

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



Sh Jasbir Singh,
Village Bolapur, Jhabewal,
PO Ramgarh, District-Ludhiana

.....Appellant

Vs

Public Information Officer,
O/o SDM (West) Ludhiana

First Appellate Authority
O/o SDM (West) Ludhiana

.....Respondent

AC.No. 1324 of 2019

Present : None for the parties.

ORDER

This order may be read with reference to the previous order dated 31.07.2019 vide which the respondent was absent.

2. Today neither the appellant nor the respondent is present. One last opportunity is given to both the parties to appear before the Commission and state their case.
3. To come up on **16.10.2019 at 11.00 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

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Sh Amarjeet Singh,
S/o Sh Mukhtiar Singh,
VPO Otalan, Tehsil Samrala, Distt LudhianaAppellant

Vs

Public Information Officer,
O/o District Programme officer,
LudhianaRespondent

CC.No. 408 of 2019

Present : None for the parties.

ORDER

This order may be read with reference to the previous order dated 15.07.2019 vide which the respondent was absent.

2. Today neither the complainant nor the respondent is present. One last opportunity is given to both the parties to appear before the Commission and state their case.
3. To come up on **16.10.2019 at 11.00 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

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Sh. Satwant Bir Singh, S/o Shri Kartar Singh
R/o House No.B-7/1131, Near New Ashoka Model School
Bathinda Road, Kotkapura, Distt. Faridkot

.....Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner, Ferozepur
First Appellate Authority
o/o ADC (General), Ferozepur

.....Respondent

AC.No. 699 of 2019
AC.No. 697 of 2019
Alongwith
AC.No. 698 of 2019

Present : (i) Sh. Satwantbir Singh the appellant
(ii) For the respondent : Sh. Gurdeep Singh, Kanugo

ORDER

This order may be read with reference to the previous order dated 15.07.2019 vide which compensation Rs. 2500/- was awarded to the appellant.

2. Today the appellant Sh. Satwant Bir Singh states that no compensation has been given to him so far. He further states that he has not received information so far.
3. Respondent states that he has brought the information today in the Commission.

Re: AC No. 699 of 2019: Respondent files his reply mentioning therein that the information demanded by the appellant is related with Sadar Kanugo, Sh. Nishan Singh and Sh. Nishan Singh has given his consent that his information should not be disclosed. The same is taken on record.

Re: AC No. 698 of 2019: Respondent states that he has brought the information today in the Commission, which is handed over the appellant. The appellant has gone through the same and states that misleading information has been given.

Re: AC: No. 697 of 2019: Respondent states that he has brought the information today in the Commission, which is handed over the appellant. The appellant has gone through the same and states that misleading information has been given.

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AC.No. 699 of 2019
AC.No. 697 of 2019
alongwith
AC.No. 698 of 2019

4. After hearing both the parties and examining the case file, it is ascertained that the respondent Sh. Gurdeep Singh Kanugo is not aware about the facts of the case. This shows that the respondent-PIO has not taking RTI seriously.

5. Sh. Satwantbir- the appellant states that neither the information has been provided to him nor the amount of compensation awarded by the Commission has been paid to him so far. The Commission takes a serious view of this matter and is constrained to enhance the amount of compensation from Rs. 2500/- to Rs. 3000/- (Rs. Three Thousand only). Besides, the Commission would also consider invoking of penalty provisions against the respondent-PIO in case he fails to provide the required information and payment of the awarded compensation. The respondent may provide the information to the appellant and make the payment of compensation to him before the next date of hearing by way of Demand Draft. A compliance report in this regard be sent to the Commission accordingly.

6. To come up on 16.10.2019 at 11.00 AM for further proceedings. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

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Sh. Satwantbir Singh,
S/o Late Sh. Kartar Singh,
House No. B-7/1131, Near New Ashoka Model School
Bathinda Road, Kotkapura, Distt. Faridkot

-----Appellant

Vs.

Public Information Officer,
O/o District Revenue Officer
Ferozepur
First Appellate Authority
o/o ADC (General),
Ferozepur

-----Respondent

Appeal Case No. 1038 of 2019

Present : (i) Sh. Satwantbir Singh the appellant
(ii) For the respondent : Sh. Gurdeep Singh, Kanugo

ORDER

This order may be read with reference to the previous order dated 15.07.2019 vide which compensation Rs. 2500/- was awarded to the appellant.

