

PUNJAB STATE INFORMATION COMMISSION,

Red Cross Bhawan, Near Rose Garden Sector 16, , Chandigarh.

Fax No. 0172-2864110 Phone No-0172-2864119- Email: psic29@punjabmail.gov.in

Website: www.infocommpunjab.com

Shri Rajesh Kumar, Chief Editor,
RTI Activist, Vice Chairman,
National Freedom Fighter Press Association,
C/o 2253/1, Peepli Wala Town,
Manimajra. Chandigarh. (M: 98151-48139)

..... Appellant

Vs

Public Information Officer,
O/o Director General of Police, Punjab,
Police Headquarter, Sector-9,
Chandigarh.

First Appellate Authority,
O/o Director General of Police, Punjab,
Police Headquarter, Sector-9,
Chandigarh.

.....Respondent

Appeal Case No. 2975 of 2018

Present:- Shri Rajesh Kumar, appellant is present.
Shri Gurvinder Singh, APIO-cum-DSP, Securities, Punjab is present on behalf of
Shri S.K Singh, PIO-cum-Inspector General of Police, Securities, Punjab.

O R D E R

I have gone through the previous Orders of the file.

I have partly heard both the parties.

The respondent who is present on behalf of the PIO has submitted some papers and Orders passed by the Bench of Hon'ble Commission and Order dated 21.09.2016 passed by Hon'ble Justice Rajiv Narain Raina, Punjab & Haryana High Court, another Order dated 05.02.2013 passed by Justice Tejinder Singh Dhindsa, Punjab & Haryana High Court.

The respondent is directed that photocopies of all the documents which are presented to the Bench, be provided to the appellant today.

Both the parties should personally come present on the next date of hearing on **21.02.2019 at 11:00 A.M.**

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab

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Red Cross Bhawan, Near Rose Garden Sector 16, , Chandigarh.

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Website: www.infocommpunjab.com

Shri Dalbir Singh, S/o Shri Charan Singh,
VPO Talhan,
Jalandhar. (M: 9814022317)

..... Complainant

Vs

Shri Karandeep Singh Bhullar,
Tehsildar-1, Jalandhar.
Public Information Officer,
O/o Tehsildar/Receiver,
Gurudwara Shaheed Baba Nihal Singh Ji,
Talhan Sahib, Jalandhar.

.....Respondent

Complaint Case No. 817 of 2018

Present:- Shri Dalbir Singh, complainant/applicant is present.
Shri Umang Sharma, Jr. Asstt. is present on behalf of Shri Karandeep Singh Bhullar, PIO-cum-Tehsildar (Receiver), Gurudwara Shaheed Baba Nihal Singh Ji, Talhan Sahib.

ORDER

The respondent submitted reply to the complaint filed by the complainant/applicant, which is taken in the file of the Commission.

I have gone through the written submission/reply filed by the PIO. The PIO has raised the point that Gurudwara Shaheed Baba Nihal Singh Ji, Talhan Sahib is not a public authority as defined under the Section 2 (H) of the RTI Act, 2005, so the RTI application filed by the complainant/applicant is not maintainable.

The copy of the reply and judgement which was submitted in support of contention of the PIO, is handed over to the complainant/applicant.

Both the parties should personally come present for further hearing of the complaint case on **19.03.2019 at 11:00 A.M.**

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Fax No. 0172-2864110 Phone No-0172-2864119- Email: psic29@punjabmail.gov.in

Website: www.infocommpunjab.com

Shri Gurbir Singh, S/o Shri Jagjit Singh,
R/o VPO Sohian Kalan,
Amritsar. (M: 9781168340)

..... Complainant

Vs

Public Information Officer,
O/o Executive Officer,
Improvement Trust,
Amritsar.

.....Respondent

Complaint Case No. 830 of 2018

Present:- Shri Gurbir Singh, Complainant/applicant is absent without any intimation to the Commission.
None present on behalf of Smt. Harjeet Kaur, PIO-cum-Suptd. O/o Executive Officer, Improvement Trust, Amritsar.

ORDER

The PIO has sent a mail, which is a copy of letter No. 9243 dated 11.02.2019. I have gone through this letter and it is submitted that the complainant/applicant has inspected the record on 03.12.2018 and it is further submitted that on 12.02.2019 the PIO has to appear at Civil Court, Amritsar, so she is unable to appear before the Bench for today.

I have gone through the previous Order dated 29.11.2018 passed by the Bench. On that date the complainant/applicant himself and Shri Sukhdev Singh, Jr. Asstt. were present. The respondent stated that the information sought by the complainant/applicant was sent to him through speed post on 24.09.2018. The complainant/applicant stated that he had received the information, but he is not satisfied with the information. At this the respondent submitted that the complainant/applicant will be welcomed in case he wants to inspect the case file. The Bench passed the Order and directed the complainant/applicant to visit the office of the PIO on 03.12.2018 at 10:00 A.M. with a direction to the PIO that the information which will be claimed by the complainant/applicant be provided to him.

