**PUNJAB, STATE INFORMATION COMMISSION**

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

**Ph No- 0172-864117** Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

E-mail Id- psic27@punjabmal.gov.in

Sh Parveen Kohli, S/o Sh Savdesh Kohli,

R/o H No. 451/2, College Road, Jagraon,

Ludhiana . Complainant.

Versus

**Public Information Officer,**

O/o Sub Divisional Magistrate,

Jagraon, Ludhiana.

**First Appellate Authority**

Deputy Commissioner,

Ludhiana.

 . ...Respondent

**Complaint Case No. 528 of 2017**

Present : (i) Sh. Parveen Kohli the complainant

 (ii) for the respondent : Sh. Surinder Singh, Jr. Assistant

**ORDER**

 This order may be read with reference to the previous order dated 04.12.2017.

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

3. Respondent states that complete information has already been sent to the complainant.

4. After hearing both the parties and perusing the case file, it is ascertained that the sought for information as exists in the record has been provided to the complainant.

5. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

 **Complaint Case No. 529 of 2017**

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.

6. On the plea of the complainant, one more date is given to both the parties. To come up on **12.02.2018 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Red Cross Building, Sector-16, Chandigarh**

Ph no- 0172-2864117, Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

E-mail Id- psic27@punjabmal.gov.in.

Smt Veena Rani Retired SS Mistrss,

#17250-A, Street No-1, Aggarwal Colony,

Bathinda. Appellant

Versus

**Public Information Officer,**

O/o Principal,

Govt Sr Sec School, Janda Wala,

Distt Bathinda. ...Respondent

**Complaint Case No. 1079 of 2017**

Present : (i) None is present on behalf of the complainant

 (ii) For the respondent : Smt Gurwinder Kaur, Punjabi Lecturer.

**ORDER**

 This order may be read with reference to the previous order dated111.12.2017 vide which the respondent was directed to refund the deposited fee to the complainant.

2. The complainant is absent today. She has sent a letter vide commission diary no. 142 dated 02.01.2018 mentioning therein that she has received the information and is satisfied.

3. In view of the foregoing, no cause of action is left. The complaint filed by the complainant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh Parveen Kohli, S/o Sh Savdesh Kohli,

R/o H No. 451/2, College Road, Jagraon,

Ludhiana . Complainant.

Versus

**Public Information Officer,**

O/o Sub Divisional Magistrate,

Jagraon, Ludhiana.

**First Appellate Authority**

Deputy Commissioner,

Ludhiana.

 . ...Respondent

**Complaint Case No. 528 of 2017**

Present : (i) Sh. Parveen Kohli the complainant

 (ii) for the respondent : Sh. Surinder Singh, Jr. Assistant

**ORDER**

 This order may be read with reference to the previous order dated 04.12.2017.

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

3. Respondent states that complete information has already been sent to the complainant.

4. After hearing both the parties and perusing the case file, it is ascertained that the sought for information relates to the queries, which are not to be replied. Moreover, the information as exists in the record has been provided to the complainant.

5. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

 **Complaint Case No. 528 of 2017**

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.

6. In view of the foregoing, no cause of action is left. The compliant case filed by the complainant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh Chetan Dass,

59 M.G-1, Vikas Puri,

New Delhi. . Appellant.

Versus

**Public Information Officer,**

O/o Director Education Department (S.E)

Phase-8, P.S.E.B, Mohali..

**First Appellate Authority**,

Secretary to Govt of pb,

Department of Education ,

Pb Civil Secretary to Chandigarh.

**Public Information Officer,**

O/o Director Primary Instruction (S),

Amla -1, Floor-4th

Phase-8, P.S.E.B, Mohali ...Respondent

**Appeal Case No. 2289 of 2017**

Present : (i) None is present on behalf of the appellant

 (ii) For the respondent : Sh. Balwinder Singh, Sr. Assistant

**ORDER**

This order may be read with reference to the previous order dated 04.12.2017.

2. The appellant is absent today. Respondent states that the information has been sent to the appellant today itself. He further states that he has also brought another copy of information in the Commission. Copy of the same is taken on record.

3. Copy of the information be sent to the appellant alongwith the orders. A perusal of the file shows that the appellant has not attended any hearing in the Commission. , I am of the opinion that no useful purpose would be served in keeping this appeal case pending for an indefinite period. Accordingly, the appeal case filed by the appellant **is disposed of and closed**. Copies of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh. Mukand Lal Jindal.