2. Today the appellant Sh. Satwant Bir Singh states that no compensation has been given to him so far. He further states that he has not received information so far.
3. Respondent states that he has brought the information today in the Commission, which is handed over to the appellant. The appellant has gone through the same and states that misleading information has been given.
4. After hearing both the parties and examining the case file, it is ascertained that the respondent Sh. Gurdeep Singh Kanugo is not aware about the facts of the case. This shows that the respondent-PIO has not taken RTI seriously.
5. Sh. Satwantbir- the appellant states that neither the information has been provided to him nor the amount of compensation awarded by the Commission has been paid to him so far. The Commission takes a serious view of this matter and is constrained to enhance the amount

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Appeal Case No. 1038 of 2019

of compensation from Rs. 2500/- to Rs. 3000/- (Rs. Three Thousand only). Besides, the Commission would also consider invoking of penalty provisions against the respondent-PIO in case he fails to provide the required information and payment of the awarded compensation. The respondent may provide the information to the appellant and make the payment of compensation to him before the next date of hearing by way of Demand Draft. A compliance report in this regard be sent to the Commission accordingly.

6. To come up on **16.10.2019 at 11.00 AM** for further proceedings. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

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Smt Kamaljeet Kaur,
W/o Sh Pritpal Singh,
Village Barsal, Distt Ludhiana

.....Complainant.

Vs

Public Information Officer,
O/o District Social Security Officer,
Ludhiana
First Appellate Authority-cum-
Deputy Director, Social Security Women.
And Child Department, Pb, Chd

.....Respondent

AC .No. 3869 of 2018

Present : (i) Sh. Pritpal Singh on behalf of the appellant
(ii) For the respondent : Sh.Kanwaljit Singh, Sr. Assistant

ORDER

This order may be read with reference to the previous order dated 17.07.2019 vide which an amount of Rs. 2500/- was awarded as compensation to the appellant and a show cause notice was issued to the respondent –PIO

2. Today the appellant states that no information has been given to him.
3. After hearing both the parties, it is observed that the Respondent Sh. Kanwaljit Singh is not aware about the facts of the case.
4. It is observed that the respondents are being represented by very 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.
5. Sh. Pritpal Singh, representative of the appellant states that neither the information has been provided to him nor the amount of compensation awarded by the Commission has been paid to him so far. The Commission takes a serious view of this matter and is constrained to enhance the amount of compensation from Rs. 2500/- to Rs. 3000/- (Rs. Three Thousand only). Besides, the Commission would also consider invoking of penalty provisions against the respondent-PIO in case he fails to provide the required information and payment of the awarded compensation. The respondent may provide the

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AC .No. 3869 of 2018

information to the appellant and make the payment of compensation to him before the next date of hearing by way of Demand Draft. A compliance report in this regard be sent to the Commission accordingly.

6. Smt. Inderpreet Kaur, DSSO, o/o District Social Security, Ludhiana 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 **16.10.2019 at 11.00 AM** for further proceedings. Copy of the order be sent to the parties.

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

Through registered post

CC: Smt. Inderpreet Kaur, DSSO, o/o District Social Security, Ludhiana

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Sh. Gulshan Rai Sanger,
Mohalla Vaid Hem Raj
Nawanshahr

Complainant.

Versus

Public Information Officer,
o/o DPI(Colleges),
Punjab School Education Board Complex,
7th floor, Phase 8, Mohali

...Respondent

Complaint Case No. 325 of 2018

Present : None for the parties.

ORDER

This order may be read with reference to the previous order dated 03.06.2019 vide which Sh. J.S. Rana was directed to file his reply of show cause notice issued to him.

2. Today neither the complainant nor the respondent is present. The perusal of the file shows that during the hearing dated 16.10.2018, a show cause notice was issued to Sh. Jai Singh Rana, Sr. Assistant. But till today he has failed to file his reply in response to the show cause notice, which shows that he has no respect for the orders of the Commission to be present, either himself or through his representative in the court.

