PUNJAB STATE INFORMATION COMMISSION Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Sn. Munish Kumar, (9877003478)	
S/o Sh. DurgaDass, R/o Kabir Colony,	
Ward No 8, Budhlada,	
Distt Mansa-151502.	Appellant/Complainan
Versus	
Public Information Officer	
O/o Managing Director, Markfed, PB,	Respondent
Sector-35-B, Chandigarh.	·

First Appellate Authority

O/o Managing Director, Markfed, PB, Sector-35-B, Chandigarh.

Appeal Case No. 3956 of 2020 Cisco Webex Proceedings

Present: Appellant: Sh. Munish Kumar

Respondent: Sh. Bhupinder Singh (APIO) 9815615371

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 08.12.2020. Accordingly, the case is fixed for today.

Sr.	Information sought by applicant
No.	
1.	ਮਾਰਕਵੇਡ ਦਫਤਰ, ਮਾਨਸਾ ਜ਼ਿਲ੍ਹਾ ਮਾਨਸਾ ਵਿਖੇ ਤਾਇਨਾਤ ਮੁਲਾਜਮ ਹਰਪਾਲ ਸਿੰਘ, ਮੈਨੇਜਰ ਦੀ
	ਸਰਵਿਸ ਨਾਲ ਸਬੰਧਿਤ ਸਬੰਧਿਤ ਹੇਠ ਲਿਖੀ ਤਸਦੀਕੀ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ ਜੀ।
	ਉਕਤ ਮੁਲਾਜ਼ਮ ਦੇ ਦੁਆਰਾ ਆਪਣੇ ਸਰਵਿਸ ਸਮੇਂ ਦੇ ਦੌਰਾਨ ਉਚ ਵਿੱਦਿਆ ਹਾਸਲ ਕਰਨ ਸਬੰਧੀ
	ਵਿਭਾਗ ਪਾਸੇ ਲਈਆਂ ਮੰਨਜ਼ੂਰੀਆਂ ਦੀਆ ਤਸਦੀਕੀ ਕਾਪੀਆਂ ਜਿਸ ਵਿੱਚ ਉਕਤ ਮੁਲਾਜਮ ਵੱਲੋਂ ਇਤਾਗ ਨੂੰ
	ਲਿਖੇ ਪੱਤਰ ਵਾ ਵਿਭਾਗੀ ਮੰਨਜ਼ੂਰੀਆਂ ਲਾਜਮੀ ਸਾਮਲ ਹੋਣ
2.	ਉਚ ਵਿੱਦਿਆਂ ਪ੍ਰਾਪਤ ਕਰਨ ਹਿੱਤ ਉਕਤ ਮੁਲਾਜਮ ਦੁਆਰਾ ਛੁੱਟੀ ਲਈ ਅਪਲਾਈ ਕੀਤੀਆਂ ਦਰਖਾਸਤਾਂ
	ਵਾ ਇਸ ਨਾਲ ਲੱਥੀ ਪੇਪਰਾਂ ਸਬੰਧੀ ਡੇਟ ਸੀਟਾਂ, ਵਾ ਵਿਭਾਗ ਦੇਪਾਸੇ ਲਈਆਂ ਛੁੱਟੀਆਂ/ ਮੰਨਜੂਰੀ ਹਿੱਤ
*	ਜਾਰੀ ਪੱਤਰਾਂ ਦੀਆਂ ਤਸਦੀਕੀ ਕਾਪੀਆਂ।
3.	ਉਕਤ ਮੁਲਾਜਮ ਦੁਆਰਾ ਉਚ ਵਿੱਦਿਆਂ ਪ੍ਰਾਪਤ ਕਰਨ ਤੇ ਪ੍ਰਮੇਸ਼ਨ ਲਈ ਵਿਭਾਗ ਦੇ ਪਾਸ ਜਮਾਂ ਕਰਵਾਏ
٥.	ਗਏ ਦਸਤਾਵੇਜਾਂ ਦੀਆਂ ਤਸਦੀਕੀ ਕਾਪੀਆਂ ਜਾਰੀ ਕੀਤੀਆਂ ਜਾਣ ਜਿਸ ਵਿੱਚ ਪ੍ਰਮੋਸ਼ਨ ਹਿੱਤ ਦਿੱਤੀਆਂ
	ਦਰਖਾਸਤਾਂ ਵਾ ਦਰਖਾਸਤਾਂ ਨਾਲ ਨੱਥੀ ਸਾਰੇ ਦਸਤਾਵੇਜਾਂ ਯਾਨਿ ਕਿ ਉਚ ਵਿੱਦਿਆਂ ਨਾਲ ਸਬੰਧਿਤ ਡੀ
	ਐਮ ਸੀ / ਸਰਟੀਫੀਕੈਟਾਂ ਦੀਆਂ ਕਾਪੀਆਂ ਲਾਜਮੀ ਸ਼ਾਮਲ ਹੋਣ।
4.	ਉੱਚ ਵਿਦਿਆ ਦੇ ਆਧਾਰ ਤੇ ਉਕਤ ਮੁਲਾਜਮ ਨੂੰ ਤਰੱਕੀ ਦਿੱਤੇ ਜਾਣ ਸਬੰਧੀ ਉੱਚ ਵਿੱਦਿਆ ਦੇ
	ਸਰਟੀਫੀਕੈਟਾਂ ਦੀ ਪੜ੍ਹਤਾਲ ਰਿਪੋਰਟ ਵਾ ਟਿੱਤੀ ਗਈ ਪ੍ਰਮੋਸ਼ਨ ਸਬੰਧੀ ਤਸਦੀਕੀ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ ਜੀ