On 10.12.2018 Shri Harjit Singh, brother of the complainant/applicant and Shri Sukhdev Singh, Jr. Asstt. were present. The respondent submitted that the complainant/applicant had gone through the inspection on 03.12.2018. On the other hand Shri

Contd..p2..

Complaint Case No. 830 of 2018

Harjit Singh, brother of the complainant/applicant submitted that the complainant/applicant is not satisfied. On this, one more opportunity was granted to the complainant/applicant to visit the office of the PIO on 24.12.2018. After that the complainant/applicant has not come present before the Bench at the time of hearing.

On the other hand the Commission has received a mail sent by the PIO that the information had already been provided to the complainant/applicant on 03.12.2018 at the time of inspection. After that the complainant/applicant has not visited the office of the PIO, neither he has come present before the Bench, whereas the information which was with the office of the PIO had already been provided to the complainant/applicant.

So, the present complaint case is **disposed of and closed**.

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Red Cross Bhawan, Near Rose Garden Sector 16, , Chandigarh.

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Website: www.infocommpunjab.com

Shri Gurdev Singh, S/o Shri Gurbachan Singh,
2163, Tibbi Sahib Road,
Gaushala Street,
Sri Muktsar Sahib. (M: 8283888905)

..... Complainant

Vs

Public Information Officer,
O/o Director,
Punjab Roadways,
Chandigarh.

.....Respondent

Complaint Case No. 783 of 2018

Present:- Shri Gurdev Singh, complainant/ applicant is absent.
None present on behalf of Shri Jagdish Singh, PIO-cum-General Manager, O/o
Director, Punjab Roadways, Chandigarh.

O R D E R

I have gone through the RTI application and the Orders passed by the Bench on the previous dates.

The Commission has received a mail sent by the PIO, which is received in the office of the Commission on 11.02.2019 and diarized at 3335, which is a copy of letter No. 2725-27 dated 31.01.2019 through which the information was sent to the complainant/applicant.

The Commission has received another mail sent by the complainant/applicant, Shri Gurdev Singh duly signed by him, which is received in the office of the Commission on 11.02.2019 and diarized at 3233.

I have gone through the mail sent by the complainant/applicant. He has submitted in the mail that he has received the information and his complaint case may please be disposed of and closed.

As the information has been provided to the complainant/applicant by the PIO and the complainant/applicant is satisfied, so the present complaint case is **disposed of and closed.**

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Yogesh Mahajan, S/o Shri Kuldeep Raj Mahajan,
President of Anti Corruption Council,
Opposite Water Tank, Municipal Market,
Mission Road,
Pathankot. (M: 98143-54649)

..... Appellant

Vs

Public Information Officer,
O/o SDO, Abohar Canal,
Sub Division,
Abohar.

First Appellate Authority,
O/o Superintending Engineer,
Canal Circle, Canal Colony,
Ferozepur.

.....Respondent

Appeal Case No. 3762 of 2018

Present:- Shri Yogesh Mahajan, appellant is absent.
None present on behalf of the PIO, O/o SDO, Abohar Canal, Sub Div., Abohar.

O R D E R

I have gone through the Order dated 15.01.2019 and also gone through the RTI application dated 10.08.2018.

The Commission has received a mail sent by Shri Sunil Kumar, Clerk, O/o Sub Division, Abohar which was received in the office of the Commission on 12.01.2019 and diarized at 3369 along with copy of information.

The Commission has received another mail sent by Shri Yogesh Mahajan, appellant and he has submitted that no information has been provided to him by the PIO.

The respondent submitted a copy of information along with mail dated 12.01.2019 and it is submitted in the mail that the information had already been sent to the appellant on 03.12.2018.

As the information has been sent to the appellant by the PIO on 03.12.2018, so the present appeal case is disposed of and closed with the observation that copy of Order along

Contd..p2..

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Appeal Case No. 3762 of 2018

with copies of information which was submitted by the PIO through mail to the Bench be sent to the appellant.

With this observation the present appeal case is **disposed of and closed**.

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Yogesh Mahajan, S/o Shri Kuldeep Raj Mahajan,
President of Anti Corruption Council,
Opposite Water Tank, Municipal Market,
Mission Road,
Pathankot. (M: 98143-54649)

..... Appellant

Vs

Public Information Officer,
O/o Executive Engineer,
Draining Construction Division,
Ferozepur at Fazilka.