4. In view of the defying attitude of Sh. Jai Singh Rana, Sr. Assistant, neither attending the court nor submitting any explanation for the show cause notice issued to him within the time schedule as prescribed under the RTI Act 2005, the court comes to a logical conclusion that it is a fit case for the imposition of penalty amounting to Rs. 25000/- (Rupees Twenty five thousand only) on the PIO. Therefore, taking a lenient view, I impose a penalty of **Rs. 5000/- (Rs. Five thousand only) on Sh. Jai Singh Rana, Sr. Assistant.** The Drawing and Disbursing Officer of the office of DPI(Colleges) is directed to deduct the amount of penalty of Rs. 5000/- from the salary

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of **Sh. Jai Singh Rana, Sr. Assistant** and deposited in the State Treasury in the following Head of Account and to report its compliance to the Commission:-

"0070-Other Administrative Services

60 other Services

800-Other Receipts

86-Fee under the RTI Act, 2005"

5. To come up on **04.11.2019 at 11.00 AM for further proceedings**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

Through registered post

CC: DPI (Colleges), o/o DPI(Colleges), Punjab Education Board Complex, 7th Floor, Phase 8, Mohali

Sh.Jai Singh Rana, Sr. Assistant, o/o DPI(Colleges), Punjab Education Board Complex, 7th Floor, Phase 8, Mohali

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Ms. Kanchan Bala
D/o Sh. Pawan Kumar (Retd. Teacher)
House No. B-12/233, Street Mo.4, Kamal Colony,
Khanna Road, Samrala, Distt. Ludhiana

Vs

Public Information Officer,
O/o SMO./PHC/CHC, Bharatgrh
Distt. Ropar
First Appellate Authority
O/o Civil Surgeon, Roopnagar

.....Appellant

.....Respondent

AC.No. 1989 of 2019

Present: (i) Ms. Kanchan Bala, Appellant alongwith Sh. Jatinder Kumar
(ii) For the respondent; Dr. Kanwaljeet Singh, PIO, Dr. Amanpreet Singh, Clerk

ORDER

This order may be read with reference to the previous order dated 26.08.2019.

2. Today, all the points have been discussed before the Appellant and the respondent. The appellant states that she is not satisfied with the information provided by the respondent. Respondent has promised that the remaining information will be sent to the appellant before the next date of hearing.

3. To come up on **22.10.2019 at 11.00 AM for further proceedings.** Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

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Sector 16, Chandigarh.

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Ms. Kanchan Bala
D/o Sh. Pawan Kumar (Retd. Teacher)
House No. B-12/233, Street Mo.4, Kamal Colony,
Khanna Road, Samrala, Distt. Ludhiana

.....Appellant

Vs

Public Information Officer,
O/o Civil Surgeon, Roopnagar
First Appellate Authority
O/o Civil Surgeon, Roopnagar

.....Respondent

AC.No. 1990 of 2019

Present: (i) Ms. Kanchan Bala the appellant alongwith Sh. Jatinder Kumar
(ii) For the respondent; Dr. Avtar Singh, Assistant Civil Surgeon and Sh. Jatin Kumar, Clerk

ORDER

This order may be read with reference to the previous order dated 26.08.2019 vide which the respondent was directed to bring complete information in the Commission office.

2. The appellant states that incomplete information has been given to him so far.
3. Respondent states that the appellant has demanded information on five points. Regarding point no. 1, information has been given to the appellant. Regarding point no. 2, information is available on the website.
4. Regarding point nos. 3, 4 and 5 , points have been discussed before the appellant and the respondent. Respondent has promised that the information will be provided to the appellant to which the appellant has expressed her satisfaction over the same.
5. On the assurance of the respondent the appeal case filed by the appellant is disposed of and closed. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

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S. Jasbir Singh, Village Bholapur,
Jhabewal, Post Office Ramgarh,
District Ludhiana

Vs

Public Information Officer,
O/o Finance Commissioner (Revenue)
Punjab, Chandigarh - 160017

First Appellate Authority

O/o Finance Commissioner (Revenue)
Punjab, Chandigarh - 160017

Public Information Officer

O/o Deputy Commissioner, LudhianaRespondent

.....Appellant

AC No. 1325 of 2019

Present : None for the parties.

ORDER

This order may be read with reference to the previous order dated 31.07.2019

2. Today neither the Appellant nor the Respondent is present. Hence, one opportunity is given to both the parties to appear before the Commission and state their case.

