



Sh. S. P. Verma, (7589328784)
143, NMS Colony, Tripuri,
Patiala-147004.

.....Appellant/Complainant

Versus

Public Information Officer
O/o Civil Surgeon,
Patiala.

.....Respondent

First Appellate Authority
O/o Civil Surgeon,
Patiala.

Appeal Case No.327 of 2021

Present: Appellant: **Sh. S. P. Verma**

Respondent: Sh. Jatinder Kansal (DR) (9855619891)

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 06.01.2021. Accordingly, the case is fixed for today.

2. Observations:

Both the parties are present. From a perusal of the relevant case records, it is noted that the appellant is aggrieved with the fact that the desired information/reply was not provided to him on time and he argued that Section 8(1) of the RTI Act, 2005 was not applicable to the information sought by him. The Commission was in receipt of a written submission from the respondent PIO dated 03.03.2021 vide diary no. 4930, wherein it was informed that the delay in reply occurred due to the busy schedule in Covid 19 pandemic duty.

Respondent, Sh. Jatinder Kansal further added that the sought information has already been supplied to the appellant. As information pertaining to point no. 4 of the RTI application is third party information (i.e. confidential information of third party) cannot be supplied u/s 8(1) RTI Act,2005.

3. Decision:

After hearing the parties 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 disclosure of such information (point no. 4 of RTI application) is not in the public interest as the appellant has asked for the information for promotion of his personal interest. Therefore, the CPIO is justified in denying the information sought, u/s 8(1)(j) of the Act.

Moreover, in view of the above observations, the PIO is directed to provide an additional reply to the appellant on all of the points raised in the RTI application as discussed above except for point no. 04. On these points, the PIO is directed to offer inspection of the



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relevant available records to the appellant at a mutually convenient date and time, within 15 days from the date of receipt of this order. The appellant is directed to avail of the said offer within a period of 07 days from the date of receipt of the letter of inspection from the respondent authority, failing which no further opportunity will be provided to him.

In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard to the appellant with a copy to the Commission without fail.

4. To come up on 06.04.2021 at 11.30 AM to be heard through personal hearing at PSIC.

Chandigarh
Dated: 10.03.2021

Sd/-
(Maninder Singh Patti)
State Information Commission

PUNJAB STATE INFORMATION COMMISSION
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Sh. Parveen Kumar Sayal,
Partner, Syal & Co, Octroi Contractor,
Sirhind-140406.

.....Appellant/Complainant

Versus

Public Information Officer
O/o Director, Local Govt, Punjab,
Sector-35 A, Chandigarh.

.....Respondent

First Appellate Authority
O/o Director, Local Govt, Punjab,
Sector-35 A, Chandigarh.

Appeal Case No.353 of 2021

Present: Appellant: Sh. N.K Sayal on behalf of Sh. Parveen Kumar Sayal
Respondent: Sh. Jatinder Kansal (DR) (9855619891)

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 07.01.2021. Accordingly, the case is fixed for today.
2. The respondent Sh. Jatinder Kansal submitted that information sought was not readable and legible therefore they were unable to provide the information.
3. Appellant's representative Sh. N.K Sayal referred to his RTI application dated 06.10.2020 and stated that no information has been provided to him by the respondent authority so far.
4. After hearing the plight of the senior citizen (Sh. N.K Sayal), the Commission transpired that , "It is a very sad comment that an organization makes a senior citizen run around to get the sought information and nobody has the sensitivity to ensure that his legitimate requirements are met.
5. A strict warning is issued to the PIO for not providing any reply to the appellant within the timeline prescribed under the Act. The **PIOs are warned to be careful with the timeline and refrain from delaying replies.** The information sought by the appellant is specific and should be replied to categorically, **within 10 days from the date of receipt of this order.**
A compliance report to this effect shall be sent to the Commission by the PIO.
6. To come up on 06.04.2021 at 11.30 AM to be heard through personal hearing at PSIC.

