

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

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



S Jasbir Singh,
Village Bolapur, Jhabewal,
Post Office Ramgarh,
District-Ludhiana

-----Appellant

Vs.

Public Information Officer,
O/o SDM, Guruharsahai,
Distt- Ferozepur
First Appellate Authority-cum-
SDM, Guruharsahai,
Distt Ferozepur

-----Respondent

AC .No. 1155 of 2019

Present: (i) Sh. Tejinder Singh on behalf of the appellant
(ii) For the respondent: Sh. Jugraj Singh, PIO

ORDER

The RTI application is dated 19.12.2018 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 26.03.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 12.06.2019 in the Commission.
3. Sh. Tejinder Singh is appearing on behalf of the appellant and states that no information has been given to the appellant so far.
4. Respondent states that he has brought the information today in the Commission, which is handed over to the representative of the appellant. Sh. Tejinder Singh has gone through the same and states that he is not satisfied with the information.
5. After hearing both the parties and the perusal of the record reveals that the department had not implemented the Section 4 of the RTI Act 2005. According to Section 4, it is mandatory for every public authority shall maintain all its records duly catalogued and indexed in a manner and the form which facilitates the Right to

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AC .No. 1155 of 2019

Information under this Act and ensure that all records that are appropriate to be computerized, within a reasonable time and subject to availability of resources, computerized on connect through a network all over the Country on different systems, so that access of such records is facilitated.

6. With these directions, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 12.06.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Registered post

Sh Pankaj Kumar,
H.No- B-22/28,
Near Govt. Sr. Sec (Boys),
Batala

-----Appellant

Vs.

Public Information Officer,
O/o The Controller,
Printing and Controller. Pb , Chd

-----Respondent

CC .No.327 of 2019

Present: (i) Sh. Jagdish on behalf of the complainant
(ii) For the respondent : Sh. Sukhwinder Singh, Sr. Assistant

ORDER

1. The RTI application is dated 08.02.2019 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 02.04.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 12.06.2019 in the Commission.

3. Sh.Jagdish is appearing on behalf of the complainant.

4. Respondent states that the information demanded by the complainant is not concerned with their department.

5. After hearing both the parties and gone through the case file, it is ascertained that the respondent is not aware about the facts of the case.

6. It is observed that the respondents are being represented by low level officials who are not in a position to satisfy the commission and the appellant. From the next date of hearing, no person below the PIO or APIO will be allowed to appear. Appearance of low level officials will amount to disrespect to the RTI Act besides invoking the provisions of imposition of penalty and also award of compensation to the

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CC .No.327 of 2019

appellant and also recommendation of disciplinary action against the PIO under Section 20 of RTI Act, 2005.

7. Therefore, Sh.Pawan Kapoor, Deputy Controller Accounts and Officer is directed to come present on the next date of hearing, failing which action under Section 20 (1) of the RTI Act will be initiated.

8. To come up on **24.06.2019 at 11.00 AM**. Copy of the order be sent to the parties through registered post.

Chandigarh
Dated: 12.06.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh David Jain,
#87, Bazar No.3,
Ferozpur Cantt.(M:984860298)

-----Appellant

Vs.

Public Information Officer,
O/o Director,
Welfare for SC/BC, Pb,
Sector-18, Chandigarh

-----Respondent

CC .No.328 of 2019

Present: (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Baldev Singh, Sr. Assistant and Sh. Gaurav,
Clerk

ORDER

The RTI application is dated 08.02.2019 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 27.03.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 12.06.2019 in the Commission.
3. The appellant is absent today.
4. Respondent states that the information has already been sent to the appellant.
5. Since the appellant is absent and this is the first date of hearing, therefore one more opportunity is given to the complainant to appear before the Commission and state his case.
6. To come up on **18.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 12.06.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Raj Singh,
S/o Sh Diyal Singh,
R/O Basti Maggar Singh Wali,
Tehsil Guruharsahai, Distt Ferozepur

.....Appellant

Vs

Public Information Officer,
O/o Inspector, Food and Supply,
Guruharsahai, Distt Ferozepur
First Appellate Authority –cum
O/o District Controller,
Food Supplies, Civil & Consumer Affairs,
Ferozepur

.....Respondent

AC.No. 3795 of 2018

Present: (i) Sh. Nitin Rampal , Counsel for the appellant
(ii) For the respondent : Sh. Sandeep, Inspector and Sh. Pinder Singh,
DFSE –cum- PIO

ORDER

This order may be read with reference to the previous order dated 09.04.2019.

