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FINAL ORDER

Rajiv Kumar Sharma,

S/o Shri Sushil Kumar, # 50, Kehsav Nagar, Near Prakashvati Sr. Sec. School, Mithapur Road, Jalandhar – 144 001.

Versus

Public Information Officer,

o/o Tehsildar-1,
o/o Deputy Commissioner, Jalandhar.

Public Information Officer,
o/o Tehsildar-2,
o/o Deputy Commissioner, Jalandhar.

Public Information Officer,
o/o Deputy Commissioner,
Jalandhar.

First Appellate Authority,
o/o Deputy Commissioner,

Appeal Case No. 786 of 2022 (Video Conference Proceedings)

PRESENT:

Jalandhar.

(Appellant) Absent Sandeep Kumar, Clerk (for the Respondent) 99888-02045 Sonia, Junior Assistant (for the Respondent) 98555-52587

ORDER:

(To be read in continuity with earlier orders on 29.6.2022)

- 1. The RTI application dated 18.11.2021 vide which the appellant has sought information by way of a list of Numbardars/Lambardars in Jalandhar 1 and 2 Circles along with any complaints / FIRs against them etc., as enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on 20.12.2021 and Second Appeal was filed in the Commission on 10.2.2022 under Section 19 of the Right to Information Act, 2005. The case was last heard on 29.6.2022.
- 2. The appellant is absent for the second time in succession. As directed at the last hearing on 29.6.2022, both the PIO-cum-Tehsildar-1 and PIO-cum-Tehsildar-2, have submitted separate replies vide Letter No. 11-12 Dated 12.7.2020 and 258/RTI Dated 11.7.2022, respectively along with the requested information. However, while PIO-cum-Tehsildar-2, has addressed the appellant's query regarding pending FIR's against Lambardars, PIO-cum-Tehsildar-1, has not addressed said query.

Contd....2

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Appeal Case No. 786 of 2022 (Video Conference Proceedings)

- 3. The PIO-cum-Tehsildar-1 office of Deputy Commissioner, Jalandhar, is hereby directed to search his record with respect to any pending FIR registered against the Lambardars in the list already furnished. The said information must be provided to the appellant with a copy to this Commission within Ten days of this Hearing. In the event that said information is not available or that no FIR is pending, the PIO-cum-Tehsildar-1 is to inform the appellant and the Commission accordingly.
- 4. This Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Jasbir Singh,
Guru Nanak Nagar,
Village Bholapur Jhabewal,
Post Office Ramgarh,
Ludhiana – 141 123.

Versus

Public Information Officer, o/o Sub Registrar, Goraya, Jalandhar. **First Appellate Authority,** o/o Deputy Commissioner, Jalandhar.

Appeal Case No. 801 of 2022 (Video Conference Proceedings)

PRESENT: (Appellant) Absent Joga Singh, Junior Assistant (for the Respondent) 99882-86455

ORDER:

(To be read in continuity with earlier orders on 29.6.2022)

- 1. The RTI application dated **2.3.2021** vide which the appellant has sought information regarding Area / villages under the jurisdiction of the Sub Registrar Goraya etc., as enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on **30.11.2021** and Second Appeal was filed in the Commission on **11.2.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **29.6.2022**.
- 2. The appellant is absent without intimation for the second successive hearing. The respondent PIO, represented by Joga Singh, Junior Assistant, states that as directed by this Commission in its Order of 29.6.2022, a fresh reply was sent to the appellant vide Letter No. 108-109 Dated 7.2.2022, along with information requested at point no. 2. The said reply/information has still not been received in the Commission.
- 3. The respondent PIO is directed herewith to re-send the aforesaid reply along with the appended information to the Commission both via email and by registered post. This must be done within one week of receipt of this Order.
- 4. This Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Makhan Singh, S/o Shri Jagir Singh, Village Bika, Distt. SBS Nagar.

Versus

Public Information Officer, o/o Senior Superintendent of Police, Vigilance Bureau, Jalandhar. Public Information Officer, o/o District Attorney, District Courts, Jalandhar. First Appellate Authority, o/o District Attorney, Jalandhar.

