

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

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APPEAL CASE NO. 0534 OF 2022

Shri Aman Gupta, (94172 77017)
S/o Shri Surender Kumar Gupta,
R/o # 19713, New House No. 09567,
MCB Zone 2, Street No. 10, Ajit Road,
Bathinda – 151001

...Appellant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
Mini Secretariat, Bathinda -151001

First Appellate Authority
O/o Inspector General of Police,
Bathinda -151001

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Sanjeev Goyal, Representative of the Appellant.
Shri Gurmeet Singh, Sub Inspector on behalf of the Respondents (99154 36031)

ORDER: (FIRST HEARING)

The RTI application is dated 21.01.2022 vide which the Appellant has sought information from the PIO O/o Senior Superintendent of Police, Bathinda within 48 hours under Life and Liberty section 7 (i) of the RTI Act, on the following points in his RTI application: -

- 1) *Provide certified copies of complaint submitted by adjoining neighbour Dhillon PG for boys mobile no. 6283913061, House No. 19714 at Civil Line Police Station, Bathinda against applicant in connection with CCTV camera installed in Applicant's House.*
- 2) *Provide Registration Number of above said Dhillon PG.*

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 24.01.2022, the Appellant filed Second Appeal in the Commission on 27.01.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties for 07.02.2022.

The case is fixed for today. The Respondent states that information sought by the appellant relates with the PIO O/o Deputy Commissioner, Bathinda but even then information relating to point no. 1 of his RTI application has been provided to him and rest of the information laying with the PIO O/o Deputy Commissioner, Bathinda.

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APPEAL CASE NO. 0534 OF 2022

After examination of the case file, it is revealed that the information sought by the appellant does not fall under Section 7(i) of the RTI Act, 2005 (Life and Liberty). Nevertheless, the PIO provides the requisite information to the appellant within time.

The Appellant is advised to file fresh RTI application relating to the remaining information to the PIO O/o Deputy Commissioner, Bathinda within 10 days. The PIO O/o Deputy Commissioner, Bathinda is directed to supply the information to the appellant, under intimation to the Commission.

In view of the aforementioned, no further action is required on behalf of the Commission in the instant Appeal Case, the case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
01.02.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

Copy to the following for information and necessary action: -

(Regd. Post) The Public Information Officer,
O/o Deputy Commissioner,
Bathinda.

Encl: RTI Application.

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APPEAL CASE NO. 0657 OF 2021

S. Jasbir Singh, (98153 97246)
S/o Sh. Harbans Singh,
R/o Village Jalal Khara, Post Office Sular,
District Patiala.

...Appellant

Versus

Public Information Officer,
O/o Director General of Police, Punjab,
Sector – 9, Chandigarh.

Public Information Officer,
O/o Senior Superintendent of Police,
Patiala.

First Appellate Authority
O/o Director General of Police, Punjab,
Sector – 9, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: S. Jasbir Singh, Appellant.
ASI Hakam Singh O/o S.S.P., Patiala for the Respondents (94643 92733)

ORDER (FOURTH HEARING):

The RTI application is dated 04.11.2020 vide which the Appellant has sought information from the PIO O/o Director General of Police, Punjab, Sector – 9, Chandigarh on the following 4 points in his RTI application: -

ਵਿਸ਼ਾ: - ਮੈਨੂੰ R.T.I. ਐਕਟ 2005 ਦੇ ਰੂਲਾਂ ਮੁਤਾਬਿਕ ਮਿਤੀ 01.04.2014 ਤੋਂ 30.12.2014 ਤੱਕ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਸੂਚਨਾ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਵੇ S.S.P Office, Patiala ਥਾਣਾ ਪਸਿਆਣਾ, ਚੌਕੀ ਡਕਾਲਾ ਸਬੰਧੀ।