42-C, Model Town, Phase-1,

Bathinda. Appellant

Versus

**Public Information Officer,**

O/o District Education Officer (S),

Bathinda.

**First Appellate Authority,**

District Education Officer (S),

Bathinda ...Respondent

**Appeal Case No. 2814 of 2017**

Present : (i) Sh. Mukand Lal Jindal the appellant

 (ii) For the respondent : Sh. Maghi Ram, JA

**ORDER**

This order may be read with reference to the previous order dated 04.12.2017.

2. The appellant states that he has received information only on point no. 1. He has not received information pertaining to point nos. 2 to 9.

3. Respondent has promised that complete information will be provided to the appellant as soon as possible, to which the appellant has no objection.

4. To come up on 05.02.2018 at 11.00 AM. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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E-mail Id- psic27@punjabmal.gov.in

Sh Sharanjit Singh, S/o Sh Yadwinder Singh,

# B-X/254, Ahatat Narain Singh, Barnala,

Distt Barnala . Appellant

Versus

**Public Information Officer,**

O/o Principal Baba Gandha Singh Public School Bhadur,

Distt Barnala.

**First Appellate Authority**,

O/o District Education Officer, (S),

Barnala, Distt Barnala. ...Respondent

**Appeal Case No. 2809 of 2017**

Present : (i) Sh. Sh. Sharanjeet 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 11.12.2017.

2. During the last hearing, respondent was directed to file an affidavit mentioning therein that their School Baba Gandha Singh is a registered society and doesn’t receive any grant from any Govt and Non Govt. Organization. But today the respondent is absent. He has not bothered to inform the Commission about his absence for today’s hearing.

3. One more opportunity is given to the respondent to appear before the Commission and state his case.

4. To come up on 06.02.2018 at 11.00 AM. Copy of the order be sent to the parties  ***through registered post***.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**Through registered post**

CC: Copy of the order be sent to DPI (SE), Vidya Bhawan, Punjab School Education Board, Block E, 4th Floor, Phase VIII, Mohali to take necessary action. **PUNJAB, STATE INFORMATION COMMISSION**

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E-mail Id- psic27@punjabmal.gov.in

Mrs Shalini Sharma, W/o Sh Varinder Kumar,

1800/1, Urban Vihar, Near Singh Sabha Gurudwara,

Adjoining Dugri Urban Estate, Ludhiana. Appellant

Versus

**Public Information Officer,**

O/o District Education Officer, (S),

Ludhiana.

**First Appellate Authority**,

District Education Officer, (S),

Ludhiana. ...Respondent

**Appeal Case No. 2741 of 2017**

Present : None for the parties.

**ORDER**

On the last dates of hearing i.e. 08.01.2017 and 11.12.2017, neither the Complainant nor the Respondent was present. Again, at today’s hearing, none is present.

2. In the aforementioned circumstances, I am of the considered view that no useful purpose would be served by prolonging this matter any further. The appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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

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Sh Ramandeep Singh Dhaliwal

C/o Dhaliwal Medical hall,

Sudhar Bazar, Tehsil Raikot,

Distt Ludhiana . Appellant.

Versus

**Public Information Officer,**

O/o Chief Engineer, Panchayati Raj

 Public Works (B&R), Vikas Bhawan,

Sector-62, SAS Nagar.

**First Appellate Authority**

O/o Director, Rural Development and Panchayat,

Punjab, Sector-62, SAS Nagar. ...Respondent

**Appeal Case No. 1411 of 2017**

Present : (i) Sh. Ramandeep Singh Ahluwalia the appellant

 (ii) None is present on behalf of the respondent

**ORDER**

This order may be read with reference to the previous order dated 11.12.2017.

2. The appellant states that he has not received complete information till now.

3. Respondent is absent. He was not present even on the last date of hearing.

4. After hearing both the parties and perusing the record available on file it emerges, that PIO has delayed/ denied in providing the information to the appellant. In view of the above, ***PIO- o/o Chief Engineer, Panchayati Raj, Public works, SAS Nagar is directed*** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

***Appeal Case No. 1411 of 2017***

 In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

5. To come up on **06.02.2018 at 11.00 AM**. Copy of the order be sent to the parties  ***through registered post***.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

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Sh Rahul Jindal, C/o Sh Yash Boot House,

Sunami Gate, Sangrur. Appellant

Versus

**Public Information Officer,**

O/o Divisional Forest Officer,

Sangrur. ...Respondent

**Complaint Case No. 1080 of 2017**

Present : (i) Sh. Harjeet Singh on behalf the complainant

 (ii) For the respondent : Sh. Satnam Singh, Clerk

**ORDER**

This order may be read with reference to the previous order dated 11.12.2017.