Appeal Case No. 833 of 2022 (Video Conference Proceedings)

PRESENT:

Makhan Singh (Appellant) 99151-69047 Ravinder Kaur, Inspector (for the Respondent) 88729-26465 Gagandeep, APIO-cum-ADA (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on **29.6.2022**)

- 1. The RTI application dated **28.10.2021** vide which the appellant has sought information regarding IPC 182 *Kalandra* Dated 25.10.2021, as enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on **9.12.2021** and Second Appeal was filed in the Commission on **14.2.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **29.6.2022**.
- 2. Both parties are present. The respondent PIO is represented by Gagandeep, APIO-cum-ADA, from the office of District Attorney, Jalandhar and Ravinder Kaur, Inspector from the office of SSP, Vigilance Bureau, Jalandhar. Both respondents have submitted separate replies to the Show Cause Notice issued to them vide this Commission's Order of 29.6.2022. This RTI application which was submitted to the office of District Attorney, Jalandhar on 28.10.2021, was subsequently transferred to the office of SSP, Vigilance Bureau, Jalandhar, who is actual custodian of the requested information.
- 3. The respondent No.1 in his reply to Show Cause Notice, has denied the requested information on the ground that the final report under Section 173CRPC against the appellant under Section 182IPC has already been presented in the Trial Court and all the necessary enquiry reports, as demanded by the appellant, have already been attached to the final report.

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Appeal Case No. 833 of 2022 (Video Conference Proceedings)

- 4.The Commission finds that the consignment of challan to a Trial Court does not preclude supply of information to the appellant. Said information which would have qualify for exemption as per Section 8(1)(h) of the RTI Act 2005, during the course of investigation no longer qualifies for said exemption.
- 5. The respondent PIO, office of SSP Vigilance Bureau Jalandhar, is hereby directed to furnish the requested information to the appellant within 10 days of receipt of this Order. Every page of the furnished information must be attested in the format stipulated by this Commission at para no. 4 of the Order of 29.6.2022 and said information must also be accompanied by covering letter signed by the respondent PIO, office of SSP, Vigilance Bureau, Jalandhar. A copy of aforesaid reply and the appended information is also to be submitted to the Commission.
- 5. Furthermore, the respondent no. 2, i.e. office of District Attorney, Jalandhar is hereafter exempted from appearance in the event that this Appeal Case re-opened for non-compliance by Respondent 1.
- 6. This Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Akashdeep Singh, S/o Sh. Jaswinder Singh, Ward NO. 2, Bariwala, Mukatsar-152025.

Versus

Public Information Officer,

o/o Executive Engineer,
Faridkot Canal Division,
Faridkot.
First Appellate Authority,
Superintendent Engineer,
Sarhind Canal Circle,
Ludhiana.

Appeal Case No. 2195 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent Kamaljeet Singh, ARC (for the Respondent) 93170-00006

ORDER:

- 1. The RTI application dated **26.3.2022** vide which the appellant has sought information **regarding waravandi**, as enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on **19.4.2022** and Second Appeal was filed in the Commission on **5.5.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **11.8.2022**.
- 2. The appellant is absent but has informed the Commission via email Dated 8.6.2022, that he has received the requested information.
- 3. This Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Yogesh Mahajan, S/o Kuldip Raj Mahajan, Opp. Water Tank, Municipal Market, Mission Road, Pathankot.

Versus

Public Information officer, o/o Executive Engineer, (C), Mandi Board Division, Amritsar. First Appellate Authority, Chief Engineer(North/South), Mandi Board, Mohali.

Appeal Case No. 5271 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent Amritpal Singh, APIO-cum-SDO (for the Respondent) 96461-35677

ORDER:

(To be read in continuity with earlier orders on **2.6.2022**)

- 1. The RTI application is dated **1.6.2021** vide which the appellant has sought information <u>regarding financial/comparative statements</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.7.2021** and Second Appeal was filed in the Commission on **23.11.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.6.2021**.
- 2. The appellant is absent but has informed the Commission vide his email of 11.8.2022 that he has received the requested information. This Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Yogesh Mahajan, S/o Kuldip Raj Mahajan, Opp. Water Tank, Municipal Market, Mission Road, Pathankot.

Versus

Public Information officer, o/o Executive Engineer, Draining Construction Division, Amritsar. First Appellate Authority, Superintendent Engineer, Draining Circle,

Appeal Case No. 5344 of 2021 (Video Conference Proceedings)

PRESENT:

Amritsar.

