**PUNJAB STATE INFORMATION COMMISSION**

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**Sector:16, Chandigarh**

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Sh. Ravinder Singh,

86, Central Town, Railway Road,

Kapurthala.

Appellant

Versus

**Public Information Officer**,

O/o Senior Auditor/DM,

PUNSUP, Kapurthala.

**First Appellate Authority**

O/o DM,

PUNSUP, Kapurthala.

Respondent

**APPEAL CASE NO: 1472 OF 2017**

Present : (i) Sh. Ravinder Singh, the appellant.

 (ii) Sh. Ashok Bhandary, PIO, the respondent.

**ORDER**

This order may be read with reference to the previous order dated 08.11.2017.

 2. The appellant states that till today, complete and satisfactory information has not been supplied to him by the respondent.

3. The respondent files his written submission in response to the order showing cause, which is taken on record. He files an affidavit today in the Commission mentioning therein that the information as per office record has been supplied and nothing is pending to be given to the appellant.

4. After hearing both the parties and perusing the reply filed by the respondent today in the Commission, it is ascertained that the information as per office record stands provided to the appellant. Copy of the affidavit which is filed by the respondent today in the Commission is handed over to the appellant with which the appellant is satisfied.

5. Keeping in view all the facts mentioned in the reply is found satisfactory. The show cause notice issued to the PIO is hereby, dropped.

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

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**10.01.2018 State Information Commissioner**

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Sh.H.S.Hundal, Advocate,

Chamber No.82, District Courts,

Mohali.

Appellant

Versus

**Public Information Officer**,

O/o S.E,

PSPCL, Operation Circle,

Mohali.

**First Appellate Authority**,

O/o C.E,

Operation South, Patiala.

Respondent

**Appeal Case No. 3413 of 2016**

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

(ii) Sh.H.S.Oberai, APIO on behalf of the respondent.

**ORDER:**

 This order may be read with reference to the previous order dated 12.12.017.

2. The appellant is absent for today’s hearing without any intimation to the Commission.

 3. The respondent states that as directed by the Commission during the last hearing, he has sent the copy of the affidavit to the appellant, by registered post vide letter dated 04.01.2018 and also on his email.

4. After hearing the respondent and perusing the record as available in the file, it is ascertained that the appellant is absent from the last four hearings, which shows that he is satisfied with the information and does not want to pursue his case. The copy of the affidavit has also been sent to him.

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

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**10.01.2018 State Information Commissioner**

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Sh. Bhupinder Singh,

S/o Sh. Teja Singh,

R/o Village and P.O: Phul Khera,

Tehsil:Malout, Distt: Sri Mukatsar Sahib.

 …Complainant

Versus

Public Information Officer,

O/o XEN,

Water Supply and Sanitation Deptt,

Malout.

 ...Respondent

**Complaint Case No. 1956 of 2016**

**PRESENT:** (i) Sh. Bhupinder Singh, the complainant.

(ii) Sh. Jasbir Singh Aujla, Executive Engineer, the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 29.11.2017.

2. The complainant states that he has received the information from the respondent vide letter dated 29.11.2017 which is still incomplete

3. The respondent states that the he has brought the another copy of the information today in the Commission. Copy of the same is handed over to the complainant for his perusal. The respondent files an affidavit today in the Commission, which is taken on record.

4. The complainant states that some more time be given to him to go through the information.

5. The complainant is advised to go through the information and point out the deficiency, if any, in the information provided to the respondent within ten days and the respondent is directed to remove the same, before the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on 28**.02.2018 at 12.00 noon.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**10.01.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Yogesh Mahajan

S/o Late Sh. Kuldip Raj Mahajan,

Mission Road, Pathankot.

Appellant

Versus

**Public Information Officer**,

O/o SDE,

W/S & Sanitation Division, Amloh,

Distt: Fatehgarh Sahib.

**First Appellate authority**

o/o S.E,

W/S & Sanitation Circle,

Patiala.

Respondent

**Appeal CASE NO. 4109 OF 2016**

**PRESENT:** (I) None is present on behalf of the appellant.

(ii) Sh. Amritpal Singh, SDE is present on behalf of the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 07.11.2017.

