**PUNJAB STATE INFORMATION COMMISSION**

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 **Email:psic22@punjabmail.gov.in**

Sh. Gurbaksh Singh,

House No.1562, Phase -5,

S.A.S.Nagar. Complainant

Versus

Public Information Officer,

O/o Senior Supdt. of Police,

S.A.S Nagar.

First Appellate Authority

O/o Inspector General of Police,

Patiala Range, Patiala. Respondent

 **COMPLAINT CASE NO.1311/2017**

Date of RTI application : 01.05.2017

Date of First Appeal : 25.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :20.11.2017

**Present: None.**

**ORDER**

 None is present on behalf of the Parties.

 The matter is adjourned to be heard on **14.06.2018 at 11.30 AM.**

 **Sd/-**

**10.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Gurbaksh Singh,

House No.1562, Phase -5,

S.A.S.Nagar. Complainant

Versus

Public Information Officer,

O/o Senior Supdt. of Police,

S.A.S Nagar.

First Appellate Authority

O/o Inspector General of Police,

Patiala Range, Patiala. Respondent

 **COMPLAINT CASE NO.1310/2017**

Date of RTI application : 01.05.2017

Date of First Appeal : 25.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :20.11.2017

**Present: None.**

**ORDER**

 None is present on behalf of the Parties.

 The matter is adjourned to be heard on **14.06.2018 at 11.30 AM.**

 **Sd/-**

**10.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Gurbaksh Singh,

House No.1562, Phase -5,

S.A.S.Nagar.

 Complainant

Versus

Public Information Officer,

O/o Senior Supdt. of Police,

S.A.S Nagar.

First Appellate Authority

O/o Inspector General of Police,

Patiala Range, Patiala. Respondent

 **COMPLAINT CASE NO.1309/2017**

Date of RTI application : 01.05.2017

Date of First Appeal : 25.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :20.11.2017

**Present: None.**

**ORDER**

 None is present on behalf of the Parties.

 The matter is adjourned to be heard on **14.06.2018 at 11.30 AM.**

 **Sd/-**

**10.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Baldev Singh Sirsa,

Village Khanwal Doctor Sarangdev,

Tehsil Ajnala Distt. Amritsar. Complainant

Versus

Public Information Officer,

O/o Shiromani Gurudwara Parbandhak Committee,

Amritsar Respondent

 **COMPLAINT CASE NO.988/2017**

Date of RTI application : 23.01.2017

Date of First Appeal : Nil

Date of Order of FAA : Reply 09.05.2017

Date of 2nd Appeal/complaint :11.09.2017

**Present:** Sh. Baldev Singh Sirsa, Complainant in person.

 1.Sh. Simerjit Singh, PIO, SGPC, and

 2. Sh. Kuldip Singh, Assistant Supervisor, SGPC, Amritsar – for Respondents.

**ORDER**

The Commission had made the following order on 17.01.2018:

 *“The following order was passed by the Commission on 07.12.2018:*

 *“Vide his application the complainant had sought the information concerning the appointment of officials along with testimonials submitted by them.*

 *The respondents say that they have already provided him the information comprising about 350 pages. The complainant grudges that they have charged him Rs.1,500/- cost of providing information which is not in accord with the number of pages furnished to him. Besides, he submits that the information is not complete. The respondents are advised to get the record inspected on a pre-fixed date and time and provide him the certified copies of the documents identified by him. If the quantum of information falls short of the amount deposited, the excessive money charged by them shall be refunded to him.”*

 *“The matter has been taken up today.*

 Contd..page…2

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**COMPLAINT CASE NO.988/2017**

 *It transpires that the matter is being looked into personally by the Secretary of the Shiromani Gurdwara Parbhandak Committee, Amritsar and the concerned record is in his possession. The onus shifts on him under Section 5(4) of the Act. Accordingly, he is directed to pass on the information to the appellant well before the next date of hearing. Be it noted that he shall be deemed as a PIO for this purpose.”*

The case has again come up today. It is revealed that the information has been provided. However, an excessive amount of Rs.800/- towards the cost of information has been charged from the complainant. The respondent is directed to refund the aforesaid additional amount which has been charged from him within fifteen days from the receipt of this order. With this direction, the complaint is **closed.**