(Appellant) Absent Surinderpal, Superintendent (for the Respondent) 94172-74544

ORDER:

(To be read in continuity with earlier orders on **2.6.2022**)

- 1. The RTI application is dated **2.8.2021** vide which the appellant has sought information <u>regarding comparative statements</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.10.2021** and Second Appeal was filed in the Commission on **26.11.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.6.2021**.
- 2. The appellant is absent but has informed the Commission that the information supplied by the respondent PIO is incomplete and that he has written to the PIO vide a Letter Dated 17.6.2022, listing the deficiencies. The respondent PIO, represented by Surinderpal, Superintendent, states that the pending information has now been sent to the appellant vide Letter No. 574-75 Dated 9.8.2022, which was sent by registered post on 10.8.2022.
- 3. The respondent PIO is directed to submit copy of said reply along with attested copies of appended information to this Commission forthwith. This Appeal Case is accordingly **Disposed** of.

Sd/-(ASIT JOLLY)

State Information Commissioner, Punjab.

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FINAL ORDER

Yogesh Mahajan, S/o Kuldip Raj Mahajan, Opp. Water Tank, Municipal Market, Mission Road, Pathankot.

Versus

Public Information officer, o/o Executive Engineer, Draining Construction Division, Amritsar. First Appellate Authority, Superintendent Engineer, Draining Circle, Amritsar.

Appeal Case No. 5345 of 2021 (Video Conference Proceedings)

PRESENT: (Appellant) Absent Surinderpal, Superintendent (for the Respondent) 94172-74544 ORDER:

(To be read in continuity with earlier orders on **2.6.2022**)

- 1. The RTI application is dated **2.8.2021** vide which the appellant has sought information <u>regarding drainage construction division</u>, <u>Amritsar</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.10.2021** and Second Appeal was filed in the Commission on **26.11.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.6.2021**.
- 2. The appellant is absent but has informed the Commission vide his email of 11.8.2022 that he has received the requested information. This Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Navpreet Kaur,

W/o Harjinder Singh, # 11, SG Garden, Majitha Road, Naushera, Amritsar.

Versus

Public Information Officer,

o/o Deputy Chief Engineer, Operational, Sub Urban Division, Punjab State Power Corporation Limited, Amritsar. First Appellate Authority, O/o Chief Engineer, Operational, Border Zone, Amritsar

Appeal Case No. 2680 of 2020 (Video Conference Proceedings)

PRESENT:

Vanshjot (for the Appellant) Shashi Pal, SDO (for the Respondent) 96461-13058

ORDER:

(To be read in continuity with earlier order on **22.1.2021**, **25.8.2021**, **25.11.2021**, **9.2.2022**, **and 26.5.2022**)

- 1. The RTI application is dated **25.6.2020** vide which the appellant has sought information <u>regarding the installation and use of generators etc.</u>, as enumerated in her RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **27.7.2020** and Second Appeal was filed in the Commission on **17.9.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.5.2022**.
- 2. The appellant is absent but has informed the Commission of her inability to attend this hearing. The respondent PIO, represented by Shashi Pal, SDO, states that as directed by the Commission, a reply to the two deficiencies listed by the appellant, was sent vide Letter No. 11402 Dated 3.8.2022, informing her that the information is third party and said third party has refused consent to disclose said information to the appellant.
- 3. The Commission re-examined the respondent PIO's reply with respect to point no. 4 and 5 and is of the opinion that the <u>point no. 4 is not third party and directs the respondent PIO to submit a duly notarized affidavit regarding status of the penalty imposed on the stated third party for the alleged misuse of electricity. With regard to point 5, the respondent states that the information pertaining to the appellant herself by way of receipt of security deposited etc. are available and will be supplied. The rest of the information pertains to other individual/ third parties and has so been denied.</u>

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Appeal Case No. 2680 of 2020 (Video Conference Proceedings)

4. The commission upholds the respondent PIO's decision with respect to point no. 5. This Appeal Case is accordingly $\underline{\textbf{Disposed of}}$.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Arun Mattu,

S/o Sh. Denial Masih, St. No.1, Near Janj Garh, Mohalla Gobindpura, Phagwara, Patiala.