First Appellate Authority,
O/o Superintending Engineer,
Draining Construction Circle,
Ferozepur.

.....Respondent

Appeal Case No. 3763 of 2018

Present:- Shri Yogesh Mahajan, appellant is absent.
Shri Pawan Kumar Bishnoi, APIO-cum-SDO is present on behalf of Shri Pawan
Kapur, PIO-cum-XEN, Draining Construction Division, Ferozepur at Fazilka.

O R D E R

Shri Pawan Kumar Bishnoi, APIO-cum-SDO has submitted an Authority Letter on behalf of the PIO, which is taken in the file of the Commission.

I have gone through the RTI application dated 13.08.2018 and discussed the matter with the APIO. He stated that the information had already been sent to the appellant.

The appellant has sent a mail and he submitted in the mail that he has received some information which was incomplete and he had brought the deficiencies to the notice of the PIO through letter dated 07.02.2019.

So, the PIO is directed that the remaining information regarding deficiencies be sent to the appellant through registered post within 3 days.

Both the parties to come present on the next date of hearing on **11.03.2019 at 11:00 A.M.**

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri K.K. Singla,
7, Model Town, Phase-II,
Bathinda. (M: 70098-11692)

..... Appellant

Vs

Public Information Officer,
O/o Divisional Engineer,
PWRMDC, Lining Division No.7,
Bathinda.

First Appellate Authority,
O/o Superintending Engineer,
PWRMDC, Lining Circle No.2,
Bathinda.

.....Respondent

Appeal Case No. 3827 of 2018

Present:- Shri K.K. Singla, appellant is absent.
Shri Hari Krishan Garg, PIO-cum-Divisional Engineer, PWRMDC, Lining Division
No. 7, Bathinda is present.

O R D E R

I have gone through the RTI application dated 30.04.2018 filed by the appellant and also gone through the Order dated 15.01.2019.

The PIO submitted that in compliance to the Order dated 15.01.2019 he has sent the attested copies of 22 pages through registered post on 29.01.2019. He has submitted a copy of letter no. 155-56 dated 29.01.2019 through which the information was sent to the appellant, which is taken in the file of the Commission.

The appellant, Shri K.K. Singla has sent a mail that he is unable to appear before the Bench for today.

I have gone through the RTI application and also discussed with the PIO regarding the information which was sent to the appellant. The PIO has resolved the matter involved in the RTI application and sent the information to the appellant. So, the present appeal case is **disposed of and closed**.

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Sarabjeet Singh Gill,
H.No. 60-35-P-376-1, Street No.8,
Maha Singh Nagar, PO Dhandri Kalan,
Ludhiana-141014. (M: 98884-90031, 98887-10031)

..... Appellant

Vs

Public Information Officer,
O/o Superintending Engineer,
Irrigation, Canal Sidhwan,
Ludhiana.

First Appellate Authority,
O/o Superintending Engineer,
Irrigation, Canal Sidhwan,
Ludhiana.

.....Respondent

Appeal Case No. 3776 of 2018

Present:- Shri Sarabjeet Singh Gill, appellant is absent.
Shri Jagpreet Singh, APIO-cum-SDO (M: 76961-81682) is present on behalf of
Shri Ashutosh Kumar, PIO-cum-XEN (M: 98148-14121), O/o Irrigation, Canal
Sidhwan, Ludhiana.

O R D E R

I have gone through the Order dated 15.01.2019. The information sought by the appellant was sent to him by the PIO on 09.10.2018 through registered post.

The appellant, Shri Sarabjeet Singh Gill has sent a mail and he submitted that incomplete information was provided to him by the PIO.

The respondent APIO stated that no deficiencies in writing were submitted by the appellant to the office of the PIO.

So, in the interest of justice a last and final opportunity is granted to the appellant that in case he is not satisfied with the information which was sent to him on 09.10.2018 through registered post, then he should bring the deficiencies in writing and duly signed to the notice of the PIO within 5 days and the PIO is further directed that in case the appellant files list of deficiencies to his notice, then he should provide the remaining information to the appellant within 5 days from the receipt of deficiencies.

Both the parties to come present on the next date of hearing on **11.03.2019 at 11:00 A.M.**

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Gurdip Singh, S/o Shri Chanan Singh,
215- Ajit Nagar,
Sultanwind Road,
Amritsar. (M: 98150-27043)

..... Appellant

Vs

Public Information Officer,
O/o Secretary,
Chief Khalsa Diwan Charitable Society,
Amritsar.

First Appellate Authority,
O/o President,
Chief Khalsa Diwan Charitable Society,
Amritsar.

