**PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

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Sh. Satnam Singh,

S/o Sh. Tara Singh,

# 108, Near Old Ice Factory, Ward No.1,

Fatehgarh Churian -143602

Distt. Gurdaspur Complainant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Fatehgarh Churian,

Distt. Gurdaspur Respondent

 **COMPLAINT CASE NO.1248/2017**

Date of RTI application : 14.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :02.11.2017

**Present:** None on behalf of the Complainant.

 Sh. Palwinder Singh, Jr. Assistant, O/o Nagar Council, Fatehgarh Churian – for Respondent.

**ORDER**

 **The case has been heard through video conferencing.**

The complainant is absent.

 Sh. Palwinder Singh, Jr. Assistant appearing on behalf of the respondent says that the complainant had sought the certified copies of the proof of identity submitted by various information seekers with them while filing the RTI applications. The respondent states that the proof of identity is a personal information of the third party. It has no relationship with the public cause or interest. Such an information shall violate the protection given to a person under Section 8(1) (j) of the RTI Act. The Commission is inclined to accept the plea thus taken by the respondent. The complainant has failed to make a bonafide case for seeking such an information. The complaint, accordingly, is **closed.**

 **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

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Sh.Tejinder Singh

R/o Village Bholapur Post Office, Ramgarh,

Chandigarh Road, Ludhiana Complainant

Versus

Public Information Officer,

O/o Municipal Town Planner,

Municipal Corporation,

Ludhiana. Respondent

 **COMPLAINT CASE NO.1239/2017**

Date of RTI application : 04.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :06.11.2017

**Present:** Sh. Tejinder Singh, Complainant in person at Commission’s office, Chd.

 Sh. Harjit Singh, Draftsman, MC Office, Ludhiana – for Respondent.

**ORDER**

 **The case has been heard through video conferencing.**

No reply so far has been filed by the respondent on the notice issued to them. They are directed to file a status report on the complaint filed by the applicant under intimation to the Commission before the next date of hearing positively.

 To come up on **28.03.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Tejinder Singh

R/o Village Bholapur Post Office, Ramgarh,

Chandigarh Road, Ludhiana Complainant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Ludhiana. Respondent

 **APPEAL CASE NO.1236/2017**

Date of RTI application : 04.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :06.11.2017

**Present:** Sh.Tejinder Singh, Appellant in person at Commission’s office, Chd.

 Sh. Ranbir Singh, SDO, Zone ‘D’, MC Office, Ludhiana – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

Sh. Ranbir Singh, SDO appearing on behalf of the respondents says that they had informed the complainant the status of information available with them on 05.01.2018. A copy has been endorsed to the Commission and is available on record. The complainant admits having got the response.

 The Commission finds that the respondents have taken undue delay in responding to the application. The Commission takes strong exception to the lackadaisical attitude of the respondents. While issuing a reprimand it cautions them to be watchful in future.

  **Disposed.**

 **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Mulakh Raj

S/o Sh. Noora Ram,

H.No.246, Model Town,

Samrala Road, Khanna,

Tehsil Khanna, Distt. Ludhiana

 Appellant

Versus

Public Information Officer,

O/o Nagar Council,

Mandi Gobindgarh

First Appellate Authority

O/o Regional Dy. Director,

Local Bodies, Punjab,

Ludhiana. Respondents

 **APPEAL CASE NO.3160/2017**

Date of RTI application : 19.07.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :06.11.2017

**Present:** Sh. Mulakh Raj, Appellant in person.

1. Sh. Devinder Singh, AME, and

 2. Sh. Ravinder Kumar, Bldg. Clerk, O/o Nagar Council, Mandi Gobindgarh – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

The appellant is absent.