Chandigarh
Dated: 10.03.2021

Sd/-
(Maninder Singh Patti)
State Information Commission



Sh. Balwinder Singh(Sr.Constable), (7009764216)

S/o Sh. Ajaib Singh, Village Mallu Duara,
PO Khoker Faujia, Tehsil Batala,
Distt Gurdaspur.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Commandant, First Commando Batalian,
Bahadargarh, Distt Patiala.

.....Respondent

First Appellate Authority

O/o cum Inspector General Police,
Commando Battalions, Bahadargarh,
Distt Patiala.

Appeal Case No.360 of 2021

Present: Appellant: **Sh. Balwinder Singh**

Respondent: Sh. Sanjeev kumar (DSP) along with
Sh. Romi Kumar (ASI) 8427010157

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 07.01.2021. Accordingly, the case is fixed for today.

Relevant facts emerging during hearing:

2. **Both the parties are present.**

Appellant: Sh. Balwinder Singh staed that no information has been provided to him so far. Respondent, Sh. Sanjeev kumar pleaded that the sought information cannot be supplied as it is exempted section 24 of RTI Act, 2005.

3. Commission observed that "As per section 24 of the RTI Act, information pertaining to allegations of CORRUPTION & HUMAN RIGHTS VIOLATION is not exempt from disclosure and the sought information is specifically in relation to the appellants ONGOING DEPARTMENTAL VICTIMISATION, which is a clear case of Human Rights Violation. It is further observed that the HUMAN RIGHTS PROTECTED under the Indian Constitution are ARTICLE 14, ARTICLE 15, ARTICLE 16, ARTICLE 17, ARTICLE 19, ARTICLE 20, ARTICLE 21, ARTICLE 22, ARTICLE 29, ARTICLE 30 AND ARTICLE 32. Therefore, it is advised that the organization refrain from its practice of denying information under the cover of section 24 of RTI Act, 2005, as the definition of Corruption and Human Rights violation is not subject to individual interpretations in view of these clearly laid out definitions in Chapter III of Constitution of India."

Decision:

4. In view of the aforesaid discussion, Commission rejects the exclusion claimed by Respondent Sh. Sanjeev kumar under Section 24 of RTI Act for the denial of information.

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Appeal Case No.360 of 2021

5. In view of the foregoing, Commission directs the PIO to provide available and relevant information sought in the RTI Application to the Appellant free of cost within 15 days from the date of receipt of this order. A compliance report to this effect be duly sent to the Commission by the PIO.
6. To come up on 06.04.2021 at 11.30 AM to be heard through personal hearing at PSIC.

Chandigarh
Dated: 10.03.2021

Sd/-
(Maninder Singh Patti)
State Information Commission



Sh. Surinder Kumar Maluja, (9646546613)

S/o Sh. Om Parkash, R/o Street No 2,
Near Shani Dev Mandir, Patel Nagar, Malout,
Distt Sri Muktsar Sahib.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Chief Agriculture Officer,
Sri Muktsar Sahib.

.....Respondent

First Appellate Authority

O/o Chief Agriculture Officer,
Sri Muktsar Sahib.

Appeal Case No.367 of 2021

Present: None

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 08.01.2021. Accordingly, the case is fixed for today.
2. As nobody is preset on behalf of respondent authority the case is adjourned to date **06.04.2021** through personal hearing at PSIC Chandigarh, **11:30 AM** with the directions to respondent PIO, to file a reply / supply information before the next date of hearing. Failing to which action under section 20(1) of RTI act will be initiated

Chandigarh
Dated: 10.03.2021

Sd/-
(Maninder Singh Patti)
State Information Commission



Smt Rajpal Kaur, (9417691095)

W/o Late Sh. Gurmeet Singh,
R/o Village Panjawa Mandal,
Tehsil Abohar, Distt Fazilka.

.....Appellant/Complainant

Versus

Public Information Officer

O/o SSP, Fazilka.