 **Sd/-**

**10.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Baldev Singh Sirsa,

Village Khanwal Doctor Sarangdev,

Tehsil Ajnala Distt. Amritsar. Complainant

Versus

Public Information Officer,

O/o Shiromani Gurudwara Parbandak Committee,

Amritsar Respondent

 **COMPLAINT CASE NO.987/2017**

Date of RTI application : 23.06.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :11.09.2017

**Present:** Sh. Baldev Singh Sirsa, Complainant in person.

 1.Sh. Simerjit Singh, PIO, SGPC, and

 2. Sh. Kuldip Singh, Assistant Supervisor,SGPC, Amritsar – for Respondents.

 **ORDER**

In one of the earlier orders it was observed:

 *“The applicant has filed a complaint against the respondent for having not informed him of the action taken against the alleged offenders in publishing Hindi version of a book namely “Sikh Itihas”. The respondent says that the information in another case has already been provided to him. They are advised to file a written reply in the matter.”*

 *“The complainant is present. None is present on behalf of the respondent nor any written reply has been filed by them. The Commission takes a serious view of the indifference on the Contd..page…2*

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***COMPLAINT CASE NO.987/2017***

*part of the respondent and directs them to ensure that appropriate information is provided to the complainant before the next date of hearing positively under intimation to the Commission failing which the penal consequences shall follow.”*

 *“There has been a significant delay in providing the information about the status of the issue. A final opportunity is afforded to the respondent to provide the information before the next date of hearing positively. Be it noted that penal consequences shall follow in the event of non-compliance of the above directions.”*

 *“The case has come up today.*

 *Sh. Simerjit Singh appearing on behalf of the respondents says that the Sub Committee constituted to enquire into the issue is yet to give its report. As and when the same is completed its certified copies shall be given to the appellant. The respondents are directed to intimate their aforesaid submission in writing to the appellant with a copy to the Commission before the next date of hearing positively.”*

The case has again come up today. The parties are present. The respondents submit that the available information on the subject has been communicated by post to the complainant. The complainant denies its receipt. The Xerox copies have been arranged to be handed over on spot to the complainant. The Commission feels that the sufficient information has been given. The plea of the respondents is that there is no malafide on their part to delay the information The Commission accepts their submission. The complaint is **disposed.**

 **Sd/-**

**10.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Baldev Singh Sirsa

Village Khanwala, Dr. Sarang Dev.

Tehsil Ajnala Distt. Amritsar. Appellant

Versus

Public Information Officer,

O/o Shiromani Gurdwara Parbhandhak Committee,

Amritsar.

First Appellate Authority

O/o Chief Secretary,

Shiromani Gurdwara Parbhandhak Committee,

Amritsar. Respondents

 **APPEAL CASE NOs.2639 and 2640 of 2017**

Date of RTI application : 10.04.2017

Date of First Appeal : 06.07.2017/09.05.2017

Date of Order of FAA : Reply 09.05.2017/Reply 06.07.2017

Date of 2nd Appeal/complaint : 25.09.2017/11.09.2017

**Present:** Sh. Baldev Singh Sirsa, Appellant in person.

 1.Sh. Simerjit Singh, PIO, SGPC, and

 2. Sh. Kuldip Singh, Assistant Supervisor, SGPC, Amritsar – for Respondents.

**ORDER**

 The following order was passed by this forum on 17.01.2018:

 ***“****The respondents have brought along the information which has been seen by the Commission. Apparently it seems in order. The respondents are directed to send it by post to the appellant. He may like to revert in case of any deficiency.”*

The appellant has not come up with any material deficiency in the information thus provided to him. The appeals are **disposed.**

 **Sd/-**

**10.05.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Prabhjot Singh Nagra Advocate,

Chamber No.315, Distt. Courts,

Fatehgarh Sahib.