Versus

Public Information Officer,

o/o Executive Engineer (C), Punjab Mandi Board, Amritsar. **First Appellate Authority,** o/o Chief Engineer, Punjab Mandi Board, Amritsar.

Appeal Case No. 1825 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent Amritpal Singh, APIO-cum-SDO (for the Respondent) 96461-35677

ORDER:

- 1. The RTI application dated **21.1.2022** vide which the appellant has sought information <u>regarding agreement register / quotation register</u>, as enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on **23.2.2022** and Second Appeal was filed in the Commission on **13.4.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **11.8.2022**.
- 2. The appellant is absent without intimation. The respondent PIO, represented by Amritpal Singh, APIO-cum-SDO, has made a written submission wherein he states that the RTI application was not received in his office. He states that the RTI was only received with a Letter Dated 11.3.2022 from the First Appellate Authority. Subsequent to this vide Letter No. 1112 Dated 24.3.2022, the appellant was requested to deposit a sum of Rs. 2,000/- as copying charges for the requested information which he has not done to date.
- 3. The Commission has examined the case file and finds that the appellant had in fact sent his RTI application to the PIO by registered post receipt no. RP863298917IN dated 21.1.2022. In view of the above the respondent PIO's demand for copying cost beyond a period of 30 days from the date of submission of RTI application is set aside.
- 4. The respondent PIO is herewith directed to provide a pointwise reply to the RTI application along with requested information by way of duly attested copies within 15 days of receipt of this Order. This Appeal Case is accordingly **Disposed of**.

Sd/-(ASIT JOLLY)

State Information Commissioner, Punjab.

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FINAL ORDER

Sukrit Sharda, S/o Sh. Jatinder Sharda, # 50/186, Old Shahpur Road, Pathankot – 145 001

Versus

Public Information officer,

o/o Executive Engineer,
Punjab Mandi Board,
Amritsar – 143 001
First Appellate Authority,
o/o Chief Engineer (North),
Punjab Mandi Board,
Punjab Mandi Bhawan,
Sector-65-A, S.A.S Nagar (Mohali) – 160 062)

Appeal Case No. 2044 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent Amritpal Singh, SDO (for the Respondent) 96461-35677

ORDER:

(To be read in continuity with earlier orders on 10.11.2021, 9.2.2022, and 26.5.2022)

- 1. The RTI application is dated **3.2.2021** vide which the appellant has sought information regarding the cashbook maintained from **1.4.2020** to **31.1.2021**, along with bill/vouchers, MB etc. as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.3.2021** and Second Appeal was filed in the Commission on **27.4.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.5.2022**.
- 2. The appellant is absent without intimation. The respondent PIO has meanwhile submitted a reply to the Show Cause Notice issued to him vide this Commission's Order of 26.5.2022, wherein he has stated that as per the Commission's directions all the requested information was supplied to the appellant in person vide Letter 621 Dated 20.6.2022. A copy of a receipt signed by the appellant has also been submitted.
- 3. In view of the above, this Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Surinder Singh, S/o Santokh Singh, 1381, Baba Farid Nagar, Village Kaleighunupur, Chheharata, Amritsar.

Versus

Public Information officer, o/o Executive Engineer, Punjab Mandi Board, Amritsar. First Appellate Authority, o/o Punjab Mandi Board, Sector-65-A, Mohali

Appeal Case No.5204 of 2021 (Video Conference Proceedings)

PRESENT: (Appellant) Absent Amritpal Singh, SDO (for the Respondent) 96461-35677

ORDER:

(To be read in continuity with earlier orders on **27.4.2022**)

- 1. The RTI application is dated **26.7.2021** vide which the appellant has sought information **regarding the Supervisor's Orders of 20.3.2001**, **21.3.2001** and **15.4.2001** etc., as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.9.2021** and Second Appeal was filed in the Commission on **17.11.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.4.2022**.
- 2. The appellant is absent without intimation. As per a reply submitted by the respondent PIO vide Letter No. 884 Dated 5.8.2021, the appellant was informed that the requested record is more than 20 years old and so not traceable. He was also informed that said record qualifies for exemption as per Section 8(3) of the RTI Act 2005.
- 3. The Commission observes that the respondent PIO's reply is in consonance with the RTI Act 2005. This Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Kamal Deep Kaur,

W/o Ajay Pal Singh, VPO Gumtala, Opposite Government Dispensary, Amritsar.

