing, hence one opportunity is given to the appellant to appear before the Commission and state his case.

7. To come up on **31.05.2021 at 10.30 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

Dated :06.04.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Mrs. Nivedita Singla w/o Sh. Deep Chand
House No. 28, Green Avenue Colony,
Amlah Road, Mandi Gobindgarh- 147301
District Fatehgarh sahib, Punjab (9851852000)

.....Appellant

..Vs

Public Information Officer,
O/o MC, Mandi Gobindgarh
Distt. Fatehgarh Sahib
First Appellate Authority
o/o Deputy Director, Urban Local Bodies,
Ludhiana

.....Respondent

AC No. 203 of 2021

Present : None for parties.

ORDER

The RTI application is dated 28.09.2020 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 05.11.2020 and second appeal was filed in the Commission on 28.02.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.04.2021 in the Commission i.e. today.
3. Today neither the appellant nor the respondent is present. They have not informed the Commission about their absence.
4. The perusal of the file shows that the notice of the respondent returned undelivered by the postal authority. I, accordingly order that copy of the notice has again been sent alongwith these orders to the respondent.
5. To come up on **31.05.2021 at 10.30 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

Dated :06.04.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh. Rajwinder Singh, S/o Sh. S. Kuldeep Singh,
R/o 2636, Gali No. 1, Azad Nagar, Near Shimla Market
Putligarh, Amritsar (9872821947)

.....Complainant

Vs

Public Information Officer,
O/o Vigilance Bureau,
Near District Chowk, Amritsar

.....Respondent

CC No. 695 of 2020

Present : None for the parties

ORDER

This order may be read with reference to the previous order dated 11.02.2021 vide which last opportunity was given to the respondent PIO to appear before the Commission.

2. Today, neither the complainant nor the respondent is present. The complainant has sent a mail mentioning therein that incomplete information has been given to him so far.
3. Since, today neither the complainant nor the respondent is present, one last opportunity is given to both the parties to appear before the Commission and state their case.
4. To come up on 31.05.2021 at 10.30 AM for further proceedings. Copy of the order be sent to the parties.

Sd/-

Dated :06.04.2021

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State Information Commissioner
Punjab

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Sh.Rajnish Bharara,
520 , Preet Colony, Zirakpur
Distt. Mohali-140603

.....Appellant

..Vs

Public Information Officer,
O/o Nagar Parishad, Zirakpur
First Appellate Authority
o/o Deputy Director,
Local Bodies, Patiala

.....Respondent

AC No. 260 of 2021

Present : None for parties.

ORDER

The RTI application is dated 29.02.2020 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 30.04.2020 and second appeal was filed in the Commission on 31.12.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.04.2021 in the Commission.
3. Today neither the appellant nor the respondent is present.
4. This is the first date of hearing, hence one more opportunity is given to both the parties to appear before the Commission and state their case.
5. To come up on **31.05.2021 at 10.30 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

Dated :06.04.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Iqbal Singh, Asstt. Professor (M-94634-24909)
Department of Physiology, Govt. Medical College,
Patiala

.....Appellant

..Vs

Public Information Officer,
O/o DRME, Pb Chandigarh
Sector-69, Mohali
First Appellate Authority
O/o DRME, Pb Chandigarh
Sector-69, Mohali

Registered post:

2. Public Information officer,
o/o Registrar Pharmacy Council,
Medical Education Bhawan, Sector 69
Mohali
3. Public Information officer,
o/o Registrar Nursing Council,
Medical Education Bhawan, Sector 69
Mohali

.....Respondent

AC No. 2288 of 2020

Present : None for the parties.

ORDER

This order may be read with reference to the previous order dated 11.02.2021 vide which PIO, o/o Registrar Pharmacy Council, Mohali and PIO, o/o Registrar Nursing Council was impleaded as respondent no. 2 and respondent no. 3.