.....Respondent

Appeal Case No. 3777 of 2018

Present:- Shri Gurdip Singh, appellant is absent.
Shri Manish Prabhakar, Advocate is present on behalf of the PIO, O/o Secretary,
Chief Khalsa Diwan Charitable Society, Amritsar.

O R D E R

Shri Gurdip Singh, appellant filed RTI application dated 04.05.2018 and sought some information from the PIO, O/o President, Chief Khalsa Diwan Charitable Society, Amritsar.

The appellant is absent today, but Shri Manish Prabhakar, Advocate appeared on behalf of the PIO and he submitted a duly attested affidavit dated 02.02.2019 of Shri Harminder Singh, son of Shri Mangal Singh, Additional Honorary Secretary, Chief Khalsa Diwan Charitable Society Amritsar. The said affidavit is taken in the file of the Commission.

I have gone through the contents of the affidavit. It is submitted that the Chief Khalsa Diwan Charitable Society, Amritsar is not a public authority as defined under Section 2 (H) of the RTI Act, 2005.

The burden is upon the appellant that the Chief Khalsa Diwan Charitable Society, Amritsar is a public authority and to support his contention. The appellant has not come present neither he sent any evidence to prove that the respondent society is a public authority.

Contd..p2..

Appeal Case No. 3777 of 2018

I have decided another appeal case no. 4099 of 2018 filed by the appellant Shri Gurdip Singh and in that case it is decided that the Chief Khalsa Diwan Charitable Society, Amritsar is not a public authority.

So, the same view is taken in the present case. The appellant has failed to come present and neither produced evidence that the Chief Khalsa Diwan Charitable Society, Amritsar was created under the acts of Parliament or State Government or it is controlled, managed and financed by the Government.

So, as the respondent Chief Khalsa Diwan Charitable Society, Amritsar is not a public authority and is not obliged to provide the information to the applicants, so the present appeal case is **disposed of and closed**.

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Palwinder Singh, S/o Shri Lakhbir Singh,
Village Karampatti, Tehsil Malout,
Distt. Sri Muktsar Sahib. (M: 96535-85000)

..... Appellant

Vs

Public Information Officer,
O/o Executive Engineer,
Canal Colony, Abohar.

First Appellate Authority,
O/o Superintending Engineer,
Canal Division, Ferozepur.

.....Respondent

Appeal Case No. 3799 of 2018

Present:- Shri Palwinder Singh, appellant is present.
Shri Kamaljit Singh, Deputy Collector is present on behalf of Shri Mukhtiar Singh
Rana (M: 98763-00588), PIO-cum-XEN, Canal Colony, Abohar.

O R D E R

I have gone through the RTI application dated 05.07.2018 filed by the appellant through which he sought some information from the office of the PIO. I have also gone through the Order passed by the Bench dated 15.01.2019. The appellant stated that he went to the office of PIO on 16.01.2019, but no information was provided to him with one excuse or the other.

So, the PIO, Shri Mukhtiar Singh Rana is directed that information sought by the appellant be provided to him within 5 days. In case of non-compliance of the Order of the Bench strict action will be taken against him and a Show Cause Notice will be issued to him.

The appellant is directed to visit the office of the PIO on 18.02.2019 at 10.00 AM and the PIO along with Shri Kamaljit Singh, Deputy Collector will be responsible to provide the information to the appellant and after providing the information get receipt from the appellant that he has received the information and he is satisfied. Otherwise, the PIO should personally come present before the Bench on the next date of hearing and file reply to the appeal.

Both the parties to come present on the next date of hearing on **11.03.2019 at 11:00 A.M.**

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Website: www.infocommpunjab.com

Shri Manjit Singh, S/o Shri Sohan Singh,
388/3, Dhandholian Road,
Patiala. (M: 76962-82813)

..... Appellant

Vs

Public Information Officer,
O/o State Transport Commissioner, Punjab,
SCO No. 177-178, Sector 17-C,
Chandigarh.

First Appellate Authority-cum-
Deputy Secretary,
Transport Department, Punjab,
Chandigarh.

.....Respondent

Appeal Case No. 3787 of 2018

Present:- Shri Manjit Singh, appellant is present.
Shri Anand Sagar Sharma, SDM, Amloh, District Fatehgarh Sahib is present.
None present on behalf of PIO, O/o State Transport Commissioner, Punjab.

O R D E R

Today None has come present on behalf of PIO, O/o State Transport Commissioner, Punjab, whereas on the last date of hearing Shri Gurpal Singh, APIO was present. A notice be sent to him that why he has not come present for today at the time of hearing. He should file reply that what are the reasons that he is absent for today, otherwise action will be taken against him.