2. The appellant is absent for today’s hearing without any intimation to the Commission.

3. The respondent states that till today, no documentation fee has been given by the appellant.

4. After hearing the respondent and perusing the record, it is ascertained that the respondent is ready to provide the information but the appellant has not complied with the orders of the Commission and moreover, he has not attended the last two hearings in the Commission, which shows that he is not interested to pursue his case. He is again advised to pay the documentation fee and get the information from the respondent.

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

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**10.01.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Yogesh Mahajan

S/o Late Sh. Kuldip Raj Mahajan,

Mission Road, Pathankot.

Appellant

Versus

**Public Information Officer**,

O/o SDE,

W/S & Sanitation Sub Division No. 3,

Sri Mukatsar Sahib.

**First Appellate authority**

o/o S.E,

W/S & Sanitation Circle,

Faridkot.

Respondent

**Appeal CASE NO. 4110 OF 2016**

**PRESENT:** None for the parties.

**ORDER:**

This order may be read with reference to the previous order dated 07.11.2017.

2. Neither the appellant nor the respondent is present for today’s hearing.

3. During the last hearing, the appellant was advised to go through the information and point out the deficiency, but till today no intimation has been received from the appellant, which shows that he is satisfied with the information and does not want to pursue his case.

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

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**10.01.2018 State Information Commissioner**

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Sh. Kuldeep Chand,

Bhargava, 131, Geeta Vihar,

Three Kay Road, Ludhiana. --------Appellant

Vs.

**Public Information Officer**

o/o PAU,

 Ludhiana.

**First Appellate Authority**

o/o First Appellate Authority

o/o Registrar,

PAU, Ludhiana.

 ..Respondent

 **Appeal Case No. 1090 of 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Vinod Malhotra, Assistant Registrar on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 08.11.2017.

2. The appellant is absent for today’s hearing without any intimation to the Commission.

3. The respondent states that as directed by the Commission during the last hearing, he has brought the personal files of the appellant, for the perusal of the Commission. The respondent further states that the matter is also pending in the Hon’ble Punjab and Haryana High Court and Court has ordered as under:-

*“ The learned trial court vide impugned order has summoned the record from the office of the petitioners which contains previous orders passed to the file by the previous Vice-Chancellor or the legal advise obtained from the legal advisor or the correspondence which was exchanged between the officers of the petitioner-university. Obviously, this record is covered by section 123,124 an 126 of Indian Evidence Act and , therefore, it is protected piece of evidence. Reliance can be placed on the judgment of Delhi High Court reported as H.L. Rodhey and others v/s Delhi Administration and others, AIR 1969 Delhi 246 in which it was held that where the Government employee challenges his reversion from the officiating post, non disclosure of such documents was necessary for proper functioning of public service. Therefore, the impugned orders dated 03.01.2006 suffers from legal infirmity and is accordingly set aside. This petition is accepted.”*

Therefore, it is ascertained that the requisite record was denied to be disclosed as per the orders of the Hon’ble Punjab and Haryana High Court. According

Contd..p-2

**Appeal Case No. 1090 of 2017**

to section 8(1)(b) of the RTI Act, 2005 information which has been expressly forbidden to publish by any court of law or tribunal or the disclosure of which may constitute contempt of court is exempted to be disclosed.

4. After hearing the respondent and perusing the record as available in the file, it is ascertained that the C.R. files have already been inspected by the appellant pertaining to the year 1971-2001 but according to the orders passed by the Hon’ble Punjab and Haryana High Court that the personal record cannot be disclosed to the appellant, as the matter is pending in the Court.

5. No further cause of action is left in the instant Appeal Case, which is hereby, **disposed off and closed**. Copies of the order be set to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**10.01.2018 State Information Commissioner**

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Sh. Balwinder Singh,

S/o Sh. Banta Singh,

Village: Nidhana, Guruharshai,

Distt:Ferozepur.

Complainant

Versus

**Public Information Officer**,

O/o Deputy Commissioner,

Ferozepur.