 Sarvshri Devinder Singh, AME and Ravinder Kumar, Bldg Clerk appearing on behalf of the Respondents say that his application was disposed in the first appeal by the First Appellate Authority – cum – Deputy Director, Local Bodies, Ludhiana on 29.09.2017 on furnishing the information to him. According to them no more action is pending and no information has been withheld. As the appellant is absent the Commission presumes that he is satisfied with the information thus provided to him. No further intervention of the Commission is desired.

 The appeal is **disposed.**

 **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Mulakh Raj

S/o Sh. Noora Ram,

H.No.246, Model Town,

Samrala Road, Khanna,

Tehsil Khanna, Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Nagar Council,

Mandi Gobindgarh

First Appellate Authority

O/o Regional Dy. Director,

Local Bodies, Punjab,

Ludhiana. Respondents

 **APPEAL CASE NO.3159/2017**

Date of RTI application : 28.07.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :06.11.2017

**Present:** Sh. Mulakh Raj, Appellant in person.

1. Sh. Devinder Singh, AME, and

 2. Sh. Ravinder Kumar, Bldg. Clerk, O/o Nagar Council, Mandi Gobindgarh – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

The appellant is absent.

 Sarvshri Devinder Singh, AME and Ravinder Kumar, Bldg Clerk appearing on behalf of the Respondents say that his application was disposed in the first appeal by the First Appellate Authority – cum – Deputy Director, Local Bodies, Ludhiana on 29.09.2017 on furnishing the information to him. According to them no more action is pending and no information has been withheld. As the appellant is absent the Commission presumes that he is satisfied with the information thus provided to him. No further intervention of the Commission is desired.

 The appeal is **disposed.**

 **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Mulakh Raj

S/o Sh. Noora Ram,

H.No.246, Model Town,

Samrala Road, Khanna,

Tehsil Khanna, Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Nagar Council,

Khanna,

First Appellate Authority

O/o Regional Dy. Director,

Local Bodies, Punjab,

Ludhiana Respondents

 **APPEAL CASE NO.3158/2017**

Date of RTI application : 19.07.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :06.11.2017

**Present:** None on behalf of the Appellant.

 Sh. Major Singh, JE, O/o MC, Khanna – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

The appellant is absent.

 Sh. Major Singh, JE appearing on behalf of the respondents says that his application was disposed in the first appeal by the First Appellate Authority – cum – Deputy Director, Local Bodies, Ludhiana on 29.09.2017 on furnishing the information to him. According to them no more action is pending and no information has been withheld. As the appellant is absent the Commission presumes that he is satisfied with the information ;thus provided to him. No further intervention of the Commission is desired.

 The appeal is **disposed.**

 **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

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Sh. Gurmej Singh

Village Marhe Kalan,

P.O & Tehsil Guruharsahai, P.S.Lakhoke,

Distt. Ferozepur Appellant

Versus

Public Information Officer,

O/o Commandant General,

Punjab Home Guards & Civil Defence,

17 ways building Sector-17, Chandigarh

First Appellate Authority

O/o Commandant General,

Punjab Home Guards & Civil Defence,

17 ways building Sector-17,

Chandigarh Respondents

 **APPEAL CASE NO.3146/2017**

Date of RTI application : 09.12.2016

Date of First Appeal : 27.02.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :06.11.2017

**Present:** Sh. Gurmej Singh, Appellant in person at Commission’s office, Chd.

 None on behalf of the Respondents.

**ORDER**

The respondents are absent despite issue of notice. The Commission takes a serious view of the indifference shown by them. Neither they have filed written statement nor anybody has appeared on their behalf. Another opportunity is afforded to them to take a suitable call on the application of the appellant and explain the delay in having failed to comply with the provisions of law.

 To come up on **28.03.2018 at 11.30 AM through video conference at Ferozepur.**

 **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Suresh Kumar

S/o Sh. Sham Lal, House No. B-4-1287,

Thapra Mohalla, Daresi Road,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Ludhiana Respondents

 **APPEAL CASE NO.3142/2017**

Date of RTI application : 10.07.2017

Date of First Appeal : 29.08.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :03.11.2017

**Present:** Sh. Suresh Kumar, Appellant in person at Commission’s office, Chd.

 Sh. Pardeep Sehgal, PIO – cum – ATP, MC Office, Ludhiana – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

The appellant in fact is seeking an executive action in dismantling a building stated to be in a derelict and dilapidated condition being hazardous to the public safety. The appellant has shown the Commission the photos of the building also which have been taken on record.