 Appellant

Versus

Public Information Officer,

O/o Director General of Police (Railways),

Patiala

First Appellate Authority

O/o Secretary to Govt. of Punjab,

Department of Home Affairs, Punjab,

Punjab Civil Sectt.-2, Sector-9,

Chandigarh Respondents

 **APPEAL CASE NO.97/2018**

Date of RTI application : 05.06.2017

Date of First Appeal : 14.08.2017

Date of Order of FAA : Reply 09.08.2017

Date of 2nd Appeal/complaint :22.11.2017

**Present:** Adv. Prabhjot Singh Nagra, Appellant in person.

 None on behalf of the Respondents.

**ORDER**

 The Commission had made the following order on 13.02.2018:

 *“The appellant is not present.*

 *ASI Rajinder Singh is present on behalf of the Respondents. The respondents have filed a reply. The appellant was asked to submit a proof of identity enabling them to take action under RTI Act. On his failure to do so the information was not supplied to him.*

 *The Commission finds that he has filed a proof of identity in the shape of self certified copy of Aadhaar card in his appeal filed before the Commission. The written statement filed by the respondents has been endorsed to the appellant. He is advised to file a rejoinder to the same so that appropriate call can be taken on his appeal before the next date of hearing.”*

The chronology of filing the application and appeals has been mentioned above. It shall be seen that it is a long standing application pending provision of the information.

 The respondents are absent. The appellant rebuts the submissions made by the respondents vide their memo dated 06.02.2018. The appellant had sought the details of the relief, Contd….page…2

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**APPEAL CASE NO.97 /2018**

 financial or otherwise payable to the next of kin of one Sh. Kabal Singh an employee of the respondents who had expired during the currency of his service. We have been told that his dismissal following a conviction has to be revoked on his acquittal by the Hon’ble Punjab & Haryana High Court, Chandigarh. His family is entitled to the gratuitous relief and a compassionate employment.

 Be that as it is the appellant who is representing the family of the deceased isentitled to know the details of the information sought by him in original application. The respondents are directed to provide him information forthwith under intimation to the Commission.

 The matter shall be heard on **14.06.2018 at 11.30 AM.**

 **Sd/-**

**10.05.2018**  **(Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Baldev Singh Sirsa

Village Khanwal Doctor Sarangdev,

Tehsil Ajnala Distt. Amritsar. Complainant

Versus

Public Information Officer,

O/o Shiromani Gurdwara Parbhandak Committee,

Amritsar Respondent

 **COMPLAINT CASE NO.990/2017**

Date of RTI application : 14.08.2017

Date of First Appeal : Nil

Date of Order of FAA : Reply 17.08.2017

Date of 2nd Appeal/complaint : 11.09.2017

**Present:** Sh. Baldev Singh Sirsa, Complainant in person.

 1.Sh. Simerjit Singh, PIO, SGPC, and

 2. Sh. Kuldip Singh, Assistant Supervisor, SGPC, Amritsar– for Respondents.

**ORDER**

 *“The Commission had made the following observations on 07.12.2017:*

***“****The complainant has asked for the details of the employees recruited by the respondent. The respondent seeks exemption as the details attract exemption being personal information in terms of the judgment passed by the Hon’ble Supreme Court of India in the Special Leave Petition (Civil) No.27734 of 2012 (@ CC 144781/2012) dated 03.10.2012 -- titled Girish Ramchandra Deshpande Vs Central Information Commr. & Ors.*

 *The Commission does not agree with their argument. Accordingly it directs them to provide the information forthwith. Section 4 (2) mandates it to publish proactively. Hon’ble Supreme Court of India has only treated the matter of disciplinary proceedings inter-se the employer and employee as a personal information. The instant information concerns the particulars of the employees on rolls of the department.”*

 *“The complainant is present. None is present on behalf of the respondent nor any written reply has been filed by them. The Commission takes a serious view of the indifference on the* Contd..page…2

 -2-

**COMPLAINT CASE NO.990/2017**

*part of the respondent and directs them to ensure that appropriate information is provided to the complainant before the next date of hearing positively under intimation to the Commission failing which the penal consequences shall follow.”*

 *“The case has come up today. The respondents submit that they have provided him the details of information relating to employees recruited by them during the period from 01.11.2016 to 14.08.2017. However, the certified copies of the applications, qualifications and testimonials etc. submitted by them could not be supplied being the personal information of the applicants. It is debatable as to whether such personal documents can be shared with the complainant as they have been furnished to the respondents in their fiduciary relationship.*

