

PUNJAB, STATE INFORMATION COMMISSION

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

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E-mail-psic27@punjabmail.gov.in

Sh Inderjit Marwaha,
S/o Lt.Sh.B.L.Marwaha,
H.No 39/2, Friends Colony,
Opp DAV college, Jalandhar

..... Complainant

Vs

Public Information Officer,
O/o Joint Director,
Department of Food, Civil Supplies and Consumer Affairs,Pb
Anaj Bhawan, Sector 39-C,
Chandigarh

First Appellate Authority,
O/o Director,
Department of Food, Civil Supplies and Consumer Affairs,Pb
Anaj Bhawan, Sector 39-C,
Chandigarh

..... Respondent

AC . No. 3584 of 2018

Present : (i) None for the appellant
(ii) For the Respondent: Sh Amit Kumar, Inspector

ORDER

1. The RTI application is dated 10.03.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 22.10.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 06.12.2018 in the Commission.
3. The Appellant is absent today.
4. The Respondent has sought some time to provide complete information.
5. Today is the first date of hearing. The Appellant is not present. Therefore, some time is granted to the Respondent to provide complete information to the Respondent.
6. To come for further proceedings on **02.01.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 06.12.2018

(Preety Chawla)
State Information Commissioner

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Sh. Manjit Singh, S/o Shri S Nigahia Singh
Head Analyst Retd. Food & Supplies Department
R/o H.No. 4, Street No.10, Heera Bagh,
Jagraon, Distt.Ludhiana

.... Complainant

Versus

Public Information Officer,
O/o Director Food Civil Supplies and Consumer Affairs
Annaj Mandi, Sector 39, Chandigarh

..Respondent

CC No.1071 of 2018

Present: (i) Sh Manjit Singh, Complainant
(ii) For the Respondent-Smt Satinder Kaur, Sr Assistant.

ORDER

This order may be read with reference to the previous order dated 22.11.2018.

2. The Respondent states that, as directed during the previous hearing, the Complainant had visited the office of the Respondent for inspection of record, and the complete information was provided to him.

3. The Complainant states that he has received the complete information and is satisfied with it.

4. In view of the foregoing, no further cause of action is left. Hence, the Complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 06.12.2018

(Preety Chawla)
State Information Commissioner

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Sh. Sukhchain Singh
Secretary Nagar Welfare Society,
Sanan Mhalla Ward No.11
Fatehgarh Churian, Tehsil Batala,
Distt. Gurdaspur

.... Appellant

Versus

Public Information Officer,
O/o Director Food and Civil Supplies and consumer Affairs Department
Punjab Sector 39, Chandigarh
First Appellate Authority
O/o Director Food and Civil Supplies and consumer Affairs Department
Punjab Sector 39, Chandigarh

..Respondent

AC No.3545 of 2018

Present: (i) None for the Appellant.

(ii) For the Respondent- Smt Satinder Kaur, Sr. Assistant, Sh Sandeep,
Food and supplies Inspector and Smt Rajneet Kaur, Food and supplies
Inspector.

ORDER

This order may be read with reference to the previous order dated 22.11.2018.

2. The Appellant is not present today. However, he has sent an e-mail stating that he shall not be able to attend the hearing today. A copy of the same is taken on record.

3. The perusal of the file shows that complete information has not been given to the appellant so far. Sh. Sunil Francis- Inspector is not aware about the facts of the case.

This is indeed a serious matter.

5. 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.

AC No.3545 of 2018

6. In view of the foregoing, **PIO O/o Director Food and Civil Supplies and consumer Affairs Department** is directed to show cause 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.

7. **PIO O/o Director Food and Civil Supplies and consumer Affairs Department** is directed to file an affidavit in this regard before the next date of hearing. **PIO O/o Director Food and Civil Supplies and consumer Affairs Department** is also directed to supply complete information to the Appellant before the next date of hearing.

8. Adjourned to **02.01.2019 (11.00AM)** for further proceedings. Copies of the order be sent to the parties **through registered post.**

Sd/-

Chandigarh
Dated: 06.12.2018

(Preety Chawla)
State Information Commissioner

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Sh Baldev Raj,
Royal County Colony,
Near Taru da Wara, Phagwara

..... Complainant

Vs

Public Information Officer,
O/o Cooperative Society,
Vill-Dyalpur, Distt Kapurthala

First Appellate Authority,
O/o Deputy Registrar,
Cooperative Societies, Pb
Sector-17, Chandigarh

.....Respondent

AC . No. 3555 of 2018

Present: (i) none for the Appellant
(ii) For the Respondent-Sh Pargat Singh, Salesman.