Shri Anand Sagar Sharma, SDM, Amloh, District Fatehgarh Sahib is present and he brought this fact to the notice of the Bench that his office has not received any letter through which the RTI application dated 20.08.2018 filed by the appellant was transferred to his office and he further brought this fact that he is not the PIO, rather, Smt. Bimla Kumari, Superintendent O/o SDM, Amloh is the PIO.

On this stage, a photo copy of letter dated 29.08.2018 through which the RTI application was transferred to the office of SDM, Amloh is handed over to Shri Anand Sagar Sharma, SDM, Amloh along with copy of RTI application dated 20.08.2018 with the direction that the PIO, Smt. Bimla Kumari be directed that information sought by the appellant through his

Contd..p2..

..2..

Appeal Case No. 3787 of 2018

RTI application, except PAN number and ADHAR number, be provided to him within 15 days. The PIO should personally come present on the next date of hearing along with copy of information.

Both the parties should personally come present on the next date of hearing on **18.03.2019 at 11:00 A.M.**

Dated: 12.02.2019

**(Avtar Singh Kaler)
State Information Commissioner, Punjab.**

(Regd.) Copy to : Sub Divisional Magistrate,
Amloh,
Distt. Fatehgarh Sahib.

PUNJAB STATE INFORMATION COMMISSION,

Red Cross Bhawan, Near Rose Garden Sector 16, , Chandigarh.

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Website: www.infocommpunjab.com

Shri Manjit Singh, S/o Shri Sohan Singh,
388/3, Dhandholian Road,
Patiala. (M: 76962-82813)

..... Appellant

Vs

Public Information Officer,
O/o State Transport Commissioner, Punjab,
SCO No. 177-178, Sector 17-C,
Chandigarh.

First Appellate Authority-cum-
Deputy Secretary,
Transport Department, Punjab,
Chandigarh.

.....Respondent

Appeal Case No. 3788 of 2018

Present:- Shri Manjit Singh, appellant is present.
Shri Raghvir Singh, Jr. Asstt. is present on behalf of Smt. Harvinder Kaur, PIO-
cum-Superintendent, O/o SDM, Rajpura.
None present on behalf of PIO, O/o State Transport Commissioner, Punjab.

O R D E R

Shri Raghuvir Singh, Jr. Asstt, O/o SDM, Rajpura has submitted an Authority Letter on behalf of the PIO and he has also provided the copies of information to the appellant today before the Bench. The appellant has received the information and sought some time to go through the information.

So, the appellant is directed that in case he is not satisfied with the information which is provided to him today before the Bench, then he should bring the deficiencies in writing to the notice of the PIO, O/o SDM, Rajpura within 5 days and the PIO, O/o SDM, Amloh is further directed that she should provide the remaining information to the appellant within a week from the receipt of the deficiencies.

Both the parties should personally come present on the next date of hearing on
18.03.2019 at 11:00 A.M.

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

(Regd.) Copy to : Sub Divisional Magistrate,
Rajpura, Distt. Patiala.

PUNJAB STATE INFORMATION COMMISSION,

Red Cross Bhawan, Near Rose Garden Sector 16, , Chandigarh.

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Shri Manjit Singh, S/o Shri Sohan Singh,
388/3, Dhandholian Road,
Patiala. (M: 76962-82813)

..... Appellant

Vs

Public Information Officer,
O/o State Transport Commissioner, Punjab,
SCO No. 177-178, Sector 17-C,
Chandigarh.

First Appellate Authority-cum-
Deputy Secretary,
Transport Department, Punjab,
Chandigarh.

.....Respondent

Appeal Case No. 3789 of 2018

Present:- Shri Manjit Singh, appellant is present.
Shri Raghvir Singh, Jr. Asstt. is present on behalf of Smt. Harvinder Kaur, PIO-
cum-Superintendent, O/o SDM, Rajpura.
None present on behalf of PIO, O/o State Transport Commissioner, Punjab.

O R D E R

Shri Raghuvir Singh, Jr. Asstt, O/o SDM, Rajpura has submitted an Authority Letter on behalf of the PIO and he has also provided the copies of information to the appellant today before the Bench. The appellant has received the information and sought some time to go through the information.

So, the appellant is directed that in case he is not satisfied with the information which is provided to him today before the Bench, then he should bring the deficiencies in writing to the notice of the PIO, O/o SDM, Rajpura within 5 days and the PIO, O/o SDM, Amloh is further directed that she should provide the remaining information to the appellant within a week from the receipt of the deficiencies.

Both the parties should personally come present on the next date of hearing on
18.03.2019 at 11:00 A.M.

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

(Regd.) Copy to : Sub Divisional Magistrate,
Rajpura, Distt. Patiala.

PUNJAB STATE INFORMATION COMMISSION,

Red Cross Bhawan, Near Rose Garden Sector 16, , Chandigarh.