2. Sh. Harjeet Singh has attended the hearing on behalf of the complainant- Sh. Rahul Jindal without any authority letter.

3. Respondent files an affidavit on behalf of Smt. Monika Devi. I have gone through the affidavit and found incorrect. During the last hearing Smt. Monika Devi is directed to come present. But today she is absent.

4. Last opportunity is given to her to appear before the Commission, failing which action under Section 20 (1) of the RTI Act 2005 will be initiated.

5. To come up on **05.02.2018 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

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Sh Sukhwinder Singh, S/o Sh Banta Singh,

Village Dhupsari, P.O Govt Technical College,

Tehsil Batala, Distt Gurdaspur. Appellant

Versus

**Public Information Officer,**

O/o Forest Range Offcier,

Quadian, Distt Gurdaspur. ...Respondent

**Complaint Case No. 1072 of 2017**

Present : (i) None is present on behalf of the complainant

 (ii) For the respondent : Sh. Balraj Singh, Block Officer

**ORDER**

This order may be read with reference to the previous order dated 11.12.2017

2. TheComplainant is not present. The Respondent states that the required information has already been given to the Complainant and has shown the acknowledgment given by the Complainant in token of having received the information.

3.In view of the foregoing, no cause of action is left. The appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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E-mail Id- psic27@punjabmal.gov.in

Ms Pushp Varsha, W/o Sh Marshal Tito Chopra,

R/o H No-12, Sector-11-A, Chandigrh.

. . Appellant

Versus

**Public Information Officer,**

O/o District Education Officer (S),

Hoshiarpur.

**First Appellate Authority,**

District Education Officer (S),

Hoshiarpur.

 ...Respondent

**Appeal Case No. 2326 of 2017**

Present : (i) Ms. Pushpa Varsha the appellant

 (ii) For the respondent : Sh. Sukhwinder Singh PIO, Smt. Baljit Kaur, Clerk

**ORDER**

This order may be read with reference to the previous order dated 07.12.2017

2. The appellant states that incomplete information has been given to her so far.

3. Respondent states that he has brought original record i.e. service books of the appellant in the commission office, the appellant may go through the same.

4. The appellant Ms. Pushpa Varsha has gone through the same and states that she is satisfied with the information provided.

5. In view of the foregoing, no cause of action is left. The appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh. Sant Kumar, S/o Sh G.S. Gogna,

R.o B-1-171, Guru Nanak Pura, Civil Lines,

Ludhiana Appellant.

Versus

**Public Information Officer,**

O/o District Forest Officer,

Opp Western mall, Ferozepur Road,

Ludhiana.

**First Appellate Authority,**

O/o District Forest Officer,

Oppo Western mall, Ferozepur Road,

Ludhiana.

**Public Information Officer,**

O/o Registrar, PAU,

Ludhiana..

**Public Information Officer**

O/o Chief Conservator Officer,

Forest Complex, Sector 68,

SAS Nagar ...Respondent

**Appeal Case No. 1626 of 2017**

Present : (i) Sh. Sant Kumar the appellant

 (ii) for the respondent : Sh. Vinod Malhotra, PIO

**ORDER**

This order may be read with reference to the previous order dated 07.12.2017.

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

3. Sh. Vinod Malhotra, PIO ,o/o Registrar PAU Ludhiana files his reply mentioning there in “*that the appellant has sought copy of the inquiry report/ action taken on the complaint of the PAU Employees and Teachers Joint Action Committee dated 03.02.2005 against Dr. K.S. Aulakh, the then Vice Chancellor of PAU, Ludhiana regarding devastation of thousands of trees at the campus of PAU, Ludhiana. On perusal of the enclosures of the application, it is clear that the complaint was addressed to the Hon’ble Minister of Environment and Forests, Govt of India and the same was forwarded to the Secretary, Environment and Forest Department, Govt of Punjab, Chandigarh and there is no reference of forwarding the complaint to this University. Moreover, as informed by the Head, Department of forestry & NR vide memo No. Flori AU/2017/3141 dated 25.12.2017 and Head, Department of Floriculture & Landscaping, PAU Ludhiana vide memo No. 2260 dated 26.12.2017 neither enquiry report nor any correspondence on the subject has ever been received by them. Therefore the information sought by the appellant is not available in this University”.*