- 1) ਲਿਖਤੀ ਰੂਪ ਵਿੱਚ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ, ਜੋ ਚੌਕੀ ਇੰਚਾਰਜ ਉੱਪਰ ਦਿੱਤੀ ਮਿਤੀ ਅਨੁਸਾਰ ਚੌਕੀ ਡਕਾਲਾ ਵਿੱਚ ਤਾਇਨਾਤ ਰਿਹਾ ਹੈ, ਉਸ ਦੇ ਆਰਡਰਾਂ ਦੀਆਂ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।
- 2) ਲਿਖਤੀ ਰੂਪ ਵਿੱਚ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ, ਉਪਰੋਕਤ ਦਿੱਤੀ ਮਿਤੀ ਅਨੁਸਾਰ ਮੌਜੂਦਾ ਚੌਕੀ ਇੰਚਾਰਜ ਨੇ ਜਿਨ੍ਹਾਂ ਦਰਖਾਸਤਾਂ ਦੇ ਨਿਪਟਾਰੇ ਕੀਤੇ, ਉਨ੍ਹਾਂ ਦਰਖਾਸਤਾਂ ਦੀਆਂ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ ਅਤੇ ਉਨ੍ਹਾਂ ਦੀ ਲਿਸਟ ਵੀ।
- 3) ਲਿਖਤੀ ਰੂਪ ਵਿੱਚ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ। ਉਪਰੋਕਤ ਦਿੱਤੀ ਮਿਤੀ ਅਨੁਸਾਰ ਡਕਾਲਾ ਚੌਕੀ ਦੇ ਇੰਚਾਰਜ ਖਿਲਾਫ ਜੋ ਵੀ ਦਰਖਾਸਤਾਂ ਆਇਆਂ ਉਨ੍ਹਾਂ ਦਾ ਵੇਰਵਾ ਦਿੱਤਾ ਜਾਵੇ ਅਤੇ ਦਰਖਾਸਤਾਂ ਦੀਆਂ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।
- 4) ਲਿਖਤੀ ਰੂਪ ਵਿੱਚ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ ਜੋ ਵੀ ਦਰਖਾਸਤਾ ਉਸ ਕੋਲ ਉੱਚ ਅਧਿਕਾਰੀਆਂ ਕੋਲ ਆਇਆ ਜਾਂ ਚੌਕੀ ਇੰਚਾਰਜ ਨੂੰ ਦਿੱਤੀਆਂ ਗਈਆਂ ਉਹ ਕਿਸ ਧਾਰਾ ਤਹਿਤ ਦਫਤਰ ਵਿੱਚ ਦਾਖਲ ਕੀਤੀਆਂ, ਧਾਰਾ ਬਾਰੇ ਦੱਸਿਆ ਜਾਵੇ।

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APPEAL CASE NO. 0657 OF 2021

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 07.12.2020, the Appellant filed Second Appeal in the Commission on 27.01.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties for 25.05.2021.

During the hearing dated 25.05.2021, none for the parties, therefore, matter adjourned for 19.07.2021.

During the hearing dated 19.07.2021, the respondent stated that complete information had been handed over to the appellant whereas the appellant stated that he had received only information relating to point no. 3 of his RTI application. The PIO was directed to send copy of complete information in the Commission, matter adjourned for 12.08.2021.

During the hearing dated 12.08.2021, the respondent stated that remaining information lying with the Police Chowki, Dakala, therefore, PIO O/o SSP Patiala was directed to file written reply in this regard.

This case earlier heard by the Ld. State Information Commissioner Smt. Preety Chawla on 12.08.2021. However, since the Ld. State Information Commissioner has demitted his office on the completion of his tenure on 07.09.2021, the case has been re-allocated to the Bench of the undersigned.

The case is fixed for today. The Respondent states that remaining information has been supplied to the appellant and he has acknowledged the same.

The Appellant confirms that he has received the remaining information and acknowledges his satisfaction with the same and gives his consent to close the case.

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

**Chandigarh
07.02.2022**

**Sd/-
(Maninder Singh Patti)
State Information Commissioner**

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COMPLAINT CASE NO. 1130 OF 2021

Sh. Kamalpreet Singh, (7719791331)
R/o # 134, Basant City,
Threekay, Post Office Lalton Kalan,
District Ludhiana-142022

...Complainant

Versus

Public Information Officer,
O/o Controller of Stores, Punjab,
Sector – 10-C, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Kamalpreet Singh, Complainant.
None on behalf of the Respondent.