2. Today neither the appellant nor the respondent is present.
3. Taking a lenient view, one last opportunity is given to both the parties to appear before the Commission and state their case.
5. To come up on **27.05.2021 at 10.30 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

Dated :06.04.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Arun Garg, (Er) M-78884-59837
S/o Sh Sham Lal Garg,
#40, Central Town, Village Dad, PO Lalton,
Ludhiana-142022

.....Appellant

..Vs

Public Information Officer,
O/o Superintendent, Central Jail, Ludhiana

First Appellate Authority
O/o Addl. DGP (Prisons) Pb Chd

.....Respondent

AC No. 2967 of 2020

Present: (i) None for the Appellant
(ii) for the Respondent: Smt Jaswant Kaur , Supdt Grade 2 Sh Chaman Lal, Sr Asstt
and Sh Harbans Lal, Asstt. Supdt.

ORDER

This order may be read with reference to the previous order dated 27.01.2021.

2. The Appellant is not present today.
3. The Respondent states that the information sought by the Appellant is not available in their official record. They have also filed their reply regarding the same. Copy of the same is taken on record.
4. The perusal of the case file ascertains that the Appellant is not present today. The Respondent states that the information is not available in their official record. Hence, the Respondent-PIO is directed to file their reply on affidavit stating the same on the next date of hearing.
5. To come up on **27.05.2021 at 11:00AM** in the Commission office. Copy of the orders be sent to the parties.

Sd/-

Dated: 06.04.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Birchh Bhan, S/o Sh Saroop Chand, (M-9876101698)
R/o House No 33, Kahangarh road, Pattran,
Distt Patiala

.....Appellant

..Vs

Public Information Officer,
O/o Punjab Small Scale Industries and Export Corp. Ltd, Chandigarh
Udyog Bhawan, Sector-17, Chandigarh
First Appellate Authority
O/o Punjab Small Scale Industries and Export Corp. Ltd, Chandigarh
Udyog Bhawan, Sector-17, Chandigarh

.....Respondent

AC No. 2947 of 2020

Present: (i) None for the Appellant
(ii) For the Respondent: Smt Jaswinder Rattan, Manager (M-78371-52541) and SH Baljinder Singh, Sr Executive (M-98722-96948)

ORDER

This order may be read with reference to the previous order dated 21.01.2021.

2. The Appellant is not present today.
3. The Respondent states that the information sought by the Appellant is not available in the form sought by the Appellant through his RTI Application. They have also filed their reply regarding the same. Copy of the same is taken on record.
4. The perusal of the file ascertains that the Appellant is not present today. The Respondent states that the information is not available in the form sought by the Appellant through his RTI Application. The appellant may take note that the information envisaged under the RTI Act is that which is available in the records of a public authority. No public authority is supposed to create, collate or generate information under the RTI Act on the asking of the information-seeker. Hence, the Respondent-PIO is directed to provide information, as available in their official record, according to the RTI application of the Appellant.
5. To come up on **27.05.2021 at 10.30 AM** in the Commission office. Copy of the orders be sent to the parties.

Dated:06.04.2021

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Sh. Narinder Pal Singh, (M-8566803826)
H.No-11851, Street No.-3,
SAS Nagar, Distt Ludhiana

.....Appellant

Vs

Public Information Officer,
O/o Commissioner of Police,
Mini Secretariat, Ferozepur Road,
Ludhiana
First Appellate Authority-cum-
O/o Commissioner of Police,
Mini Secretariat, Ferozepur Road,
Ludhiana

.....Respondent

AC.No. 1294 of 2019

Present : (i) Sh. Narinder Pal Singh the appellant
(ii) For the respondent: Sh Balkar Singh, SHO

ORDER

This order may be read with reference to the previous order dated 27.01.2021.

2. The Appellant states that the complete information has not been provided to him till date.
3. The Respondent states that they have brought the cheque of compensation today. The cheque of compensation is handed over to the Appellant today.
4. After hearing both the parties and perusing the case file, it is ascertained that the complete information has not been provided to the Appellant till date. The cheque of compensation has been handed over to the Appellant today. Further, the Respondent-PIO has failed to file his reply to the show-cause notice issued. Hence, an opportunity is again given to the Respondent-PIO to file his reply before the next date of hearing. Further the Appellant is directed to visit the office of the respondent on **07.04.2021 at 11:00 AM**, inspect the record and obtain the information.
5. To come up on **27.05.2021 at 10.30 AM** in the Commission office. Copy of the order be sent to the parties.