2. Respondent states that he has brought information today alongwith an affidavit.
3. Original affidavit and information is handed over to the appellant. Copy is taken on record. The counsel for the respondent has gone through the same and states that incomplete information has been given to him so far. The respondent has promised that the remaining information will be provided to the appellant.
4. On the assurance of the respondent, the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 12.06.2019

(Preety Chawla)
State Information Commissioner

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Sh. Pargat Masih (Chairman),
S/o Sh Balkar Masih,
Empowerment Association for Blind (Regd.),
C/o Sh Ankit Kapur, House No.6,
Pratap Colony, Model Gram, Ludhiana-141002

.....Appellant

Vs

Public Information Officer,
O/o Superintendent, Govt. Institution for Blinds,
Jalampur, Ludhiana

First Appellate Authority,
O/o Director, Social Security Department, Pb,
Chandigarh

.....Respondent

AC.No. 218 of 2019

Present: (i) Sh. Pargat Masih the appellant
(ii) For the respondent : Smt.Nirmal Kumari, Sr. Assistant , Sh. Balvir Singh,
Clerk, Smt. Paramjit Kaur, Headmistress and Smt. Rekha

ORDER

This order may be read with reference to the previous order dated 11.04.2019.

2. The appellant states that no information has been given to him so far.
3. Respondent states that the information demanded by the appellant is third party information.
4. After hearing both the parties, it is ascertained that the information sought by him cannot be provided to him being a personal information which is exempted under Section 8(1)(j) of the RTI Act . Hon'ble Supreme Court of India in SLP no. 27734 of 2012 titled Girish Ramchandra Deshpande Vs Cen. Information Commr. & Ors and another in its order on 03.10.2012 has held as under:-

(13. We are in agreement with the CIC and the courts below that the details called for by the petitioner i.e. copies of all memos issued to the third respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the

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AC.No. 218 of 2019

expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right).

5. After hearing the appellant, it reveals that the department had not implemented the Section 4 of the RTI Act 2005. According to Section 4, it is mandatory for every public authority shall maintain all its records duly catalogued and indexed in a manner and the form which facilitates the Right to Information under this Act and ensure that all records that are appropriate to be computerized, within a reasonable time and subject to availability of resources, computerized on connect through a network all over the Country on different systems, so that access of such records is facilitated.
6. Respondent is directed to send copy of list of candidates only to the appellant with a copy to the Commission.
7. To come up on **18.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 12.06.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Advocate Vijay Hans,
Lex Solutions (Law Firm),
House No. 31, Satya Niwas,
Silver City, Zirakpur (Punjab) - 140603

.....Appellant

Vs

Public Information Officer,
o/o PUNSUP, SCO 36-40,
Sector 34A, Chandigarh - 160034

First Appellate Authority

o/o PUNSUP, Punjab State Civil Supplies Corp Ltd,
SCO36-40, Sector 34A, Chandigarh - 160034

.....Respondent

AC No.428 of 2019

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Anoop Sharma, GM, Sh.Amandeep Singh,
APIO and Sh. Amit Kumar, Sr. Assistant

ORDER

This order may be read with reference to the previous order dated 23.04.2019 .

2. The appellant is absent today. He has sent a letter stating that he is unable to come today.
3. Respondent states that the information has already been sent to the appellant.
4. After hearing the respondent , it is ascertained that the information has already been sent to the appellant. The appellant is absent today. Respondent is directed to send again the information to the appellant through registered post.
5. Since, the information has been sent to the appellant, 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.

Sd/-

Chandigarh
Dated: 12.06.2019

(Preety Chawla)
State Information Commissioner

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Sh. Pawan Kumar, S/o Sh Shiv Lal,
R/o Village Rupana,
Distt Sri Mukatsar Sahib

.....Appellant

Vs

Public Information Officer,
O/o Distt food and supply Controller,
Sri Mukatsar Sahib

First Appellate Authority,
O/o Distt Food and Supply and Controller,
Sri Mukatsar Sahib

.....Respondent

AC.No. 192 of 2019

Present : (i) None for the Appellant.
(ii) For the Respondent: Sh Amandeep Garg, Inspector and Kuldeep Singh, Inspector

ORDER

This order may be read with reference to the previous order dated 11.04.2019.

2. The Appellant is not present today.
3. The Respondent states that the complete information has been provided by the Appellant. He also shows a copy of the receiving given by the Appellant given in lieu of the information received by him. A copy of the same is taken on record.
4. Since the complete information has been provided to the Appellant no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 12.06.2019

(Preety Chawla)
State Information Commissioner

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Sh. Pishora Singh,
S/o Sh Anup Singh,
Village Tanana, Block Chowgawan,
Tehsil Ajnala, Distt Amritsar

.....Appellant

Vs

Public Information Officer,
O/o District Election Commissioner,
Amritsar
Regd. Post

.....Respondent

2. Public Information Officer
O/o Additional Deputy Commissioner
(Development), Amritsar

CC-90 of 2019

Present: (i) None is present on behalf of the complainant
(ii) Sh. Wassan Singh and Sh. Sukhwinder Singh

ORDER

This order may be read with reference to the previous order dated 30.05.2019.