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Shri Manjit Singh, S/o Shri Sohan Singh,
388/3, Dhandholian Road,
Patiala. (M: 76962-82813)

..... Appellant

Vs

Public Information Officer,
O/o State Transport Commissioner, Punjab,
SCO No. 177-178, Sector 17-C,
Chandigarh.

First Appellate Authority-cum-
Deputy Secretary,
Transport Department, Punjab,
Chandigarh.

.....Respondent

Appeal Case No. 3790 of 2018

Present:- Shri Manjit Singh, appellant is present.
Shri Anand Sagar Sharma, SDM, Amloh, District Fatehgarh Sahib is present.
None present on behalf of PIO, O/o State Transport Commissioner, Punjab.

O R D E R

Today None has come present on behalf of PIO, O/o State Transport Commissioner, Punjab, whereas on the last date of hearing Shri Gurpal Singh, APIO was present. A notice be sent to him that why he has not come present for today at the time of hearing. He should file reply that what are the reasons that he is absent for today, otherwise action will be taken against him.

Shri Anand Sagar Sharma, SDM, Amloh, District Fatehgarh Sahib is present and he brought this fact to the notice of the Bench that his office has not received any letter through which the RTI application dated 20.08.2018 filed by the appellant was transferred to his office and he further brought this fact that he is not the PIO, rather, Smt. Bimla Kumari, Superintendent O/o SDM, Amloh is the PIO.

On this stage, a photo copy of letter dated 29.08.2018 through which the RTI application was transferred to the office of SDM, Amloh is handed over to Shri Anand Sagar Sharma, SDM, Amloh along with copy of RTI application dated 20.08.2018 with the direction that the PIO, Smt. Bimla Kumari be directed that information sought by the appellant through his

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RTI application, except PAN number and AADHAAR number, be provided to him within 15 days. The PIO should personally come present on the next date of hearing along with copy of information.

Both the parties should personally come present on the next date of hearing on **18.03.2019 at 11:00 A.M.**

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

(Regd.) Copy to : Sub Divisional Magistrate,
Amloh,
Distt. Fatehgarh Sahib.

PUNJAB STATE INFORMATION COMMISSION,

Red Cross Bhawan, Near Rose Garden Sector 16, , Chandigarh.

Fax No. 0172-2864110 Phone No-0172-2864119- Email: psic29@punjabmail.gov.in

Website: www.infocommpunjab.com

Shri Manjit Singh, S/o Shri Sohan Singh,
388/3, Dhandholian Road,
Patiala. (M: 76962-82813)

..... Appellant

Vs

Public Information Officer,
O/o State Transport Commissioner, Punjab,
SCO No. 177-178, Sector 17-C,
Chandigarh.

First Appellate Authority-cum-
Deputy Secretary,
Transport Department, Punjab,
Chandigarh.

.....Respondent

Appeal Case No. 3791 of 2018

Present:- Shri Manjit Singh, appellant is present.
Shri Raghvir Singh, Jr. Asstt. is present on behalf of Smt. Harvinder Kaur, PIO-
cum-Superintendent, O/o SDM, Rajpura.
None present on behalf of PIO, O/o State Transport Commissioner, Punjab.

O R D E R

Shri Raghuvir Singh, Jr. Asstt, O/o SDM, Rajpura has submitted an Authority Letter on behalf of the PIO and he has also provided the copies of information to the appellant today before the Bench. The appellant has received the information and sought some time to go through the information.

So, the appellant is directed that in case he is not satisfied with the information which is provided to him today before the Bench, then he should bring the deficiencies in writing to the notice of the PIO, O/o SDM, Rajpura within 5 days and the PIO, O/o SDM, Amloh is further directed that she should provide the remaining information to the appellant within a week from the receipt of the deficiencies.

Both the parties should personally come present on the next date of hearing on
18.03.2019 at 11:00 A.M.

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

(Regd.) Copy to : Sub Divisional Magistrate,
Rajpura, Distt. Patiala.

PUNJAB STATE INFORMATION COMMISSION,

Red Cross Bhawan, Near Rose Garden Sector 16, , Chandigarh.

Fax No. 0172-2864110 Phone No-0172-2864119- Email: psic29@punjabmail.gov.in

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Shri Manjit Singh, S/o Shri Sohan Singh,
388/3, Dhandholian Road,
Patiala. (M: 76962-82813)

..... Appellant

Vs

Public Information Officer,
O/o State Transport Commissioner, Punjab,
SCO No. 177-178, Sector 17-C,
Chandigarh.

First Appellate Authority-cum-
Deputy Secretary,
Transport Department, Punjab,
Chandigarh.