Respondent

**Complaint CASE NO. 960 OF 2017**

**PRESENT:** (i) None is present on behalf of the complainant.

(ii) Sh. Shinder Pal, Panchayat Secy., on behalf of the respondent.

**ORDER:**

 This order may be read with reference to the previous order dated 08.11.2017.

2. The Complainant is absent for today’s hearing.

3. The respondent files reply to the Notice of the Commission mentioning therein that he is directed by the BDPO, Guruharshai vide letter dated 18.12.2017 to provide the information to the complainant but according to their official record, no such information is available in their office record.

4. The PIO o/o Deputy Commissioner, Ferozepur is directed to appear personally and provide the information to the Commission, before the next date of hearing, failing ailing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

5. Last opportunity is given to the complainant to state his case, failing which decision shall be taken on merit.

6. The matter to come up for further hearing now on **28.02.2018 at 12.00 noon.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**10.01.2018 State Information Commissioner**

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Sh.H.S.Hundal, Advocate,

Chamber No.82, District Courts,

Mohali.

Appellant

Versus

**Public Information Officer**,

O/o Tehsildar,

Mini Sectt., Moga.

**First Appellate Authority**,

O/o Deputy Commissioner,

Moga.

Respondent

**Appeal Case No. 3620 of 2015**

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

(ii) Sh. Mangaljit Singh, Clerk on behalf of the respondent.

**ORDER:**

 This order may be read with reference to the previous order dated 12.12.2017.

2. The appellant is absent for today’s hearing.

3. The respondent states that some more time be given to file an affidavit.

4. Last opportunity is given to the Tehsildar, Moga to appear personally alongwith an affidavit stating that the information as per official record stands supplied and nothing is pending, failing which penalty will be initiated against him as per the provisions of the RTI Act, 2005.

5. The matter to come up for further hearing now on **28.02.2018 at 12.00 noon**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**10.01.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Ravinder Singh,

H.NO. 986, Near Dev Hotel,

Main Bazar, Moga. …Appellant

Versus

Public Information Officer,

O/o Tehsildar,

Moga.

First Appellate Authority,

O/o Additional Deputy Commissioner,

Moga.

 ...Respondent

**Appeal Case No. 2760 of 2016**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Mangaljit Singh, Clerk and Sh. Pawan Kumar Gulati, Tehsildar, Guruharsahai on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 12.12.2017.

2. A letter has been received from the appellant in the Commission vide diary no. 355 dated 04.01.2018, which is taken on record.

3. Sh. Pawan Kumar Gulati, former Tehsildar-Moga and presently posted as Tehsildar at Guruharsahai District has filed his written reply in response to the order dated 12.12.2017, which is taken on record.

4. Arguments heard and judgment is ***reserved.***

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**10.01.2018 State Information Commissioner**

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Ms. Sukhwant Kaur,

W/o Sh. Rachhpal Singh,

H.No.1896/1, SBS Nagar,

Chaja Dusanjh Road, Moga.

 …Appellant.

Versus

**Public Information Officer,**

O/o Tehsildar,

Moga.

**First Appellate Authority**

o/o SDM,

Moga.

 ...Respondent

**Appeal Case No. 3972 of 2016**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Mangaljit Singh, Clerk on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 09.11.2017.

2. A letter has been received from the appellant in the Commission by email mentioning therein that no information has been provided by the respondent since the last date of hearing on 11.09.2017.

3. The PIO files written reply in response to the order showing cause and states that he has brought the information, which has been sought by the appellant in her RTI application but the appellant is absent.

4. The respondent is directed to send the same by registered post within a week to the appellant, under intimation to the Commission. Keeping in view all the facts mentioned in the reply is found satisfactory. The show cause notice issued to the PIO is hereby, dropped but he is warned to be careful in future while dealing with the RTI applications.

5. Last opportunity is given to the appellant to appear and state her case, failing which decision shall be taken on merit

6. The matter to come up for further hearing now on **28.02.2018 at 12.00noon.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**10.01.2018 State Information Commissioner**