2. Observations:

Both the parties are present for the hearing. The appellant , Sh. Munish Kumar is aggrieved over the non-receipt of the information. The Appellant submits that information sought was not furnished by the PIO on the grounds that the sought information is third party information.

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Appeal Case No. 3956 of 2020 Cisco Webex Proceedings

RTI in the context and backdrop of the case, the respondent Sh. Bhupinder Singh submits (letter dated 02.02.2021 vide reference no. PIO/RTI/2021/24) that the sought information is third party information i.e. information is related to person named Sh. Harpal Singh, who had shown his descent in disclosure of the information.

The Commission finds that according to the appellant Sh. Munish Kumar the PIO has intentionally refused the requisite information for personal benefit of the concern employee, which is need to be exposed, therefore he sincerely requires the sought information for the larger public interest.

Further the respondent Sh. Bhupinder Singh pleaded that all the departmental promotions are based on experience/ seniority of the employee, no such qualification or conditions are the criteria for the same.

3. Decision:

In the present case, there is no tangible public purpose which has been cited by the appellant that would convince the Commission to override the guaranteed exemption under Section 8(1)(j) to the individual. A mere suspicion cannot constitute the basis for a public interest.

After hearing both the parties and going through the information supplied by the respondent PIO,the Commission finds that the RTI application has been suitably replied and the information has been supplied to the best extent. Moreover, the factual position has been brought to the notice of the appellant by the respondent for further query, if any.

Therefore, no cause of action is required in this case. Hence, the instant appeal case is **disposed & closed.**

Chandigarh Dated: 08.02.2021 Sd/(Maninder Singh Patti)
State Information Commissioner

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Sh. Amarjit Singh Dhamotia, (9888490031)

Whistle blower Social Worker, Distt President LDH.- NCAG, H.No. 60-35 -P-376-1, Street No.8, Maha Singh Nagar, PO DhandariKalan, Ludhiana 141014

.....Appellant/Complainant

Versus

Public Information Officer

O/o Principal Secretary, PWD, PB, Punjab Civil Secretariat, Chandigarh

.....Respondent

First Appellate Authority

O/o Principal Secretary, PWD, PB, Punjab Civil Secretariat, Chandigarh

Appeal Case No. 4020 of2020 Cisco Webex Proceedings

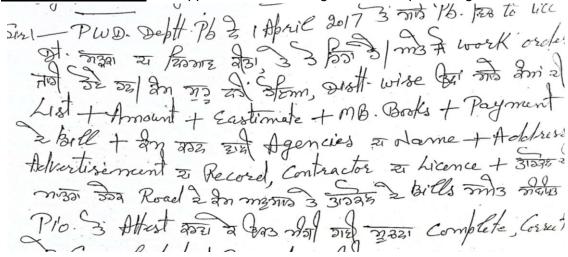
Present: Appellant: Sh. Amarjit Singh Dhamotia

Respondent: Smt. Shushil Kumari (Supritendent) 9855726366

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 08.12.2020. Accordingly, the case is fixed for today.

2. Information Sought:- The appellant has following information pertaining to:



3. Observations:

Both the parties are present in the court.

The appellant referred to his RTI application dated 14.09.2020 and stated that no information was provided to him by the respondent so far.

The respondent stated that the appellant had sought information pertaining to different PIO's of PWD, which could be asked by filling separate RTI application to the concerned public authorities rather than asking to one.