ORDER:

The RTI application is dated 21.06.2021 whereby the Complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.09.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act) and Notice of hearing was issued to the parties.

This case earlier heard by the Ld. State Information Commissioner Shri Hem Inder Singh on 30.11.2021. However, since the Ld. State Information Commissioner has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 21.01.2022.

The case is fixed for today, the Complainant states that no information has been provided to him by the PIO whereas the PIO is again absent for today's hearing. However, an email received in the Commission mentioning therein that ...ਵਿਸ਼ੇ ਅਧੀਨ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਪੱਤਰ ਨੰ: KP/21814, dated 21.06.2021 ਰਾਹੀਂ ਈ-ਮੇਲ ਪੱਤਰ ਨੰ: 200-203 ਮਿਤੀ 31.07.2020 ਨਾਲ ਸਬੰਧਤ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਸਬੰਧੀ ਕੋਈ ਨੋਟਿੰਗ, ਪ੍ਰੋਸੀਡਿੰਗ ਉਪਲੱਭਧ ਨਹੀਂ ਹੈ। ਜਿਸ ਕਰਕੇ ਦਫਤਰ ਪ੍ਰਾਰਥੀ ਨੂੰ ਇਹ ਸੂਚਨਾ ਉਪਲੱਭਧ ਕਰਵਾਉਣ ਵਿੱਚ ਅਸਮਰਥ ਹੈ। and same has been sent to the complainant.

In these circumstances, it is relevant to invite the attention of the Complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereby, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005.

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- 02 -

COMPLAINT CASE NO. 1130 OF 2021

The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under section 19 (1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

In case the Complainant has any grouse about the provided information, he is advised to challenge the response of the PIO, before the designated First Appellate Authority, as envisaged under section 19 (1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

Accordingly, this case is hereby, remanded back to the First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act, 2005.

If, however, the Complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under section 19 (3) of the RTI Act, 2005.

In view of the observations noted above, the instant Complaint Case is hereby,
Disposed Off and Closed. Copies of the order be sent to the parties.

Chandigarh
07.02.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

Copy to intimation and necessary action along with RTI application dated 21.06.2021.

First Appellate Authority,
O/o Additional Director,
Industries and Commerce Department, Punjab,
Punjab Udyog Bhawan,
Sector – 17, Chandigarh.

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COMPLAINT CASE NO. 1145 OF 2021

Sh. Kamalpreet Singh, (7719791331)
R/o # 134, Basant City,
Threekay, Post Office Lalton Kalan,
District Ludhiana-142022

...Complainant

Versus

Public Information Officer,
O/o Additional Chief Secretary,
Department of Industries, Punjab,
Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Kamalpreet Singh, Complainant.
None on behalf of the Respondent.

ORDER:

The RTI application is dated 21.06.2021 whereby the Complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.09.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act) and Notice of hearing was issued to the parties.

This case earlier heard by the Ld. State Information Commissioner Shri Hem Inder Singh on 30.11.2021. However, since the Ld. State Information Commissioner has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 21.01.2022.

The case is fixed for today, the Complainant states that no information has been provided to him by the PIO whereas the PIO is again absent for today's hearing. However, an email received in the Commission mentioning therein that information sought by the complainant is personal information, which cannot be provided to him under the RTI Act and same has already been conveyed to him.

In these circumstances, it is relevant to invite the attention of the Complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereby, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005.

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- 02 -

COMPLAINT CASE NO. 1145 OF 2021

The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under section 19 (1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

In case the Complainant has any grouse about the provided information, he is advised to challenge the response of the PIO, before the designated First Appellate Authority, as envisaged under section 19 (1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

Accordingly, this case is hereby, remanded back to the First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act, 2005.

If, however, the Complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under section 19 (3) of the RTI Act, 2005.

In view of the observations noted above, the instant Complaint Case is hereby, **Disposed Off and Closed.** Copies of the order be sent to the parties.