3. To come up on **22.10.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

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Sh. Surinder, s/o Shri Vasudev
Ward No. 7, Street Arya Samaj Wali Gali,
Makhu, C/o Kaka Gift Centre, Main Chowk
Makhu, Tehsil Zira

.....Appellant

Versus

Public Information Officer,
O/o SDM, Zira

First Appellate Authority,
O/o DC, Ferozepur

...Respondent

Appeal Case No. 1093 of 2019

Present : (i) None for the Appellant
(ii) For the Respondent: Sh Robin Sachdeva, Jr Asstt.

ORDER

This order may be read with reference to the previous order dated 10.07.2019.

2. The Appellant is not present today.
3. The Respondent states that the information has been provided to the Appellant. He also shows a copy of the receiving given by the Appellant in lieu of receiving the information. A copy of the same is taken on record.
4. 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.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

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Smt. Veerpal Kaur, W/o Late Sh. Gursewak Singh
R/o Ladjhoka Mandi, Tehsil & Distt. Fazilka

-----Appellant

Vs.

Public Information Officer,
O/o District Education Officer, (Primary Education)
Distt. Fazilka
First Appellate Authority
o/o District Education Officer (Primary Education)
Distt. Fazilka

-----Respondent

Appeal Case No.3829 of 2018

Present : (i) None for the Appellant
(ii) For the Respondent: Sh Desh Raj , Sr Asstt.

ORDER

This order may be read with reference to the previous order dated 10.07.2019.

2. The Appellant is not present today.

3. The Respondent states that the complete information has already been provided to the Appellant. Further, the Respondent files his reply to show-cause notice today. I have gone through the reply of the Respondent and agree with the reply of the Respondent resultantly, the proceedings under Section 20 of the RTI are dropped.

4. The perusal of the case file shows that the Appellant is not present today. She was not present on the previous two hearings also. Hence, it is presumed that she is satisfied with the information provided. Therefore, no further cause of action is left. The Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

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Sh. Gurdev Singh, S/o Jarnail Singh
R/o Ward No. 12, Makhu, Tehsil Zira
Distt.Ferozepur

.....Complainant

Vs

Public Information Officer,
o/o ADC(D), Ferozepur

.....Respondent

CC No. 80 of 2019

Present: (i) None for the complainant
(ii) For the respondent: Smt Balwinder Kaur, PIO and Smt Sita Devi, APIO

ORDER

This order may be read with reference to the previous order dated 18.07.2019.

2. The Complainant is not present today. However, he has informed on phone that he shall not be able to attend the hearing due to his ill-health.
3. The Respondent states that the complete information has been provided to the Complainant. She also given in writing that the complete information has been furnished to the Complainant and that there is nothing pending in this regard. Further, she states that the amount of penalty has also been deposited in the treasury. She also shows a copy of the challan which is taken on record.
4. Since, the order of the Commission has been complied with, no further cause of action is left. Hence, the Complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

(Preety Chawla)
State Information Commissioner

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Sh. Himanshu Raj, C/o Law Office of Himanshu Raj
102, Sector 10A, Chandigarh

..... Complainant

Vs

Public Information Officer-cum

Secretary /President, The Indian Cooperative Housing Building Society Ltd., Mohali
Above OBC Bank, New Chandigarh
(Mullanpur Garibdass), Kurali-Chd Road,
Mullanpur Garibdass, 140901

Remanded Back to

First Appellate Authority,

O/o Deputy Registrar,
Cooperative Societies, Mohali
17 Bays Building, Sector-17, Chandigarh

.....Respondent

CC.No. 183 of 2019

Present : (i) Ms Sapna Randhawa, on behalf of the Complainant.
(ii) None is present on behalf of the respondent

ORDER

This order may be read with reference to the previous order dated 31.07.2019

2. The Counsel for the Complainant states that no information has been provided to the complainant so far.
3. No one has appeared on behalf of the Respondent today. They were not present on the previous three hearings also.
4. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

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CC.No. 183 of 2019

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

5. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

6. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

7. In view of the same, the Complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 12.09.2019

CC: Copy of RTI dated 06.01.2019

(Preety Chawla)
State Information Commissioner