.....Respondent

Appeal Case No. 3792 of 2018

Present:- Shri Manjit Singh, appellant is present.
Shri Anand Sagar Sharma, SDM, Amloh, District Fatehgarh Sahib is present.
None present on behalf of PIO, O/o State Transport Commissioner, Punjab.

O R D E R

Today None has come present on behalf of PIO, O/o State Transport Commissioner, Punjab, whereas on the last date of hearing Shri Gurpal Singh, APIO was present. A notice be sent to him that why he has not come present for today at the time of hearing. He should file reply that what are the reasons that he is absent for today, otherwise action will be taken against him.

Shri Anand Sagar Sharma, SDM, Amloh, District Fatehgarh Sahib is present and he brought this fact to the notice of the Bench that his office has not received any letter through which the RTI application dated 20.08.2018 filed by the appellant was transferred to his office and he further brought this fact that he is not the PIO, rather, Smt. Bimla Kumari, Superintendent O/o SDM, Amloh is the PIO.

On this stage, a photo copy of letter dated 29.08.2018 through which the RTI application was transferred to the office of SDM, Amloh is handed over to Shri Anand Sagar Sharma, SDM, Amloh along with copy of RTI application dated 20.08.2018 with the direction that the PIO, Smt. Bimla Kumari be directed that information sought by the appellant through his

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RTI application, except PAN number and AADHAAR number, be provided to him within 15 days. The PIO should personally come present on the next date of hearing along with copy of information.

Both the parties should personally come present on the next date of hearing on **18.03.2019 at 11:00 A.M.**

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

(Regd.) Copy to : Sub Divisional Magistrate,
Amloh,
Distt. Fatehgarh Sahib.

PUNJAB STATE INFORMATION COMMISSION,

Red Cross Bhawan, Near Rose Garden Sector 16, , Chandigarh.

Fax No. 0172-2864110 Phone No-0172-2864119- Email: psic29@punjabmail.gov.in

Website: www.infocommpunjab.com

Shri Manjit Singh, S/o Shri Sohan Singh,
388/3, Dhandholian Road,
Patiala. (M: 76962-82813)

..... Appellant

Vs

Public Information Officer,
O/o State Transport Commissioner, Punjab,
SCO No. 177-178, Sector 17-C,
Chandigarh.

First Appellate Authority-cum-
Deputy Secretary,
Transport Department, Punjab,
Chandigarh.

.....Respondent

Appeal Case No. 3793 of 2018

Present:- Shri Manjit Singh, appellant is present.
Shri Anand Sagar Sharma, SDM, Amloh, District Fatehgarh Sahib is present.
None present on behalf of PIO, O/o State Transport Commissioner, Punjab.

O R D E R

Today None has come present on behalf of PIO, O/o State Transport Commissioner, Punjab, whereas on the last date of hearing Shri Gurpal Singh, APIO was present. A notice be sent to him that why he has not come present for today at the time of hearing. He should file reply that what are the reasons that he is absent for today, otherwise action will be taken against him.

Shri Anand Sagar Sharma, SDM, Amloh, District Fatehgarh Sahib is present and he brought this fact to the notice of the Bench that his office has not received any letter through which the RTI application dated 20.08.2018 filed by the appellant was transferred to his office and he further brought this fact that he is not the PIO, rather, Smt. Bimla Kumari, Superintendent O/o SDM, Amloh is the PIO.

On this stage, a photo copy of letter dated 29.08.2018 through which the RTI application was transferred to the office of SDM, Amloh is handed over to Shri Anand Sagar Sharma, SDM, Amloh along with copy of RTI application dated 20.08.2018 with the direction that the PIO, Smt. Bimla Kumari be directed that information sought by the appellant through his

Contd..p2..

RTI application, except PAN number and AADHAAR number, be provided to him within 15 days. The PIO should personally come present on the next date of hearing along with copy of information.

Both the parties should personally come present on the next date of hearing on **18.03.2019 at 11:00 A.M.**

Dated: 12.02.2019

**(Avtar Singh Kaler)
State Information Commissioner, Punjab.**

(Regd.) Copy to : Sub Divisional Magistrate,
Amloh,
Distt. Fatehgarh Sahib.

PUNJAB STATE INFORMATION COMMISSION,

Red Cross Bhawan, Near Rose Garden Sector 16, , Chandigarh.

Fax No. 0172-2864110 Phone No-0172-2864119- Email: psic29@punjabmail.gov.in

Website: www.infocommpunjab.com

Shri Banarsi Dass Kakkar, (M: 98553-23464)
Nehru Mandi,
Bagha Purana, Distt. Moga.

Vs

..... Appellant

Public Information Officer,
O/o State Transport Commissioner, Punjab,
SCO No. 177-178, Sector 17-C,
Chandigarh.