Chandigarh
07.02.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

Copy to intimation and necessary action along with RTI application dated 07.06.2021.

First Appellate Authority,
O/o Additional Director,
Industries and Commerce Department, Punjab,
Punjab Udyog Bhawan,
Sector – 17, Chandigarh.

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APPEAL CASE NO. 2398 OF 2021

Sh. Lalit Mohan Aggarwal (88067 77423)
C/o Sh. Vishnu Shukla,
Flat No.B-5, Wing A, Park Infiniya Society,
Chantaman Sankul, Fursungi,
Pune, Distt. Maharashtra,

...Appellant

Versus

Public Information Officer,
O/o Registrar,
Firms & Societies, Punjab,
Chandigarh.

First Appellate Authority,
O/o Registrar,
Firms & Societies, Punjab,
Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Lalit Mohan Aggarwal, Appellant.
Shri Dwarka Prasad, Sr. Assistant on behalf of the Respondents (98155 13167)

ORDER: (FOURTH HEARING)

The RTI application is dated 10.02.2021 vide which the Appellant has sought information from the PIO O/o Registrar, Firms and Societies, Punjab, Chandigarh on the following points in his RTI application: -

Subject Matter of Information	The Period to which information relates	Specify detail of information required
Certified copy of Form A & Form C of M/s Bharat Flour Mills, Pathankot duly registered vide S. No. 372/1967-1968 along with latest copy of partnership deed	For the Financial Year 2021-2022 (Latest)	Certified true copy of Form A under rule (5) & Form C under rule 9 of M/s Bharat Flour Mills, Pathankot duly registered vide S.No. 372/1967-1968 and the certified true copy of the latest partnership deed registered with the registrar of firms and societies Punjab

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- 2 -

APPEAL CASE NO. 2398 OF 2021

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 27.03.2021, the Appellant filed Second Appeal in the Commission on 19.05.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties for 07.09.2021.

During the hearing dated 07.09.2021, the appellant stated that incomplete information has been provided to him whereas the respondent sought some time to provide the information due to very old record. Adjourned to 18.11.2021.

During the hearing dated 18.11.2021, the appellant reiterated his earlier version whereas the respondent stated that information related to 54 years old record, however he was provided form A and C but partnership deed was not traceable. The matter further adjourned for 30.11.2021 with direction to supply the information if there is no information then file an Affidavit.

During the hearing dated 30.11.2021, both the parties were absent and matter adjourned for 07.02.2022.

This case earlier heard by the Ld. State Information Commissioner Shri Hem Inder Singh on 30.11.2021. However, since the Ld. State Information Commissioner has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 21.01.2022.

The case is fixed for today. The Respondent states that remaining information sought by the appellant has been supplied to him.

The Appellant confirms that he has received the remaining information and acknowledges his satisfaction with the same and gives his consent to close the case.

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

**Chandigarh
07.02.2022**

Sd/-
(Maninder Singh Patti)
State Information Commissioner

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APPEAL CASE NO. 3497 OF 2021

S. Sukhchain Singh, (94635 18565)
R/o Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala, District Gurdaspur.

...Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Gurdaspur.

First Appellate Authority
O/o Deputy Commissioner,
Gurdaspur.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None on behalf of the Appellant.
Sh. Satnam Singh, Superintendent for the Respondents (98721 15612)

ORDER (FIRST HEARING):

The RTI application is dated 28.12.2020 vide which the Appellant has sought information from the PIO O/o Deputy Commissioner, Gurdaspur on the following 3 points in his RTI application: -