.....Respondent

First Appellate Authority

O/o DIG, Ferozepur Range,
Ferozepur Cantt.

Appeal Case No.373 of 2021

Present: Appellant: Sh. Sukhchain Singh on behalf of **Smt Rajpal Kaur**

Respondent: Sh. Ramesh Lal (Inspector) 7837018066

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 07.01.2021. Accordingly, the case is fixed for today.
2. Respondent, Sh. Ramesh Lal pleaded that the sought information has already been supplied to the appellant.
3. Appellant: Sh. Sukhchain Singh contended that partial information has been supplied so far. As information pertaining to Point no. 1 (i.e. application letter dated 06.08.2020) and point no. 4 of the RTI application has not been supplied yet.

On this Respondent, Sh. Ramesh Lal stated that no application dated 06.08.2020 is received in the office. He further added that information pertaining to point no. 4 relates to Sikhiya Vibhaag and a letter has been forwarded for the same.

4. Keeping in view the facts of the case and going through the RTI application the Commission directs the respondent authority to re-examine the matter and provide a clear, cogent and reasoned point-wise response to the Appellant as per the provisions of the RTI Act, 2005.

Moreover, the Commission is of the view that the PIO is legally obliged to give the appellant the sought for information after collecting the same from the concerned department, instead of merely forwarding it to the concerned officer.

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Appeal Case No.373 of 2021

Therefore, the respondent is directed to collect information from all concerned department and furnish a complete reply to the appellant, within 15 days from the date of receipt of this order.

In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard to the appellant with a copy to the Commission without fail.

5. To come up on 06.04.2021 at 11.30 AM to be heard through personal hearing at PSIC.

Chandigarh
Dated: 10.03.2021

Sd/-
(Maninder Singh Patti)
State Information Commission



Sh. Gurbax Singh Editor India's Justice, (7528950026)

Village Bholapur, P.O Ramgarh,
Chandigarh Road,
Ludhiana-141123.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Sub Divisional Magistrate,
Nabha, Distt Patiala.

.....Respondent

First Appellate Authority

O/o Sub Divisional Magistrate,
Nabha, Distt Patiala.

Appeal Case No.374 of 2021

Present: None

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 08.01.2021. Accordingly, the case is fixed for today.
2. As nobody is present on behalf of respondent authority the case is adjourned to date **06.04.2021** through personal hearing at PSIC Chandigarh, **11:30 AM** with the directions to respondent PIO, to file a reply / supply information before the next date of hearing. Failing to which action under section 20(1) of RTI act will be initiated

Chandigarh
Dated: 10.03.2021

Sd/-
(Maninder Singh Patti)
State Information Commission

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Sh. Gurmeet Singh, (9501421959)

S/o Sh. Surmukh Singh,
Distt Pardhan Anti Corruption Front 2072,
Bhai Mastan Singh Nagar,
Sri Muktsar Sahib-152026.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Chief Engineer, K.A.D.
Water Resource Department, Punjab,
Sector 17, Chandigarh, 160017

.....Respondent

First Appellate Authority

O/o Secretary, Electricity and Irrigation Department,
Punjab Civil Secretariat, Chandigarh

Appeal Case No.394 of 2021

Present: Appellant: **Sh. Gurmeet Singh**

Respondent: Sh. Daya Ram

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 11.01.2021. Accordingly, the case is fixed for today.
2. Respondent, Sh. Daya Ram pleaded that sought information is not specific and he requested the appellant to specify the letter number and dates pertaining to the RTI application filed by him, only then he would be able to supply the information.
3. After going through the RTI application, the Commission observes that the sought information enumerated in RTI application is **not specific and vague**.

Under Section 7(9) in The Right To Information Act, 2005. (9) An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question. Therefore, the appellant is advised to ask specific information point wise.

4. To come up on 06.04.2021 at 11.30 AM to be heard through personal hearing at PSIC.

Chandigarh
Dated: 10.03.2021

Sd/-
(Maninder Singh Patti)
State Information Commission