First Appellate Authority,
O/o State Transport Commissioner, Punjab,
SCO No. 177-178, Sector 17-C,
Chandigarh.

.....Respondent

Appeal Case No. 3825 of 2018

Present:- Shri Banarsi Dass Kakkar, appellant is present.
None present on behalf of Shri Devender Kumar, PIO-cum-Sen. Suptd., O/o
State Transport Commissioner, Punjab.

O R D E R

Today none has come present on behalf of the PIO, whereas on the last date of hearing Shri Gurpal Singh, PIO-cum-Superintendent was present and he submitted that the office of the PIO has not received the copy of the RTI application and he requested that copy of RTI application be provided to him and he will send the information to the appellant within 15 days. So, a photo copy of the RTI application was handed over to Shri Gurpal Singh, APIO with a direction that the information sought by the appellant be sent to him through registered post within 15 days and come present on the next date of hearing along with copy of information and copy of postal receipt.

The appellant is an old man of 77 years of age and he has come present from a distance of about 300 KMs but the PIO or the APIO has not come present today, neither sent any information to the appellant.

The case is adjourned with a direction to the PIO that action be taken against the APIO (Shri Gurpal Singh) who was present on the last date of hearing, that why he has not sent

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Appeal Case No. 3825 of 2018

the information to the appellant as was directed by the Bench and why he has not come present before the Bench today at the time of hearing.

The PIO is further directed that information sought by the appellant be sent to him through registered post within a week and come present personally on the next date of hearing along with copy of information and copy of postal receipt.

Both the parties should personally come present on the next date of hearing on **18.03.2019 at 11:00 A.M.**

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

PUNJAB STATE INFORMATION COMMISSION,

Red Cross Bhawan, Near Rose Garden Sector 16, Chandigarh.

Fax No. 0172-2864110 Phone No-0172-2864119- Email: psic29@punjabmail.gov.in

Website: www.infocommpunjab.com

Shri Gurdip Singh, S/o Shri Chanan Singh,
215, Ajit Nagar,
Sultanwind Road,
Sri Amritsar. (M: 98150-27043).

..... Appellant

Vs

Public Information Officer,
O/o Honorary Secretary (Schools),
Chief Khalsa Diwan Charitable Society,
Sri Amritsar.

First Appellate Authority,
Acting President,
Chief Khalsa Diwan Charitable Society,
Sri Amritsar.

.....Respondent

Appeal Case No. 4099 of 2018

Present:- Shri Gurdip Singh, appellant is absent.
Shri Manish Prabhakar, Advocate is present on behalf of the PIO, O/o Honorary Secretary, (Schools), Chief Khalsa Diwan Charitable Society, Amritsar.

O R D E R

Shri Manish Prabhakar, Advocate submitted a duly attested affidavit dated 02.02.2019 of Shri Harminder Singh, S/o Sh. Mangal Singh, Additional Honorary Secretary, Chief Khalsa Diwan Charitable Society, Amritsar. The said affidavit is taken in the file of the Commission.

I have gone through the contents of the affidavit and also gone through the RTI application dated 13.05.2018 and Order dated 30.01.2019 passed by the Bench. The question involved in the present appeal case is this whether the Chief Khalsa Diwan Charitable Society, Amritsar is a public authority or not.

The burden to prove is upon the appellant that the Chief Khalsa Diwan Charitable Society, Amritsar is a public authority and comes under the purview of the RTI Act and is bound to provide information to the applicant.

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Appeal Case No. 4099 of 2018

I have gone through the Order dated 30.01.2019. The appellant was absent and he was directed and an opportunity was granted to him that he should personally come present on the next date of hearing and prove that Chief Khalsa Diwan Charitable Society, Amritsar is a public authority, otherwise the case will be disposed of accordingly.

Inspite of clear cut directions issued to the appellant, he has failed to come present before the Bench at the time of hearing. On the other hand, the respondent submitted a duly attested affidavit dated 02.02.2019 that the Chief Khalsa Diwan Charitable Society, Amritsar is not a public authority as defined U/s 2 (H) of the RTI Act, 2005. So, it does not come under the RTI Act and the application as well as appeal filed by the appellant is not maintainable and liable to be dismissed.

The burden to prove is upon the appellant that the respondent society is public authority as defined U/s 2 (H) of the RTI Act, 2005. The appellant himself has not come present neither he sent any evidence in support of his contention.

The Respondent Chief Khalsa Diwan Charitable Society, Amritsar is a private society. It is not governed, established and constituted by the Parliament or State Legislature and is not owned and financed by the Government. So, the Chief Khalsa Diwan Charitable Society is not a public authority and it is a private institution.

So, the present appeal case is **disposed of and closed**.

Dated: 12.02.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.