The period to which information relates ਚਾਲੂ ਸਾਲ 2020-21 ਦਰਮਿਆਨ

Specific Details of information required ਪੱਤਰ ਨੰ 1317 ਮਿਤੀ 12/11/20 ਸਬੰਧੀ।

- 5) ਪੱਤਰ ਨੰ: 1317 ਮਿਤੀ 12/11/20 ਅਨੁਸਾਰ ਜੋ ਸ਼ਕਾਇਤ ਦੀ ਪੜਤਾਲ ਕੀਤੀ ਗਈ ਇਸ ਦੀ ਪੜਤਾਲੀਆ ਰਿਪੋਰਟ ਸਬੰਧਿਤ ਇਸਦੇ ਬਿਆਨਾਂ ਦੀਆਂ ਕਾਪੀਆਂ ਮੁਹੱਈਆ ਕਰਵਾਇਆ ਜਾਣ।
- 6) ਇਸ ਬਹੁ-ਕਰੌੜੀਆਂ ਜਮੀਨ ਉਪਰ ਹੋਏ ਕਬਜ਼ੇ ਸਬੰਧੀ ਕਿਸ ਕੋਰਟ ਅੰਦਰ ਕੇਸ ਚਲ ਰਿਹਾ ਹੈ ਅਤੇ ਕਿਸ ਵਿਅਕਤੀ ਵੱਲੋਂ ਕਿਸ ਅਦਾਲਤ ਅੰਦਰ ਕਿਸ ਜਗਾ ਦਾ ਕੇਸ ਚਲ ਰਿਹਾ ਹੈ ਇਸ ਸਬੰਧੀ ਰਿਕਾਰਡ ਮੁਹੱਈਆ ਕਰਵਾਇਆ ਜਾਵੇ।
- 7) ਮਿਤੀ 23/12/20 ਨੂੰ ਨੱਥੀ ਪੱਤਰ ਅਨੁਸਾਰ ਆਪ ਜੀ ਨੂੰ ਮੇਲ ਰਾਹੀਂ ਸ਼ਕਾਇਤ ਦਰਜ ਕਰਵਾਈ ਗਈ ਸੀ ਇਸ ਸ਼ਕਾਇਤ ਦਾ ਡਾਇਰੀ ਨੰ: ਅਤੇ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਦੀ ਸੂਚਨਾ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਏ (ਇਹ ਸ਼ਕਾਇਤ ਮੇਲ ਰਾਹੀਂ ਕੀਤੀ ਗਈ ਹੈ)

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 05.04.2021, the Appellant filed Second Appeal in the Commission on 30.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties for 07.02.2022.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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- 2 -

APPEAL CASE NO. 3497 OF 2021

The case is fixed for today. The Respondent states that requisite information has already been supplied to the appellant and he has acknowledged the same in writing.

The Appellant is absent from hearing through Webex. As such he is contacted on mobile phone. He states that he has received information and gives his consent to close the case.

Therefore, no further cause of action is left in the instant Appeal Case, the case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
07.02.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3553 OF 2021

Shri Satwinder Singh, (98772 12926)
S/o Shri Sukhwinder Singh,
R/o Village Kalar, Post Office Gujjarpura,
Tehsil Batala, District Gurdaspur - 143507

...Appellant

Versus

Public Information Officer,
O/o Joint Registrar,
Cooperative Societies,
Jalandhar.

First Appellate Authority
O/o Registrar,
Cooperative Societies, Punjab,
Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Satwinder Singh, Appellant.
Shri Subhash Saini, Superintendent (Audit), Shri Santokh Singh, Sr. Assistant for the
Respondents (94643 17604), Shri Ravi Kumar, Superintendent for FAA (98764 83085)

ORDER (FOURTH HEARING):

The RTI application is dated 20.04.2021 vide which the Appellant has sought information from the PIO O/o Joint Registrar, Cooperative Societies, Jalandhar on the following 4 points in his RTI application: -

Particulars of Information required (in brief): Audit – Inspector Kawaljit Kaur D/o Sukhwinder Singh (Mobile No. 73473 49971), Posted at Verka Plant, Jalandhar (As per my last information)

1. ਮੈਨੂੰ ਇਸ ਜਨ ਸੇਵਕ ਦੀਆਂ ਮਨਜ਼ੂਰ ਹੋਈਆਂ ਛੁੱਟੀਆਂ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਅਤੇ ਡਿਟੇਲ ਦਿੱਤੀ ਜਾਵੇ ਕਿ ਉਕਤ Public Servant ਵੇਰਕਾ ਪਲਾਂਟ ਵਿੱਚ ਤਾਇਨਾਤ ਹੋਣ ਤੋਂ ਬਾਅਦ ਕਿੰਨਾਂ ਸਮਾਂ ਛੁੱਟੀ ਤੇ ਰਹੀ ਹੈ?
2. ਮੈਨੂੰ ਦੱਸਿਆ ਜਾਵੇ ਉਕਤ ਛੁੱਟੀਆਂ ਕਿਸ Nature ਦੀਆਂ ਹਨ?