ORDER

1. The RTI application is dated 17.07.2018 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 18.10.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 06.12.2018 in the Commission
3. The Appellant is not present today. However, he has sent an e-mail stating that he shall not be able to attend the hearing today.
4. The Respondent states that he has got the complete information today to be handed over to the Appellant. He further states that a copy of the information has also been sent to the Respondent. A copy of the same is taken on record.
5. The perusal of the file shows that the Respondent has got the complete information today. The Respondent has also given in writing that the complete information has been provided and there is nothing left to be furnished in this regard.

The Appellant is not present today. Hence, the Appellant is directed to collect the copy of the information from the Commission office on any working day.

6. In view of the foregoing, no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 06.12.2018

(Preety Chawla)
State Information Commissioner

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Sh Bhagwant Singh,
S/o Lt Sh Charan Singh,
R/o Vill Wahage Wala,
PO Khae Feme Ki,
Tehsil & Distt Ferozepur-1520023

..... Complainant

Vs

Public Information Officer,
O/o SSP, Ferozepur
First Appellate Authority-cum-
IGP, Ferozepur Range,
Ferozepur Cantt.

.....Respondent

AC . No. 3590 of 2018

Present: (i) Sh Bhagwant Singh, Appellant
(ii) For the Respondent-Sh Sukhwant Singh, S.I

ORDER

1. The RTI application is dated 12.07.2018 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 24.08.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 06.12.2018 in the Commission.
3. The Respondent states that he has got the complete information today to be handed over to the Appellant. A copy of the same is handed over to the Appellant.
4. The Appellant has gone through the same and states that the information is not complete and is misleading.
5. After hearing both the parties it is ascertained that the Appellant has failed to show the copy of the original complaint addressed to the SSP/SHO regarding which he has sought information in his RTI Application. Hence, the Appellant is directed to visit the office of respondent on **11.12.2018 at 11:00 AM**, inspect the relevant records, identify the documents copies whereof are required by him; and the respondent shall provided copies thereof, according to his RTI application, within a fortnight, in accordance with the relevant provisions of the RTI Act, 2005. The Appellant is

further directed to show the copy of the original complaint addressed to the SSP/SHO regarding which he has sought information in his RTI Application .

6. To come up for further proceedings on **02.01.2019 at 11:00 AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 06.12.2018

(Preety Chawla)
State Information Commissioner

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Sh. Jasbir Singh,
S/o Shri Harbans Singh Jalal
Khera,PO Sular, Tehsil and Distt.Patiala

.... Complainant

Versus

Public Information Officer,
O/o District Food and Supply Officer,
Mini Sectt.,Block A, Patiala

..Respondent

CC No. 1113 of 2018

Present: (i) Sh Jasbir Singh,Complainant

(ii) For the Respondent: Sh Varinder Singh, Inspector

ORDER

This order may be read with reference to the previous order dated 22.11.2018.

2. The Respondent states that he has brought the complete information today. A Copy of the same is handed over to the Complainant.

3. The Complainant has gone through the same and states that the information is complete and he is satisfied with it. In view of the foregoing, no further cause of action is left. Hence, the Complaint case filed by the Complainant is **disposed off and closed**.
Copy of the orders be sent to the parties

Chandigarh
Dated: 06.12.2018

Sd/-
(Preety Chawla)
State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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

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Sh Satish Kumar Bhiri, Advocate
Near Nehru Park, Jaito,
Distt Faridkot-151202

..... Complainant

Vs

Public Information Officer,
o/o Distt Manager, Markfed,
Faridkot.

First Appellate Authority,
O/o Distt Manager, Markfed
Faridkot

.....Respondent

AC . No. 816 of 2018

Present : (i) None is present on behalf of the appellant
(ii) for the respondent : Sh. Sunil Kumar, District Manager-cum-PIO

ORDER

1. The RTI application is dated 07.12.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 01.03.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The above said appeal was transferred from the bench of Madam Viney Kapoor Mehra on 30.10.2018. Then, notice of hearing was issued to the parties for 06.12.2018 in the Commission.

3. The complainant is absent today.

4. Respondent states that the information running into 186 pages has already been provided to the appellant. But till today the appellant has not pointed deficiencies. The perusal of the file shows that the appellant has not attended any hearing in the Commission.

5. In the aforementioned circumstance, I am of the opinion that no useful purpose would be served in keeping this appeal case pending for an indefinite period. However ,

taking a lenient view one last opportunity is given to the appellant Sh. Satish Kumar Bhiri to appear before the Commission and state his case. It is made clear that in case the appellant does not appear on the next date of hearing ,, appropriate order in his absence shall be passed.