2. The complainant is absent today.
3. Respondent states that he has brought complete information today in the commission.
4. Respondent is directed to send the same to the complainant through registered post. He is also directed to file an affidavit as directed during the last hearing.
5. PIO is directed to come present on the next date of hearing, failing which action under Section 20 (1) of the RTI Act will be initiated.
6. To come up on **08.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 12.06.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Smt. Palwinder Kaur,
W/o Sh Sucha Singh,
Village & P.O- Jasraur, Block Chowgawan,
Tehsil:Ajnala, Distt-Amritsar

.....Complainant

Vs

Public Information Officer,
O/o District Election Commissioner,
Amritsar

Registered post:.

Public Information Officer,
O/o Secretary,
RTA-cum-Block Incharge Officer,
Block- Chugawan, Amritsar

.....Respondent

CC-98 of 2019

Present: (i) None is present on behalf of the complainant
(ii) Sh. Wassan Singh, Jr. Assistant, o/o RTA Amritsar

ORDER

This order may be read with reference to the previous order dated 30.05.2019.

2. The appellant is absent today.
3. Respondent states that he has brought complete information today in the Commission.
4. Respondent is directed to send the same to the complainant through registered post. The perusal of the file shows that during the last hearing, a show cause notice was issued to the respondent-PIO. But today neither the PIO is present nor he has filed any reply. He may take note that this is the last opportunity given to him to appear before the Commission, failing which action under Section 20 (1) of the RTI Act will be initiated.
5. To come up on **08.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 12.06.2019

(Preety Chawla)
State Information Commissioner

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Sector 16, Chandigarh.

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Sh.Hakam Singh,
S/o Sh Darshan Singh,
R/o Madhir, Tehsil: Gidderbaha,
Distt Sri Mukatsar Sahib

.....Appellant

Vs

Public Information Officer,
O/o Director,
Food Civil Supplies and Consumer Affairs,Pb,
Anaj Bhawan, Sector -39,Chandigarh

.....Respondent

CC-22 of 2019

Present: (i) None for the Complainant.
(ii) For the Respondent: Smt Joginder Kaur, Supdt. And Smt Mamta Garg, Inspector

ORDER

This order may be read with reference to the previous order dated 11.04.2019.

2. The Complainant is not present today.
3. The Respondent states that they have already sent the complete information to the Respondent.
4. The perusal of the file shows that the Complainant is not present today. He was not present on the previous date of hearing also. Therefore, I am of the opinion that no useful purpose would be served in keeping this appeal case pending for an indefinite period. Hence, this case is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 12.06.2019

(Preety Chawla)
State Information Commissioner

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Advocate Vijay Hans,
Lex Solutions (Law Firm),
House No. 31, Satya Niwas,
Silver City, Zirakpur (Punjab) - 140603

.....Appellant

Vs

Public Information Officer,
o/o PUNSUP, SCO 36-40,
Sector 34A, Chandigarh - 160034
First Appellate Authority
o/o PUNSUP, Punjab State Civil Supplies Corp Ltd,
SCO36-40, Sector 34A, Chandigarh - 160034

.....Respondent

AC No.711 of 2019

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Anoop Sharma, GM, Sh.Amandeep Singh,
APIO and Sh. Amit Kumar, Sr. Assistant

ORDER

This order may be read with reference to the previous order dated 23.04.2019 .

2. The appellant is absent today. He has sent a letter stating that he is unable to come today.
3. Respondent files his reply mentioning therein that the information regarding point no. 1 & 2 has already been provided to Advocate Sh. Vijay Hans vide letter dated 10.04.2019. Regarding point no. 3 as explained to worthy State Information Commissioner the concerned branch has informed that there is no such information available.
4. Copy of the reply is taken on record. I have gone through the reply and have agreed with it. 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.

Sd/-

Chandigarh
Dated: 12.06.2019

(Preety Chawla)
State Information Commissioner

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Sh. Darshan Dass, S/o Shri Ganesh Dass
R/o Gharely Road, Tapa, Distt. Barnala

..... Appellant

Vs

Public Information Officer,
O/o District Manager, Markfed, Distt. Patiala

First Appellate Authority
o/o Managing Director,
Markfed, Sector 35, Chandigarh

.....Respondent

AC.No. 744 of 2019

Present : (i) Sh Darshan Dass, Appellant
(ii) for the respondent : Sh Darshan Lal, Technical Officer.

ORDER

This order may be read with reference to the previous order dated 23.04.2019.

2. As directed during the previous hearing, the Respondent files an affidavit as under:-

“That in Saroj Open Pinth, an attempt was made to theft but no theft of stocks and no loss occurred to Markfed. So, regarding the same, no FIR was lodged in the local police station.

2. *That at day time one security guard and at night two security guards were deployed on duty as security in Saroj Open Pinth. The names of security guards were Tek Chand S/o Biraj Lal for day and Ganesh Dass S/o Mall Dass, Ajaib Singh S/o Sh Mukand Singh for night.”*

Original copy of the same is handed over to the Appellant.

3. I have gone through the same and agree with it. In view of the foregoing, no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 12.06.2019

Sd/-
(Preety Chawla)
State Information Commissioner