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 07.06.2021, the Appellant filed Second Appeal in the Commission on 05.08.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties for 07.02.2022.

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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- 2 -

APPEAL CASE NO. 03553 OF 2021

The case is fixed for today. The Respondent states that information sought by the appellant is related with the third party and which cannot be provided to him under the RTI Act and same has already been conveyed to the appellant whereas the appellant shows dissatisfaction with the response provided by the respondents.

Hon'ble Supreme Court of India in SLP no. 27734 of 2012 titled Girish Ramchandra Deshpande Vs Cen. Information Commissioner & Ors and another has held in its order on 03.10.2012:-

(13. We are in agreement with the CIC and the courts below that the details called for by the petitioner i.e. copies of all memos issued to the third respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right).

In the light of above, no further action is required in the instant Appeal Case, the case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
07.02.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3557 OF 2021

Shri Satwinder Singh, (98772 12926)
S/o Shri Sukhwinder Singh,
R/o Village Kalar, Post Office Gujjarpura,
Tehsil Batala, District Gurdaspur - 143507

...Appellant

Versus

Public Information Officer,
O/o Joint Registrar,
Cooperative Societies, Jalandhar.

First Appellate Authority
O/o Registrar,
Cooperative Societies, Punjab, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Satwinder Singh, Appellant.
Shri Subhash Saini, Superintendent (Audit), Shri Santokh Singh, Sr. Assistant for the
Respondents (94643 17604), Shri Ravi Kumar, Superintendent for FAA (98764 83085)

ORDER (FOURTH HEARING):

The RTI application is dated 20.04.2021 vide which the Appellant has sought information from the PIO O/o Joint Registrar, Cooperative Societies, Jalandhar on the following 4 points in his RTI application: -

Particulars of Information required (in brief): Audit – Inspector Maninder Singh S/o Baldev Singh (Mobile No. 98787 80990), Posted at Kaki Pind (Societies), Jalandhar (As per my last information)

1. ਮੈਨੂੰ ਇਸ ਜਨ ਸੇਵਕ ਦੀਆਂ ਮਨਜ਼ੂਰ ਹੋਈਆਂ ਛੁੱਟੀਆਂ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਅਤੇ ਡਿਟੇਲ ਦਿੱਤੀ ਜਾਵੇ ਕਿ ਉਕਤ Public Servant ਜਦੋਂ ਤੋਂ ਨੌਕਰੀ ਤੇ ਤਾਇਨਾਤ ਹੋਇਆ ਹੈ ਉਸ ਤੋਂ ਬਾਅਦ ਕਿੰਨੇ ਸਮਾਂ ਛੁੱਟੀ ਤੇ ਰਿਹਾ ਹੈ?
2. ਮੈਨੂੰ ਦੱਸਿਆ ਜਾਵੇ ਉਕਤ ਛੁੱਟੀਆਂ ਕਿਸ Nature ਦੀਆਂ ਹਨ?
3. ਮੈਨੂੰ ਇਸਦੇ ਹੇਠਾਂ ਕੰਮ ਕਰਨ ਵਾਲੇ ਸਾਰੇ ਸੈਕਟਰੀ ਦੀ ਡਿਟੇਲ ਦਿੱਤੀ ਜਾਵੇ ਅਤੇ ਉਹਨਾਂ ਦੇ ਸੰਪਰਕ ਨੰਬਰ ਦਿੱਤੇ ਜਾਣ।
4. ਇਸਨੇ ਆਪਣਾ ਮਹਿਕਮੇ ਜਾਇਦਾਦ ਦਾ ਕੀ ਵੇਰਵਾ ਦਿੱਤਾ ਹੈ, ਉਸਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 07.06.2021, the Appellant filed Second Appeal in the Commission on 05.08.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties for 07.02.2022.