 The appellant says that he has filed various applications with the Authority without any tangible action from them. The respondents represented by Sh. Pardeep Sehgal, PIO – cum – ATP submits that the appellant is filing a motivated complaint/appeal with the Commission. He further submits

 Contd…page…2

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**APPEAL CASE NO.3142/2017**

that the issue relates to the eviction of the property and is pending decision in a Civil Court. However, he has not been able to specify the particulars of such litigation. The appellant insists that he is seeking action in public interest only being a good Samaritan. Be that as it is, the respondents are directed to apprise him of the latest status. The Commissioner, Municipal Corporation, Ludhiana is desired to have the matter looked into urgently as it concerns safety of people at large. He shall assure that the appropriate action as per rules is taken immediately.

  **Disposed.**

 **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The Commissioner, Municipal Corporation, Mata Rani Chowk, Ludhiana, for n/a.**

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Sh. Amritpal Singh,

S/o Sh. Gurdas Singh

 VPO Cheema, Tehsil Sunam,

Distt. Sangrur Appellant

Versus

Public Information Officer,

O/o President,

Gurdwara Sahib, Nanaksar,

Cheema Tehsil Sunam Distt. Sangrur

First Appellate Authority

O/o President,

Shiromani Gurdwara Parbhandhak Committee,

Sri Amritsar Sahib. Respondents

 **APPEAL CASE NO.3133/2017**

Date of RTI application : 16.05.2017

Date of First Appeal : 06.07.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :03.11.2017

**Present:** None on behalf of the Appellant.

1. Adv. Dinesh Kumar, Counsel for the Respondents.

 2. Sh. Gurcharan Singh, President, Gurdwara Sahib Nanaksar, Cheema.

 3. Sh. Simerjit Singh on behalf of the FAA.

**ORDER**

The appellant has sought the record pertaining to various financial accounts of the local Gurdwara Sahib Nanaksar, Cheema for a period from 01.04.2013 to 31.03.2017.

 Adv. Dinesh Kumar, appearing on behalf of the President, Gurdwara Sahib Nanaksar, Cheema says that as they are working under the control of SGPC they have not appointed any independent PIO under the provisions of the RTI Act. Conceding their point the Commission directs PIO, SGPC to procure the information from the concerned quarters and arrange to provide it to the appellant within thirty days from the receipt of this order.

 To come up on **28.03.2018 at 11.30 AM through video conference at Sangrur.**

 **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Balwant Singh

S/o Sh. Bhan Singh,

R/o Village Khadoor Sahib, Patti,Gurumukh Di

Distt. Tarn Taran Appellant

Versus

Public Information Officer,

O/o State Information Commission, Punjab,

Chandigarh

First Appellate Authority

O/o State Information Commission, Punjab,

Chandigarh Respondents

 **APPEAL CASE NO.3123/2017**

Date of RTI application : 24.03.2016

Date of First Appeal : 19.10.2016

Date of Order of FAA : 20.12.2016

Date of 2nd Appeal/complaint :03.11.2017

**Present:** Adv. Meena Bansal, Counsel for the Appellant at Commission’s office, Chd.

 1. Sh. Sudhir Kumar, PIO, PSIC, - for Respondents.

 2. Sh. Sadhu Ram, PS to Secy, PSIC – on behalf of FAA.

**ORDER**

The second appeal has been filed impugning an order passed by the First Appellate Authority on 20.12.2016.

 It transpires that the appellant had sought a copy of digital recording of an order passed by the Commission on 22.01.2015. Sh. Sudhir Kumar, PIO appearing on behalf of the respondents submits that no digital recording of the video conferences being held in the Commission is maintained. The proceedings are duly recorded by the Presiding Officer in his order. A copy of the same has already been sent to the appellant. Since the information sought for is not available it cannot be supplied obviously. No cause of action sustains. The appeal is **closed.**

 **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Raj Kumar Sethi

House No.71-D, Rajguru Nagar,

Ludhiana -141012 Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Improvement Trust, Ludhiana

First Appellate Authority

O/o Dy. Director, Local Govt. Punjab,

Mini Secretariat. Ludhiana Respondents

 **APPEAL CASE NO.1941/2017**

 Date of RTI application : 10.04.2017

Date of First Appeal : 29.05.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :14.07.2017

**Present:** Sh. Raj Kumar Sethi, Appellant in person.

 1. Mrs. Sunita, APIO – cum –sr. Assistant and

 2. Sh. Parveen Kumar, Clerk, O/o Improvement Trust – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

 On the request of the Parties the matter is adjourned to be heard on **28.03.2018 at 11.30 AM through video conference at Ludhiana.**

  **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The PIO, o/o Improvement Trust, Ludhiana for necessary action.**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gagandeep Singh Janjua,

Village Tura Post Office Kumb,

Tehsil Amloh, Distt. Fatehgarh Sahib.

 Appellant

Versus

Public Information Officer,

O/o Punjab Wakf Board, Batala

Distt. Gurdaspur

First Appellate Authority

O/o Punjab Wakf Board, Batala

Distt. Gurdaspur Respondents

 **APPEAL CASE NO.1978/2017**

Date of RTI application : 10.01.2017

Date of First Appeal : 17.04.2017

Date of Order of FAA : Reply 23.02.2017

Date of 2nd Appeal/complaint : 17.07.2017

**Present:** None on behalf of the Appellant.

 Sh. Imran Beg, Rent Collector, O/o Estate Officer, Pb. Wakf Board, Batala – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

The Commission had made the following observations on 25.10.2017 and 06.12.2017 respectively:

 **Order dated 25.10.2017**

 *“The appellant is absent on trot.*

 *Mohamad Momeen, Legal Clerk appearing on behalf of the respondents says that he has been informed of the stance of the department. According to them information relates to a third party and thus invoking Section 8(1) (j) of the Act they are not liable to release it. They further say that the information is voluminous.*

 *Contd…page..2*

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***APPEAL CASE NO.1978/2017***

 *The Commission is not inclined to accept the version of the respondents. The property in question is not the title of an individual, rather it belongs to a public authority. Thus the exception under Section 8(1) (j) is not available to them. The respondents further say that the information called for is quite exhaustive and is general in its content. Besides, it entails some answers to the queries which they are not obliged to give. Having considered the matter holistically the Commission directs the respondents to allow the appellant inspection of the record on a date and time conveyed to him in writing well in advance and shall give him the certified copies of the documents thus identified by him up to one hundred pages only.”*

**Order dated 06.12.2017**

 *“The appellant is absent.*

 *Sh. Rashid Mohammad, Estate Officer appearing on behalf of the respondents submits that he has recently joined as the previous incumbent has been transferred. He assures to comply with the orders of the Commission passed on 25.10.2017 expeditiously.”*

The case has come up today. Sh. Imran Beg, Rent Collector who is present in the NIC studio of Gurdaspur, submits that the appellant was duly informed as advised by the Commission to inspect the record on 22.12.2017. An endorsement to this effect was also sent to the Commission which

is also available on record.

 Contd…page..3

 -3-

**APPEAL CASE NO.1978/2017**

 The appellant has failed to approach the respondents on the appointed date. He is neither present in the hearing nor any communication has been received from him. Seemingly he is satisfied with the status of the issue and is not inclined to pursue matter.

 **Disposed.**

  **Sd/-**

**10.01.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**