Commission observation on this, as per RTI Act 2005, if a person makes an application to a public authority for information, a part of which is available with that public authority and the rest of the information is scattered with more than one other public authorities, in such a case, the PIO of the public authority receiving the application should give information relating to it and advise the applicant to make separate applications to the concerned public authorities for obtaining information from them. If no part of the information sought, is available with it but is scattered with more than one other public authorities, the PIO should

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Appeal Case No. 4020 of2020 Cisco Webex Proceedings

inform the applicant that information is not available with the public authority and that the applicant should make separate applications to the concerned public authorities for obtaining information from them. However, if the details of public authorities who may have the information sought by the applicant are available with the PIO, such details may also be provided to the applicant.

4. Decision:

Keeping in view the above, the Commission does **not find any merit** and therefore, observes that no further action is required to be taken in this case. Hence, the case is **disposed of** and **closed**.

Chandigarh Dated: 08.02.2021 Sd/(Maninder Singh Patti)
State Information Commissioner

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Sh. Gurmeet Singh, (9463547954) S/o Sh. Inder Singh, Village Bhagwangarh, DisttBathinda.	Appellant/Complainant
Versus	
Public Information Officer	Respondent
O/o Secretary,	·
The BhagwangarhMutlipurpose Cooperative	
Agriculture SewaSabha Ltd. Bhagwangarh,	
DisttBathinda.	

Complaint Case 936 of2020 Cisco Webex Proceedings

Present: Complainant : Sh. Gurmeet Singh (In person)

Respondent: Absent

ORDER

- 1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 09.12.2020. Accordingly, the case is fixed for today.
- 2. <u>Information Sought:-</u> The appellant has following information pertaining to:

ਦੀ ਬਹੁਮੰਤਵੀ ਕੋਆਪਰੇਟਿਵ ਸੋਸਾਇਟੀ ਭਗਵਾਨਗੜ੍ਹ ਜਿਲ੍ਹਾ ਬਠਿੰਡਾ ਦੇ ਕੁੱਲ ਕਿੰਨੇ ਮੈਂਬਰ ਹਨ ਅਤੇ ਮੈਂਬਰਾਂ ਦਾ ਕਿੰਨਾ-ਕਿੰਨਾ ਹੱਦ ਕਰਜਾ ਹੈ ? ਸਭਾ ਵਲੋਂ ਕਰਜਾ ਮੁਆਫੀ ਸਬੰਧੀ ਮੈਂਬਰਾਂ ਦੀਆਂ ਭੇਜੀਆਂ ਗਈਆਂ ਲਿਸਟਾਂ ਅਤੇ ਫਾਈਲਾਂ ਅਤੇ ਕਿਸ ਹੁਕਮ ਤਹਿਤ ਕਰਜਾ ਮੁਆਫੀ ਦਿੱਤੀ ਗਈ ਹੈ । ਉਸਦੀ ਸਰਤਾਂ, ਕਿਸ ਅਫਸਰ ਨੇ ਪਾਸ ਕੀਤੀ ਕਰਜਾ ਮੁਆਫੀ ਅਹੁਦਾ ਅਤੇ ਨਾਮ ਅਤੇ ਕਿਸ-ਕਿਸ ਮੈਂਬਰ ਨੂੰ ਕਿੰਨੀ-ਕਿੰਨੀ ਕਰਜਾ ਮੁਆਫੀ ਮਿਲੀ ਹੈ ਅਤੇ ਕਿਹੜੇ-ਕਿਹੜੇ ਮੈਂਬਰ ਕਰਜਾ ਮੁਆਫੀ ਤੋਂ ਰਹਿ ਗਏ ਮੈਂਬਰਾਂ ਦੀ ਲਿਸਟ ਮਹੱਈਆਂ ਕਰਵਾਈ ਜਾਵੇ।

3. **Facts:**

The appellant stated that no information has provided to him by the respondent so far. The Commission is in receipt of a communication dated 03.02.2021 from respondent authority, Sh. Teja Singh wherein he has stated Bhagwangarh Multipurpose Co-operatives a private organization and not liable to provide any information under RTI Act 2005.

Moreover, according to RTI Act 2005, <u>the information of the private companies can only be obtained from its regulator. Regulators can provide only the information a company is bound to furnish. At the same time, not all this information can be shared with the applicant. The Act, under Sections 8 and 9, exempts certain categories of information from disclosures.</u>

4. Conclusion:-

Therefore, in the given circumstance and factual position of law, it is clear and well stated that only government organisation and government funded organisations are covered under the ambit of RTI Act 2005. The RTI Act is not applicable on Private Companies. However, it is specifically mentioned in the Act that the information of private companies can be sought from its regulator if any.

In the view of above and on perusal of the relevant documents on file, the Commission found no reason to disagree with the replies of the respondents. The replies of respondents upheld. **The matter is disposed of accordingly at Commission's end**.

Chandigarh Dated: 08.02.2021

Sd/(Maninder Singh Patti)
State Information Commissioner