**Appeal Case No. 1626 of 2017**

4. Sh. Sant Kumat the complainant states that the information is lying with the office of Chief Conservator Officer, Mohali. **PIO, o/o Registrar, PAU Ludhiana is exempted from further appearance.**

5. Since, the information is to be provided by the PIO, o/o Chief Conservator Officer, Mohali. I, therefore, order that PIO, o/o Chief Conservator Officer, Mohali be impleaded as Respondent No.2. I further direct that PIO, o/o Chief Conservator Officer, Mohali should supply the information to the appellant before the next date of hearing.

6. To come up on 12.02.2018 at 11.00 AM. Copy of the order be sent to the parties ***through registered post. Copy of the RTI be sent to the PIO* Chief Conservator Officer, Mohali**

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh. R.P Agnihotri,

Executive Engineer, (HQ),

Punjab Mandi Board, # 421, Sector-12-A,

Panchkula Appellant.

Versus

**Public Information Officer,**

O/o Punjab Mandi Board,

Mohali..

**First Appellate Authority**

O/o Chief Engineer ( T),

Punjab Mandi Board, Mohali. ...Respondent

**Appeal Case No. 2053 of 2017**

Present : (i) None is present on behalf of the appellant

 (ii) For the respondent : Smt. Jasvir Kaur, Supdt.

**ORDER6**

This order may be read with reference to the previous order dated 06.12.2017 vide which last opportunity was given to the appellant to appear before the Commission and state his case.

2. Today again the appellant is absent. Respondent states that complete information has been sent to the appellant by hand. She has also shown given by the appellant in token of having received the information.

3. Since the information has been provided to the appellant, no cause of action is left. The appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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E-mail Id- psic27@punjabmal.gov.in

Sh.Manjit Singh, S/o Sh. Kuldip Singh,

C/o Shop No. 23, Central market,

Gill Road, Opposite Water Tank,

Ludhiana. …Appellant

Versus

**Public Information Officer,**

O/o Deputy Commissioner,

Ludhiana.

**First Appellate Authority,**

O/o Deputy Commissioner,

Ludhiana. ...Respondent

**Appeal Case No. 4164 of 2016**

Present : (i) Sh. Manjit 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 06.12.2017.

2. Sh. Manjit Singh the appellant states no information has been given to him so far.

3. Respondent is absent today.

4. During the last hearing, DEO (SE) was directed to come present, but today neither the DEO(SE), Ludhiana nor his representative is present.

5. A perusal of the file shows that the information is to be provided by PIO, o/o DC, Ludhiana and PIO, o/o DEO (SE), Ludhiana. Therefore last opportunity is given to both the parties to appear before the Commission, failing which action under Section 20 (1) of the RTI Act 2005 will be initiated.

6. To come up on **29.01.2018 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**

***Through registered post***

CC: PIO, o/o DEO (SE), Ludhiana

 PIO, o/o DC, Ludhiana

**PUNJAB, STATE INFORMATION COMMISSION**

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

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E-mail Id- psic27@punjabmal.gov.in

Sh. Jatinder Kumar,

House No. 1086/26, Panchkula

 Appellant.

Versus

**Public Information Officer,**

O/o Executive Officer

Municipal Council, Rampura Phull,

Bathinda

**First Appellate Authority**

o/o Director Local Govt.,

Punjab, Chandigarh Sector 35. ...Respondent

**Appeal Case No. 4242 of 2016**

Present : (i) Sh. Jatinder Kumar the appellant

 (ii) For the respondent : Sh. Lachman Dass, Clerk

**ORDER**

This order may be read with reference to the previous order dated 06.12.2017.

2. Respondent files an affidavit today in the commission which is incorrect. Therefore affidavit submitted by the respondent has not been taken on record. All the information has been discussed in the Commission today in the presence of the Respondent and Appellant. Respondent is directed to bring original register as told by the appellant in the commission on the next date of hearing.

3. To come up on **12.02.2018 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 08.01.2018 State Information Commissioner**