 *In the face of the fact that the complainant is alleging large scale bungling in the recruitment of the applicants it shall be in the fitness of things to invoke the proviso of larger public interest to direct the respondents to part with the information thus stated to have been deficient. The respondents shall do the needful well before the next date of hearing.”*

 *“The case has been taken up today.*

 *It transpires that the matter is being looked into personally by the Secretary of the Shiromani Gurdwara Parbhandak Committee, Amritsar and the concerned record is in his possession. The onus shifts on him under Section 5(4) of the Act. Accordingly, he is directed to pass on the information to the appellant well before the next date of hearing. Be it noted that he shall be deemed as a PIO for this purpose.”*

The case has again been taken up today. The information has been handed over on spot to the complainant. He intends to go through it before reacting it.

 The matter shall be heard on **11.07.2018 at 11.30 AM through video conference at Amritsar.**

 **Sd/-**

**10.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: The Secretary, Shiromani Gurdwara Parbandhak Committee, Amritsar.**

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Sh. Baldev Singh Sirsa,

Village Khanwala,

Dr. Sarang Dev Tehsil Ajnala

Distt. Amritsar. Complainant

Versus

Public Information Officer,

O/o Shiromani Gurdwara Parbandhak Committee,

Amritsar Respondent

 **COMPLAINT CASE NO.1089/2017**

Date of RTI application : 28.08.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 05.10.2017

**Present:** Sh. Baldev Singh Sirsa, Complainant in person.

 1.Sh. Simerjit Singh, PIO, SGPC, and

 2. Sh. Kuldip Singh, Assistant Supervisor, SGPC, Amritsar – for Respondents.

**ORDER**

 Sh. Simerjit Singh, PIO submits that the information comprised in 75 pages has been sent to the complainant under registered cover from the Silliguri post office. They have shown us a copy of the postal receipt as well. The complainant denies its receipt. The Commission presumes that it should be in transit and probably he shall get it soon.

 To come up on **11.07.2018 at 11.30 AM through video conference at Amritsar.**

**Sd/-**

**10.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: The Secretary, Shiromani Gurdwara Parbandhak Committee, Amritsar, for n/a.**

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Sh. Gurbaksh Singh,

House No.1562, Phase -5,

S.A.S.Nagar. Complainant

Versus

Public Information Officer,

O/o Senior Supdt. of Police,

S.A.S Nagar.

First Appellate Authority

O/o Inspector General of Police,

Patiala Range, Patiala. Respondent

 **COMPLAINT CASE NO.1312/2017**

Date of RTI application : 01.05.2017

Date of First Appeal : 25.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :20.11.2017

**Present: None.**

**ORDER**

 None is present on behalf of the Parties.

 The matter is adjourned to be heard on **14.06.2018 at 11.30 AM.**

 **Sd/-**

**10.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gurbaksh Singh,

House No.1562, Phase -5,

S.A.S.Nagar. Complainant

Versus

Public Information Officer,

O/o Senior Supdt. of Police,

S.A.S Nagar.

First Appellate Authority

O/o Inspector General of Police,

Patiala Range, Patiala. Respondent

 **COMPLAINT CASE NO.1313/2017**

Date of RTI application : 01.05.2017

Date of First Appeal : 25.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :20.11.2017

**Present: None.**

**ORDER**

 None is present on behalf of the Parties.

 The matter is adjourned to be heard on **14.06.2018 at 11.30 AM.**

 **Sd/-**

**10.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gurbaksh Singh,

House No.1562, Phase -5,

S.A.S.Nagar. Complainant

Versus

Public Information Officer,

O/o Senior Supdt. of Police,

S.A.S Nagar.

First Appellate Authority

O/o Inspector General of Police,

Patiala Range, Patiala. Respondent

 **COMPLAINT CASE NO.1314/2017**

Date of RTI application : 01.05.2017

Date of First Appeal : 25.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :20.11.2017

**Present: None.**

**ORDER**

 None is present on behalf of the Parties.

 The matter is adjourned to be heard on **14.06.2018 at 11.30 AM.**

 **Sd/-**

**10.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**