Versus

Public Information Officer,

o/o Joint Commissioner,
Municipal Corporation, Amritsar. **Public Information Officer,**o/o Commissioner, Municipal Corporation,
Amritsar. **First Appellate Authority,**Commissioner, Municipal Corporation

Commissioner, Municipal Corporation, Amritsar.

Appeal Case No. 2060 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent Nirmaljit Verma, Building Inspector (for the Respondent) 98765-01826

ORDER:

(To be read in continuity with earlier orders on **27.8.2021**, **10.11.2021**, **9.2.2022**, **and 26.5.2022**)

- 1. The RTI application is dated 10.2.2021 vide which the appellant has sought information regarding her complaint dated 14.9.20 to the Commissioner Municipal Corporation Amritsar, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on 10.3.2021 and Second Appeal was filed in the Commission on 28.04.2021 under Section 19 of the Right to Information Act, 2005. The case was last heard on 26.5.2022.
- 2. At the last hearing on 26.5.2022, the respondent PIO was directed to submit a duly notarized affidavit restating his reply vide Letter No. 419 Dated 7.2.2021, along with list of individual documents (1 to 7 pages) along with Letter No. and Dates that were supplied along with Letter No. 419 Dated 7.2.2022, to the appellant. The respondent PIO was also directed to clearly state that the information provided to the appellant is correct and as available in the records pertain to this RTI application. In compliance, the PIO-cum-MTP, Meharban Singh, has submitted the requested affidavit vide Letter Dated 5.8.2022, along with other copies of information as available in the record.
- 3. In view of the above, this Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Sarabjit Singh, S/o Sh. Gurdeep Singh, VPO Gumanpura, Tehsil & District Amritsar.

Versus

Public Information officer, o/o Divisional Forest Officer, Amritsar. First Appellate Authority-cumo/o Conservator of Forest, Bist Circle, Jalandhar.

Appeal Case No. 3814 of 2021 (Video Conference proceedings)

PRESENT:

(Appellant) Absent Vishal Verma, APIO-cum-Forest Guard (for the Respondent) 81949-40000

ORDER:

(To be read in continuity with earlier order on **9.2.2022 and 26.5.2022**)

- 1. The RTI application is dated **3.5.2021** vide which the appellant has sought information <u>regarding Forest Range, Amritsar- 2</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **18.6.2021** and Second Appeal was filed in the Commission on **24.8.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.5.2022**.
- 2. The appellant is absent without intimation. At the last hearing on 26.5.2022, the appellant was granted an opportunity to examine the reply furnished by the respondent PIO. There has since been no communication from him.
- 3. In view of the above, this Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Sarabjit Singh, S/o Gurdeep Singh, VPO Gumanpura, Tehsil & District Amritsar.

Versus

Public Information officer, o/o Chief Forest Conservator, Punjab, Forest Bhawan, Sector-68, Mohali. First Appellate Authority, o/o Secretary, Forest Department, Punjab, Sector-9, Chandigarh.

Appeal Case No. 5104 of 2021 and 5111 of 2021 (Heard together via Video Conference Proceedings)

PRESENT:
(Appellant) Absent
Vishal Verma, APIO-cum-Forest Guard (for the Respondent) 81949-40444

ORDER:

(To be read in continuity with earlier order on **27.4.2022**)

- 1. The RTI application is dated **28.6.2021** vide which the appellant has sought information regarding action on the applications/complaints dated **12.9.2009** and **25.7.2019** against **DFO Amritsar**, **S.S. Sahota**, as enumerated in his RTI applications. First Appeal was filed with the First Appellate Authority (FAA) on **18.8.2021** and and Second Appeal was filed in the Commission on **10.11.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.4.2022**.
- 2. At the last hearing on 27.4.2022, the appellant was given an opportunity to list deficiencies in the information sent vide Letter No. 549 Dated 18.4.2022. The appellant has written to the Commission stating that he has not received any information, but he has not listed any deficiency in the reply sent by the respondent PIO vide the aforementioned letter, which was sent to him by registered post.
- 3. The Commission is of the view that said reply, which is on the file of the Commission adequately addresses the queries raised in the RTI application. It is notable that despite being afforded the opportunity, the appellant has not listed any specific deficiency.
- 4. In view of the above this Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.