



Sh. Ashwani Kumar,  
Nievt Complex, Rahon Road,  
Nawanshehar.

... Complainant

Versus

**Public Information Officer,**  
O/o Secretary, Nari Niketan,  
Jalandhar.

...Respondent

**Complaint Case No. 930 of 2020**

**PRESENT:   None for the Appellant**  
**None for the Respondent**

**ORDER:**

The complainant through the RTI application dated 19.03.2020 has sought information regarding the detail working/employment of Mrs.Navita Joshi in the Trust – designation held with duties – a copy of appointment letter –salaries and other information as enumerated in the RTI application from the office of Secretary Nari Niketan, Jalandhar. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 08.12.2020.

The case last came up for hearing on 28.04.2021 through video conferencing at DAC Jalandhar. The respondent was absent.

The Commission received a reply from Gurjot Kaur, General Secretary & Trustee, Nari Niketan Trust Jalandhar which was taken on the file of the Commission. It was mentioned in the reply that Nari Niketan Trust is a public charitable trust which does not receive substantial funding from any Government, directly or indirectly, as such it does not constitute a public authority under section 2(h) of the RTI Act and is under no obligation to share information under the RTI Act.

The appellant claimed that Nari Niketan Trust is availing sufficient grants from the Govt for its day to day functioning, thus it should come under the preview of the RTI Act.

The appellant was directed to submit sufficient evidence which might suggest that the Nari Niketan is a non-Government organization substantially financed, directly or indirectly by funds provided by the appropriate government.

**Hearing dated 06.07.2021:**

The case has come up for hearing today through video conferencing at DAC Jalandhar. The appellant has submitted a reply regarding Govt. funding provided to the Nari Niketan Trust, which has been taken on the file of the commission.

The respondent is absent.

Since there is prima facie evidence of government funding, a copy of the reply received from the appellant is being sent to the respondent to file a suitable reply.

**Complaint Case No. 930 of 2020**

A copy of the order is being sent to ADC (General ) Jalandhar with the direction to file a report on the quantum of government funds provided to Nari Niketan, Jalandhar from time to time, and the role of the district administration, if any, in the administration of the Nari Niketan Jalandhar.

To come up for further hearing on **31.08.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Jalandhar. The appellant to appear through VC at DAC Nawanshahar.

**Chandigarh**  
**Dated:06.07.2021**

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

**CC to: PIO-SDM, Jalandhar**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh**  
**Ph: 0172-2864114, Email: - [psic30@punjabmail.gov.in](mailto:psic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh. George Subh, S/o Sh. Rustam Masih,  
R/o Begowal, Ward No-12,  
Tehsil Bholath, Distt. Kapurthala.

... Complainant

Versus

**Public Information Officer,**  
O/o SSP (Rural),  
Amritsar.

**First Appellate Authority,**  
O/o IGP, Border Range,  
Amritsar.

...Respondent

**Appeal Case No. 3520 of 2020**

**PRESENT: Sh.George Subh as the Appellant**  
**Sh.Harpal Singh ASI for the Respondent**

**ORDER:**

The appellant through the RTI application dated 06.05.2020 has sought information regarding a copy of the SC certificate of Denis Masih or his service book as per the tentative seniority list of constable S.No.7567 and other information as enumerated in the RTI application from the office of SSP(Rural) Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 23.06.2020 which took no decision on the appeal.

The case last came up for hearing on 28.04.2021 through video conferencing at DAC Jalandhar. The PIO vide reply received in the Commission on 22.02.2021 stated that since the information is 3<sup>rd</sup> party information and the 3<sup>rd</sup> party has not given its consent to part with his personal information and the reply has been sent to the appellant

The respondent further informed that the appellant had earlier filed a similar appeal case No.2306 of 2020 for seeking exactly the same information which was disposed of by State Information Commissioner, A.S.Kaler on 22.10.2020. The respondent also sent a copy of the RTI application and order of SIC dated 22.10.2020 which was taken on the file of the Commission.

Having gone through RTI application in the present appeal case and appeal case No.2306 of 2020, the Commission observed that the appellant in appeal case No.2306 had sought information regarding details/SC certificates of all employees in the education department who suffix 'Masih' with their names or with their father's name and belongs to SC category and since the information sought was not found specific by the SIC rather it was vague as the appellant had not mentioned the name of any person for whom he was seeking information, the appeal case was rejected.

Since the present appeal case was different to the earlier appeal case No.2306, the PIO was directed to file an appropriate reply for denial of information.

**Appeal Case No. 3520 of 2020**

**Hearing dated 06.07.2021:**

The case has come up for hearing today through video conferencing at DAC Jalandhar. The respondent reiterated the earlier plea that since the information is 3<sup>rd</sup> party information and the 3<sup>rd</sup> party has not given its consent to part with his personal information, it cannot be provided.

The said 3<sup>rd</sup> party, Constable Denis Masih is impleaded in the case and directed to appear before the Commission on the next date of hearing.

The case is adjourned. To come up for further hearing on **31.08.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Jalandhar. The PIO and the 3<sup>rd</sup> party Sh. Denis Masih to appear through VC at DAC Amritsar.

**Chandigarh**  
**Dated: 06.07.2021**

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

**CC to :Sh.Denis Masih s/o Sh.Buta Mal**  
**1604/ASR-R, R/o Mission Compound,**  
**Gurdaspur.**



Smt Parmjit Kaur, W/o Sh. Onkar Prasad,  
Village Chachrari, Tehsil Phillaur,  
Distt Jalandhar.

... Appellant

Versus

**Public Information Officer,**  
O/o Child Development and Project Officer,  
Rurka Kalan, Distt Jalandhar.

**First Appellate Authority,**  
O/o District Social Security Officer,  
Jalandhar.

...Respondent

**Appeal Case No. 3945 of 2020**

**Present: Smt.Paramjit Kaur as the Appellant**  
**Ms.Sushma from the office of DSCO Jalandhar for the Respondent**

**Order:**

The case came up for hearing first on 17.03.2021 through video conferencing at DAC Jalandhar. The appellant claimed that the PIO has not supplied the information but informed that the information does not relate to them and the same be got from the concerned department.

The respondent present from the office of CDPO informed that since the information relates to the office of the District Social Security Officer, the RTI application was marked to them on 23.12.2019.

The Commission received a copy of the letter from the PIO-CDPO dated 22.02.2021 vide which the PIO had informed the appellant that the information does not relate to them and the same be got from the concerned department.

The respondent present from the office of DSSO Jalandhar had brought no information.

At the hearing, it was concluded that the information is in the custody of District Social Security Officer, Jalandhar. The PIO-DSSO Jalandhar was directed to provide information to the appellant within 15 days and send a compliance report to the Commission.

Since there has been an enormous delay in attending to the RTI application as per the provisions of the RTI Act, the PIO O/o Child Development and Project Officer (at the time of filing RTI application) Rurka Kalan was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

**On the date** of the last hearing on **28.04.2021**, the Commission received a reply from PIO-CDPO which has been taken on the file of the Commission. In the reply, the PIO stated that the earlier PIO had been transferred and she had joined on 08.01.2021. The PIO further mentioned that the information relates to the office of the District Social Security Officer and the RTI application was sent to them and the appellant was informed of the same. The DSSO called the information from the office of BDPO vide letter dated 31.03.2021 and again on 06.04.2021 but the information was not supplied by BDPO Rurkakalan and the reply was sent to the appellant by DSSO.

The Commission felt that since the case is not being represented appropriately by the concerned public authorities, leading to confusion as to under which department/departments lies the custody of the sought information, the case was marked to the Deputy Commissioner Jalandhar with the direction to look into the matter and ensure that the sought information is collected from the concerned department and provided as per the provisions of the RTI Act, to the appellant.

**Hearing dated 06.07.2021:**

The case has come up for hearing today through video conferencing at DAC Jalandhar. The respondent pleaded that the available information has been provided to the appellant on 07.04.2021. As per the appellant, the PIO has only provided information for six months from 01.01.2014 to 30.06.2014 and no other information has been provided.

As per the respondent, the information has not been received from the BDPO despite repeated reminders.

At the last hearing, the case was marked to the DC Jalandhar with the direction to ensure that the information is collected from the concerned department/departments and provided to the appellant as per the RTI Act. However, the status of information remains the same.

I am marking this to the Deputy Commissioner, Jalandhar to ensure that this matter is sorted out and the information is collected from the respective authorities and provided to the appellant.

The BDPO Rurkakalan is also impleaded in the case and directed to supply the information as called by the DSSO. The BDPO is also directed to be present on the next date of hearing with the entire record regarding this RTI application.

The case is adjourned. To come up for further hearing on **31.08.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Jalandhar.

**Chandigarh**  
**Dated:06.07.2021**

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

**CC to: 1. PIO-Deputy Commissioner,**  
**Jalandhar.**

**2. BDPO Rurka- Kalan,**  
**Distt.Jalandhar.**



Sh.Milandeep Singh,  
H No-48, Street No-1,  
Gurbaksh Colony,  
Patiala.

... Complainant

Versus

**Public Information Officer,**  
O/o MC,  
Patiala.

...Respondent

**Complaint case No.216 of 2020**

**Present:       None for the complainant**  
**None for the Respondent**

**ORDER:**

The complainant through RTI application dated 22.11.2019 has sought information regarding incomplete construction of road from old Bishan Nagar bridge to Gurbaksh Colony Bridge - map of the road, allotment letter, details of payment and other information concerning the office of MC Patiala. The appellant was not provided with the information after which the complainant filed a complaint in the Commission on 03.03.2020.

The case was first heard on 26.08.2020 through video conferencing at DAC Patiala. The respondent present pleaded that the information has been provided to the appellant and the appellant has received the same. The appellant was not satisfied with the information regarding point-5.

Having gone through the RTI application and hearing both the parties, the Commission observes that the information sought in point five is ambiguous imaginary in its form. The rest of the information stands provided.

The Commission further observed that there has been an enormous delay in attending to the RTI application. Taking a serious view, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of the last hearing on **06.01.2021**, the Commission received a reply from the PIO ( 23.10.2020) which was taken on the file of the Commission.

Having gone through the reply, the Commission observed that the PIO had tried to put the responsibility for delay in providing the information on the junior staff, whereas the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO unless transferred under section 5 (4) to seek assistance. The reply of the PIO was not satisfactory.

However, the PIO was given one more opportunity to file an appropriate reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say in the matter.

On the date of the last hearing on **28.04.2021**, the Commission has received a reply from the PIO on 23.04.2021 whereby the PIO maintained his earlier claim that the delay has occurred on the part of the junior staff, Sh. Mohan Lal, Municipal Engineer and Sh.Harbhajan Singh, Junior Engineer.

In the interest of justice, the Commission impleaded Sh. Mohan Lal, Municipal Engineer and Sh.Harbhajan Singh, Junior Engineer to file a reply on the charges made by the PIO, Joginder Singh.

**Complaint case No.216 of 2020**

**Hearing dated 06.07.2021:**

The case has come up for hearing today through video conferencing at DAC Patiala. Both the parties are absent.

Earlier order stands. The case is adjourned.

To come up for further hearing on **31.08.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Patiala.

**Chandigarh**  
**Dated 06.07.2021**

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