Sd/-

Dated : 06.04.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Naresh K. Gupta, Activist (9872761372)
Whistle Blower, R/o Chowk No.1
Jaitu, Distt Faridkot

.....Appellant

Vs

Registered post: **Public Information Officer,**
O/o Director General of Punjab
Punjab Police Headquater, Sector 9,
Chandigarh

First Appellate Authority-cum-
O/o Director General of Punjab
Punjab Police Headquater, Sector 9,
Chandigarh

Registered post: **Public Information Officer,**
O/o SSP Faridkot

.....Respondent

AC.No. 212 of 2021

Present : (i) Sh. Naresh K Gupta, Appellant
(ii) For the respondent: SI Ayenaaz Sidhu, (77104-44724)

ORDER

The RTI application is dated 11.09.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 28.12.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.04.2021 in the Commission.

3. The Respondent states that the information sought by the Appellant is lying with the PIO O/o SSP Faridkot. Hence, they have transferred the RTI of the Appellant to the PIO O/o SSP Faridkot. Further, she states that the PIO O/o SSP Faridkot has already provided information running into 104 pages to the Appellant.

4. The Appellant states that the information provided to him is not relevant and is misleading. Further, he states that the information pertaining to point no.i and ii are related to the Respondent no. 1.

5. After hearing both the parties and perusing the documents placed on record it is ascertained that the information pertaining to point no i and ii are related to the Respondent. Hence the Respondent-PIO is directed to provide the information relating to the same to the Appellant. Further, if the

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AC.No. 212 of 2021

information pertaining to point no.i and ii is not available in the official record of the Respondent then to file an affidavit for the same. For the rest of the information I order that PIO O/o SSP Faridkot be impleaded as Respondent no.2. He is directed to be present on the next date of hearing alongwith the complete information.

6. It is also observed that the respondents are being represented by low level officials who are not in a position to satisfy the commission and the appellant. From the next date of hearing, no person below the PIO or APIO will be allowed to appear. Appearance of low level officials will amount to disrespect to the RTI Act besides invoking the provisions of imposition of penalty and also award of compensation to the appellant and also recommendation of disciplinary action against the PIO under Section 20 of RTI Act, 2005.

Hence, PIO O/o respondent no. 1 and Respondent no. 2 are directed to be present personally on the next date of hearing.

7. To come up on **27.05.2021 at 10.30 AM** in the Commission office. Copy of the order be sent to the parties.

Sd/-

Dated : 06.04.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Iqbal Singh Rasulpur,
C/o Advocate Manmohan Katyal,
Chamber Near ADC Office, G.T.Road,
Jagraon- 142026 (8872200515)

.....Appellant

Vs

Public Information Officer,
O/o Additional chief Secretary,
Home Affairs and Justice, Punjab
Chandigarh
First Appellate Authority-cum-
O/o Additional chief Secretary,
Home Affairs and Justice, Punjab
Chandigarh

Registered post: Public Information Officer,
O/o Director, Bureau of Investigation, Pb
Sector-9, Chandigarh

.....Respondent

AC.No. 300 of 2021

Present : (i) Sh. Iqbal Singh Rasulpur, Appellant
(ii) For the respondent: Constable Manmehabpal Singh and Sh Shamsheer Singh,
Constable

ORDER

The RTI application is dated 20.07.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.12.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.04.2021 in the Commission.

3. The Respondent states that the information sought by the Appellant is lying with PIO O/o Director, Bureau of Investigation, Pb. The Respondent has filed his reply in this regard.

4. The Appellant states that no information has been provided to him so far.

5. After hearing both the parties and examining the documents placed on record, it is ascertained that the information has not been provided to the Appellant till date. Further, the Respondent states that the information is lying with PIO O/o Director, Bureau of

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AC.No. 300 of 2021

Investigation, Pb. Hence, I order that PIO O/o Director, Bureau of Investigation, Pb be implicated as Respondent no.2 The Respondent no.2 is directed to be present on the next date of hearing with complete information.

6. To come up on **27.05.2021 at 11.00 AM** in the Commission office. Copy of the order be sent to the parties.

Dated : 06.04.2021

Sd/-
(**Preety Chawla**)
State Information Commissioner
Punjab