6. Respondent is directed to file an affidavit stating that no more information is available in their office record on the next date of hearing.

6. To come up on **02.01.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 06.12.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Malkiat Khan,
S/o Sh.Jumma Khan,
Village Balipur, PO Kalyan,
Distt & Tehsil: Patiala

..... Complainant

Vs

Public Information Officer,
O/o Astt Registrar,
Cooperative Societies, Patiala
First Appellate Authority,
O/o Deputy Registrar,
Cooperative Societies, Patiala

.....Respondent

AC . No. 3549 of 2018

Present : (i) Sh. Malkiat Khan the appellant
(ii) Sh.Ravinder Nath, Supdt, Sh.Tejveer Singh, Inspector, Sh.Gurjant Singh, Secretary and Smt.Kamla Devi, Supdt.

ORDER

The RTI application is dated 11.08.2018 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 17.10.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.12.2018 in the Commission.
3. The appellant states that no information has been given to him so far.
4. Respondent states that regarding some information documentation fees has been demanded from the appellant but he has failed to deposit the same. Regarding remaining information, it is lying with the Society and society has refused to provide the same as they are not 'public authority'.
5. The appellant is directed to deposit the documentation fee and obtain some information. Regarding remaining information pertaining to the society ,the appeal is adjourned on **30.01.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 06.12.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Sahib Singh,
S/o Tara Singh,
Vill Sidhwa Khurd, PO Landha Munda,
Tehsil:Batala, Distt Gurdaspur

..... Complainant
Vs

Public Information Officer,
O/o Distt Program Officer,
Gurdaspur
First Appellate Authority-cum-
DC, Gurdaspur

.....Respondent

AC . No. 3558 of 2018

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Smt.Neha Nayyar, Legal –cum- Probation Officer

ORDER

The RTI application is dated 24.07.2018 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 23.10.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.12.2018 in the Commission.

3. The appellant Sh. Sahib Singh has informed on telephone that he is unable to attend today's hearing.

4. Respondent files reply that the information demanded by the appellant is third party information, therefore, cannot be provided under Section 11. She states that they have already sent to the reply to the appellant on 30.08.2018 which is as under:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਸਹਿਤ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਜੀ ਵਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਨਾਬਾਲਿਗ ਲੜਕੀ ਮਨਪ੍ਰੀਤ ਕੌਰ ਨਾਲ ਸੰਬੰਧਿਤ ਹੈ। ਜੁਵੇਨਾਇਲ ਜਸਟਿਸ ਐਕਟ, 2015 ਦੀ ਧਾਰਾ 3(XI) ਜੋ ਕਿ ਪ੍ਰਾਈਵੇਸੀ ਅਤੇ ਗੁਪਤਤਾ ਸਿਧਾਂਤ ਨਾਲ ਡੀਲ ਕਰਦਾ ਹੈ ਤਹਿਤ ਹਰ ਬੱਚੇ ਨੂੰ ਹਰ ਤਰਾਂ ਨਾਲ ਉਸ ਦੀ ਪ੍ਰਾਈਵੇਸੀ ਅਤੇ ਗੁਪਤਤਾ ਦੀ ਸੁਰੱਖਿਆ ਦਾ ਅਧਿਕਾਰ ਦਿੱਤਾ ਗਿਆ ਹੈ। ਇਸ ਲਈ ਇਸ ਸਿਧਾਂਤ ਨੂੰ ਦੇਖਦੇ ਹੋਏ ਨਾਬਾਲਿਗ ਲੜਕੀ ਮਨਪ੍ਰੀਤ ਕੌਰ ਦੀ ਸੂਚਨਾ ਆਪ ਜੀ ਨੂੰ ਡਿਸਕਲੋਜ਼ ਨਹੀਂ ਕੀਤੀ ਜਾ ਸਕਦੀ।

AC . No. 3558 of 2018

6. Respondent has also filed copy of the Juvenile Justice (Care and protection of children) Act 2015 in which it is clear that "*Principal of right to privacy and confidentiality: Every child shall have a right to protection of his privacy, and confidentiality, by all means and throughout the judicial process.*"

7. In my view, the information for which the appellant has applied falls squarely within the ambit of Section 11 of the Act and the denial thereof by the respondent is therefore upheld. The appeal filed by the appellant is therefore **disposed of and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 06.12.2018

Sd/-
(Preety Chawla)
State Information Commissioner