Cont...Pg2

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- 2 -

APPEAL CASE NO. 03557 OF 2021

The case is fixed for today. The Respondent states that information sought by the appellant is related with the third party and which cannot be provided to him under the RTI Act and same has already been conveyed to the appellant whereas the appellant shows dissatisfaction with the response provided by the respondents.

Hon'ble Supreme Court of India in SLP no. 27734 of 2012 titled Girish Ramchandra Deshpande Vs Cen. Information Commissioner & Ors and another has held in its order on 03.10.2012:-

(13. We are in agreement with the CIC and the courts below that the details called for by the petitioner i.e. copies of all memos issued to the third respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right).

In the light of above, no further action is required in the instant Appeal Case, the case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
07.02.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3841 OF 2020

Hony. Subedar Major Ramesh Kumar (Retd.), (98558 33536)

S/o Late Shri Amarnath,
R/o H. No. U-1652, Sardar Nagar,
Opp. Central Jail, Ajnala Road,
Amritsar – 143008

...Appellant

Versus

Public Information Officer,
O/o Director,
Bureau of Investigation, Punjab,
Sector – 9, Chandigarh.

First Appellate Authority
O/o Director,
Bureau of Investigation, Punjab,
Sector – 9, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None for the Parties.

ORDER: (FIFTH HEARING)

The RTI application is dated 31.10.2020 vide which the Appellant has sought information from the PIO O/o Director, Bureau of Investigation, Punjab on the following points in his RTI application: -

- 1) *With due respect, I desire to seek the information with reference to my following communication: -*
 - a) *My application dated 10.09.2020 (sent by E.mail as well as Registered Post) addressed to A.D.G.P. Sahib, Bureau of Investigation, Punjab, Inspector General of Police, Border Range, Amritsar & S.S.P., Amritsar (Rural).*
 - b) *My application No. CRN/63/2020, dated 17.09.2020 addressed to Hon'ble A.D.G.P. Sahib, Bureau of Investigation, Punjab.*
 - c) *My application No. CRN/62/2020, dated 17.09.2020 addressed to I.G.P., Border Range, Amritsar with a copy to the Director, Bureau of Investigation, Punjab, The S.S.P. Amritsar (Rural), S.H.O. P.S. Raja Sansi (Amritsar Rural) and Incharge Police Post, Kukran wala (under P.S. Raja Sansi).*
- 2) *Please forward me photocopies/initiated by the Bureau of Investigation, Punjab and replies sent to me in reference to my applications quoted/cited in para 1(a) (b) (c) above.*

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- 2 -

APPEAL CASE NO. 3841 OF 2020

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 19.11.2020, the Appellant filed Second Appeal in the Commission on 10.12.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties.

This case earlier heard by the Ld. State Information Commissioner Smt. Preeti Chawla on 12.08.2021. However, since the Ld. State Information Commissioner has demitted his office on the completion of his tenure on 07.09.2021, the case has been re-allocated to the Bench of the undersigned.

The case is fixed for today. Both the parties are absent.

After examining the case file, it is revealed that the Respondent filed a reply stating therein that he has supplied the requisite information to the appellant vide letter dated 19.05.2021 and again on 04.10.2021 and further requests that Show Cause Notice issued to the PIO vide order dated 12.08.2021 may be dropped. A letter has been received from the Appellant in the Commission mentioning therein that he has received the remaining information and acknowledges his satisfaction with the same and gives his consent to close the case.

Keeping in view all the facts mentioned in the reply the show cause notice is hereby is dropped. However, the Respondent PIO is warned to be more careful in future while dealing with the matters pertaining to the RTI Act, 2005 and act swiftly. No further cause of action is left in the instant Appeal Case, the case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
07.02.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner