

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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Sh. Jasdeep Singh, S/o Shri Kuljit Singh
House No. 2001, Phase 7, Mohali

.....Appellant

Vs

Public Information Officer,
O/o Director Vigilance Bureau,
Vigilance Bhawan, Sector 68, SAS Nagar, Mohali

First Appellate Authority-cum-
O/o Director Vigilance Bureau,
Vigilance Bhawan, Sector 68, SAS Nagar, Mohali

Public Information Officer
PIO, o/o Secretary, Vigilance Department, Punjab
Mini Sectt., Sector 9, Chandigarh

.....Respondent

AC.No. 531 of 2020
AC.No. 532 of 2020
AC.No. 533 of 2020
AC.No. 534 of 2020
and
AC.No. 535 of 2020

Present (i) Sh. Jasdeep Singh, the appellant
(ii) For the Respondent: Sh. Rajesh Kumar, Sub Inspector

ORDER

1. The RTI applications vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 29.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 11.03.2020 in the Commission.
3. The appellant filed five appeals with the Commission seeking information from Director Vigilance Bureau, Punjab, Mohali, as in all the appeals, the appellant and the PIO is the same so all these has been clubbed together.
4. The appellant states that he is not satisfied with the information provided by the respondent.

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AC.No. 531 of 2020
 AC.No. 532 of 2020
 AC.No. 533 of 2020
 AC.No. 534 of 2020
 and
 AC.No. 535 of 2020

5. Respondent states that the information is lying with the PIO, o/o Secretary, Vigilance Department, Punjab. He has also filed his reply which is as under:-

Appeal Nos. 531/2020, 532/2020, 533/2020, 534/2020, 535/2020

ਮੇਰੀ ਜਾਣਕਾਰੀ ਮਿਲਦੀ ਹੈ ਕਿ - 3/10, ਸਕਿਊਰਿਟੀ ਦੀ ਪੜਤਾਲ
 ਮਹਾਂਨਗਰ ਪਿੰਡ ਪਿੰਡਾਂ ਵਲੋਂ ਪੁਲਿਸ ਆਗੂ, ਸਾਰੇ ਪਿੰਡਾਂ
 ਵਲੋਂ - ਪੰਜਾਬ ਸੀ.ਐਮ. ਡੀ. 2010 ਵਾਲੇ ਕਰਮਚੀਰਾਂ ਦੀ ਸੂਚੀ
 ਪੜਤਾਲ ਕਰਕੇ ਕੋਈ ਵੀ ਪਿੰਡਾਂ ਵਿੱਚੋਂ ਨਹੀਂ ਮਿਲਦੀ 2002 ਵਲੋਂ
 ਮੌਜੂਦਾ ਕਰਮਚੀਰਾਂ ਦੀ ਸੂਚੀ ਪੜਤਾਲ ਕਰਕੇ ਕੋਈ ਵੀ ਪਿੰਡਾਂ
 ਵਿੱਚੋਂ ਨਹੀਂ ਮਿਲਦੀ. ਤੀਜੇ ਵਜੋਂ ਪੁਲਿਸ ਪੜਤਾਲੀ ਪਾਸ ਪੁਲਿਸ
 ਆਗੂ ਸੀ। ਪਿੰਡਾਂ ਵਿੱਚੋਂ ਕੋਈ ਵੀ ਜਾਣਕਾਰੀ ਨਹੀਂ ਮਿਲਦੀ
 ਜਿਸ ਵਿੱਚ ਕੋਈ ਵੀ ਜਾਣਕਾਰੀ ਨਹੀਂ ਮਿਲਦੀ, ਪਿੰਡਾਂ ਵਿੱਚੋਂ
 ਜਾਣਕਾਰੀ ਨਹੀਂ ਮਿਲਦੀ 2010 ਵਿੱਚੋਂ ਕੋਈ ਵੀ ਪਿੰਡਾਂ ਵਿੱਚੋਂ
 ਜਾਣਕਾਰੀ ਨਹੀਂ ਮਿਲਦੀ (3/10/2020 ਡੀ. ਡੀ. ਡੀ.)

Secretary
 Vigilance Department, Punjab
 Main Section Sec 9.
 11.3.20
 Rajesh Kumar
 Secy Insp.
 P/c DTI Secy.
 Vigilance Department,



6. Since, the information is to be provided by the PIO, o/o Secretary, Vigilance Department, Punjab. Therefore, PIO, o/o Secretary, Vigilance Department, Punjab is impleaded as respondent no.2. PIO, o/o Secretary, Vigilance Department, Punjab is directed to come present on the next date of hearing alongwith complete information.

7. Both the PIOs are directed to come present on the next date of hearing alongwith complete information.

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AC.No. 531 of 2020
AC.No. 532 of 2020
AC.No. 533 of 2020
AC.No. 534 of 2020
and
AC.No. 535 of 2020

8. To come up on **30.03.2020** at **11.00 AM** for further proceedings. Copy of the order be sent to the parties.

Dated: 11.03.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Smt. Varinder Kaur Dhanoa,
490, Urban Estate, Phase 1,
Jalandhar

.....Appellant

Vs

Public Information Officer,
O/o A N M Registrar,
Birth and Death, M PHW (Female)
Village Rani Ke, PHC(Loco Ke), Distt. Amritsar

First Appellate Authority
O/o Civil Surgeon, Civil Hospital
Amritsar

Registered post : **Public Information Officer**
o/o Civil Surgeon, Amritsar

.....Respondent

AC.No. 1828 of 2019

Present : (i) Smt. Varinder Kaur Dhanoa, the appellant
(ii) For the respondent : Smt. Jatinder Kaur, LHV and Sh. Pankaj Gill, M.O

ORDER

This order may be read with reference to the previous order dated 19.02.2020.

2. Today the respondent has brought complete information, which is handed over to the appellant. Respondent has also given in writing which is as under:-

11/03/2020 AC. No. 1828 of 2019
ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦੇ ਮੁਤਾਬਿਕ ਸੂਚਨਾ ਟਾਗਮ ਦੀ
ਕਾਪੀ ਟਾਗਮ ਹੈ। ਇਸ ਦੇ ਵਿਚਾਰ ਵੇਖੀ
ਕਾਪੀ ਟਾਗਮ ਨਹੀਂ ਹੈ।

Jatinderjit Kaur.

Jatinderjit Kaur.
L.H.V.

Ph No 9478351135
CHC Lofoke.
Amritsar.

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AC.No. 1828 of 2019

3. Original copy is handed over to the appellant. Copy of the same is taken on record. The appellant Smt. Varinder Kaur is satisfied with the information.
4. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Dated : 11.03.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Sh Ghanshayam Dass,(M:9316280155)
 S/o Sh Gauri Shankar, Street No.1,
 Professor Colony, Sirhind,
 Distt Fatehgarh Sahib.

.....Appellant

Vs

Public Information Officer,
 O/o District Collector,
 Food Civil Supplies and Consumer Affairs,
 Fatehgarh Sahib

First Appellate Authority-cum-Director,
 O/o Food Civil Supplies and Consumer Affairs, Pb
 Anaj Mandi, Sector 39C, Chandigarh.

.....Respondent

AC.No. 4311 of 2019
alongwith
AC.No. 4312 of 2019

Present (i) Sh Ghanshayam Dass, Appellant
 (ii) **For the Respondent:**, Ms Sukhveer Kaur, Auditor, Ms Baljit Kaur, Jr Auditor and
 S.Nirmal Singh, PIO-cum-DFSC, Sh. Gursharan Singh, AFSSO, Amlah and Sh. Mukesh
 Slukle, Inspector

ORDER

This order may be read with reference to the previous order dated 02.03.2020 vide which Sh. Nirmal Singh was directed to come present.

2. The appellant is satisfied with the information. He only demands that the respondent be penalized as he has not received the information within stipulated time as prescribed under the RTI Act 2005 .

3. Respondent files an affidavit as directed during the last hearing , which is as under:-

ਪੰਜਾਬ ਪੰਜਾਬ PUNJAB

ਹਲਫੀਆ ਬਿਆਨ

AC 100097

ਮੈਂ ਡਾ: ਨਿਰਮਲ ਸਿੰਘ, ਜਿਲ੍ਹਾ ਖੁਰਾਕ ਤੇ ਸਪਲਾਈਜ਼ ਕੰਟਰੋਲਰ ਕਮ ਜਿਲ੍ਹਾ ਮੈਨੇਜਰ ਪ੍ਰਨਗਰੇਨ ਪਤਾ : ਰੂਮ ਨੰਬਰ 434, ਥਰਡ ਫਲੋਰ, ਡੀ.ਸੀ ਕੰਪਲੈਕਸ ਫਤਹਿਗੜ੍ਹ ਸਾਹਿਬ ਇਹ ਬਿਆਨ ਕਰਦਾ ਹਾਂ ਕਿ :-

ਕਿ ਦਫਤਰੀ ਰਿਕਾਰਡ ਵਿੱਚ ਸ੍ਰੀ ਘਣਸ਼ਾਮ ਦਾਸ ਸ.ਖ.ਸ.ਅ (ਚਿਟਾ:), ਪ੍ਰੋਫੈਸਰ ਕਾਲੋਨੀ ਗਲੀ ਨੰ:1 ਮ.ਨੰ:181 ਸਰਹਿੰਦ, ਜਿਲ੍ਹਾ ਫਤਹਿਗੜ੍ਹ ਸਾਹਿਬ ਵੱਲੋਂ ਫਸਲੀ ਸਾਲ 2001-02 ਤੋਂ 2010-11 (AC.No.4311 of 2019 and AC.No.4312 of 2019) ਤੱਕ ਕੇਂਦਰ ਵਿੱਚੋਂ ਕਟਕ ਅਤੇ ਧੋੜੀ ਦੀ ਆਈ ਘਾਟ ਬਾਰੇ ਸੂਚਨਾਂ ਮੰਗੀ ਗਈ ਸੀ। ਇਹ ਰਿਕਾਰਡ ਕਾਫੀ ਹੋਣ ਕਾਰਨ, ਇਸ ਨੂੰ ਭਾਲਣ ਵਿੱਚ ਕਾਫੀ ਸਮਾਂ ਲੱਗਿਆ ਹੈ। ਮੈਂ ਇਸ ਵਿੱਚ ਹੋਣ ਵਾਲੀ ਦੇਰੀ ਮਾਲਫਾਇਡ ਇੰਟੈਂਸ਼ਨ ਨਹੀਂ ਸੀ।



ਘੋਸ਼ਣਾਕਾਰ 05/03/2020

Attested that the Affidavit/SPA/GPA has been read over & explained to the deponent who seemed directly to understand same at the time marking there of

ਘੋਸ਼ਣਾਕਾਰ ਅਨੁਸਾਰ ਦਿੱਤੀ ਗਈ ਸੂਚਨਾਂ ਅਤੇ ਦਸਤਾਵੇਜ਼ ਬਿਲਕੁਲ ਦਰੁੱਸਤ ਹਨ।

ਮਿਤੀ 05.03.2020

Certified that the contents of this document has been read over & explained to the deponent/ He/She/They has/have admitted the same to be correct and the deponent has signed/Thumb Marked the Same

ਘੋਸ਼ਣਾਕਾਰ 05/03/2020

deponent has been identified on basis of D.L.P.P./P.A.N. R.B.U.L.D./Any Other ment



Attested as identified
HARPREET KAUR
 NOTARY PUBLIC
 Distt Fatehgarh Sahib (Pb.)

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AC.No. 4311 of 2019
alongwith
AC.No. 4312 of 2019

4. I have gone through the same and have agreed with the same. Regarding delay, the respondent has filed an affidavit. However, the Respondent is warned to be careful in future while dealing with the RTI applications.

5. Since, the appellant has received the information, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Dated : 11.03.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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ShJatinder Kumar,(M:98723-24111)
C/o SachkhandMishthanBhandar,
Nehru Gate, Nawawnshaher.

.....Appellant

Vs

Public Information Officer,
O/oSrVigilance Officer,
Local Govt, Pb
Plot No.3, Municipal Bhawan,
Sector-35, Chandigarh

First Appellate Authority,
O/o Chief Vigilance Officer,
Local Govt, Pb
Plot No.3, Municipal Bhawan,
Sector-35, Chandigarh

.....Respondent

AC.No.544 of 2020

Present: (i) ShJatinder Kumar, Appellant.
(ii) For the Respondent: Sh Sanjay Tandon, SVO

ORDERS

The RTI application is dated 22.08.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 29.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 11.03.2020 in the Commission.
3. The Appellant states that he has received information pertaining to point no.1 but information pertaining to point no.2 has not been provided to him.
4. The Respondent states that the information pertaining to point no.2 cannot be provided to the Appellant as it contains the names of officers/officials whose disclosure cannot be made to the Appellant.
5. The perusal of the file shows that the information pertaining to point no.1 has been provided to the Appellant. Further, on point no.2 the Respondent is hereby directed to provide the information to the appellant and sever the names of the officers/officials from the noting's as stipulated in Section 10(1) of the RTI Act, 2005

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AC.No.544 of 2020

6. To come up on **30.03.2020 at 11:00AM**. Copy of the orders be sent to the parties.

Dated : 11.03.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Sh S.P Goyal, (M: 9820239110)

#2-C, Sarabha Nagar, NavDurgaMandir,
Gurudwara Road, Ludhiana.

.....Appellant

Vs

Public Information Officer,

O/oPunjab Small Industries & Export Corporation,
UdyogBhawan, Himalaya Marg,
Sector 17-A, Chandigarh-160017

.....Respondent

CC.No.107 of 2020

Present: (i) None for the Appellant.

(ii) For the Respondent: ShSuresh Kumar, Section officer

ORDERS

1. The RTI application is dated 21.10.2019 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 24.01.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 11.03.2020 in the Commission.
3. The Complainant is not present today. However, an e-mail has been received from the Complainant mentioning therein that he shall not be able to attend the hearing today. Copy of the same is taken on record.
4. The Respondent states that the complete information has been provided to the Complainant. He also files his reply which is taken on record.
5. This is the first date of hearing and the Complainant is not present today. Hence, an opportunity is given to the Complainant to appear before the Commission and state his case.
6. To come up on **19.03.2020 at 11:00AM through Video -Conferencing facility in the office of DC, Ludhiana.** However, the Respondent may attend the hearing in the Commission office. Copy of the orders be sent to the parties.

Sd/-

Dated : 11.03.2020

(Preety Chawla)
State Information Commissioner
Punjab

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Smt.NanditaMalhotra,
H No 15-H, Sarabha Nagar,
Ludhiana-141002.

.....Appellant

Vs

Public Information Officer,
O/oPunjab Small Industries & Export Corporation,
UdyogBhawan, Himalaya Marg,
Sector 17-A, Chandigarh-160017

First Appellate Authority,
Punjab Small Industries & Export Corporation,
UdyogBhawan, Himalaya Marg,
Sector 17-A, Chandigarh-160017

.....Respondent

AC.No.536 of 2020

Present: None for the parties.

ORDER

1. The RTI application is dated 24.09.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 29.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 11.03.2020 in the Commission.
3. Today neither the Appellant nor the Respondent is present today.
4. This is the first date of hearing and both the parties are not present today. Hence, an opportunity is given to both the parties to appear before the Commission and state their case.
5. To come up on **30.03.2020 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Dated : 11.03.2020

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.BirchhBhan,
S/o ShSaroop Chand,
R/o House No.33, Kahangarh Road,
Pattran, Patiala

.....Appellant

Vs

Public Information Officer,
O/o EO, Block Samiti,
Pattran, Patiala

.....Respondent

CC.No.959 of 2019

Present: None for the parties.

ORDERS

This order may be read with reference to the previous order dated 17.02.2020.

2. Today neither the complainant nor the Respondent is present today. They were not present on the previous two hearings also. They have not even bothered to inform the Commission about their absence. Therefore, I am of the view that no useful purpose will be served in prolonging this matter any further. Hence, the instant Complaint case is ***dismissed for non-prosecution***. Copy of the orders be sent to the parties.

Sd/-

Dated : 11.03.2020

(Preety Chawla)
State Information Commissioner
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Sh. Ajay Nand alias Ajay Kumar Mehta,
Late Sri Nand, R/o C-118, East Mohan Nagar,
Chamrang Road, Amritsar

.....Appellant

..Vs

Public Information Officer,
O/o District Health Officer, Amritsar

First Appellate Authority
O/o Civil Surgeon , Amritsar

.....Respondent

AC No. 4503 of 2019

ORDER

The judgment in this case was reserved on 19.02.2020

2. The applicant/appellant filed RTI application dated 27.08.2019 to the PIO o/o District Health Officer, Amritsar whereby he sought information on 03 points which is as under:-

- 1) ਕਰਮ ਸਿੰਘ ਢਿੱਗਰੀ ਅਠਗੇ ਪਿਛਾਗ ਵੇ ਮੀਠਿਤਰ ਸਿਖੇ ਫਿਰ ਅਧਿਕਾਰੀ ਅਤੇ ਕਮਰਾਈ ਪਿਛਾਗ ਤੇਈਆ ਡਿਗਰੀਆ ਕੇ ਕਾਰਨ 1988 ਤੋਂ FIR ਦੀਆ ਰਾਪੀਆ ਢਿੱਗਰੀਆ ਸਾਣ 2005 ਤੋਂ ਪੈ ਕੇ ਅਜ ਤਕ ।
 - 2) ਫਿਰ ਢਿੱਗਰੀਆ ਸਾਣੇ ਰਿ ਉਸਤ ਮੇਰ ਕਰਤ ਮੀਠਿਤਰ ਸਿਖੇ ਵੇ ਅਧਿਕਾਰੀ ਅਤੇ ਕਮਰਾਈਆ ਉਪ ਰਿਕੀਆ ਡਿਗਰੀ FIR ਕਰਕ ਤੇਈਆ ਤਕ ਦੀਆ ਰਾਪੀਆ ਢਿੱਗਰੀਆ ਸਾਣ । ਅਤੇ
 - 3) ਫਿਰ ਢਿੱਗਰੀਆ ਸਾਣੇ ਉਸਤ FIR ਢਿੱਗੇ ਡਿੱਗੇ ਕਮਰਾਈ ਅਤੇ ਅਧਿਕਾਰੀਆ ਤੋਂ ਸਕਾ ਤੇ ਚੁਰੀ ਤੋਂ ਅਤੇ ਰਿਕੇ ਢਿੱਗੇ ਤੋਂ ਤਕ ਤਕ ਤੇ ਰਿਕੇ ਪੈ ਢਿੱਗੇ ਤਕ ।
- ਕਿਸੇ ਵੀ ਢਿੱਗਰੀਆ ਰਾਪੀਆ ਢਿੱਗਰੀਆ ਸਾਣ ।



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AC No. 4503 of 2019

3. On receiving reply dated 19.09.2019 from the PIO that the sought for information is NIL, the applicant filed appeal to the first appellate authority on 30.09.2019. The applicant/appellant submitted that the first appellate authority also denied the information. Hence this appeal filed to the Commission by the appellant on 04.12.2019 on the ground that the demanded information has not been furnished by the respondent within the stipulated period.

2. Notice was issued to the parties for 04.02.2020 in the Commission.

3. On 04.02.2020, the appellant submitted that incomplete information has been given to him so far. The appellant stated that Section 8(1) (B.G.H.J) for denying copy of FIR on point nos. 1 and 2 is not applicable. Therefore, the denial is not justified as the FIR is a public document and can be sought by any citizen.

4. The Commission understands that an FIR registered is a public document. They can withhold it only in case they make a convincing case of exception under exemption clause. They should come up in writing else they should provide a copy of the FIR, if registered, to the appellant.

5. After hearing both the parties and examining the case file, it is observed that the appellant has sought information about FIR registered from 1988 to 2005 against Government officials. Consequently, it is observed that voluminous information has been asked for by the appellant. The appellant may take note that there is a judgement of The Supreme Court of India in Civil Appeal No. 6454 of 2011 Central Board of Secondary Education Vs Aditya Bandopadhyay and ors. has in its judgment dated 09.08.2011 observed as under -

(37 Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing

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AC No. 4503 of 2019

information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising 'information furnishing', at the cost of their normal and regular duties.)

6. However, the PIO respondent is directed to allow the appellant to inspect the FIR register and obtain the information. Respondent is directed to provide the same to the appellant.

7. To come up on **07.04.2020 at 11.00 AM** for further proceedings. Copy of the order sent to the parties.

Chandigarh
Dated:11.03.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab