

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



FINAL ORDER

Harjit Singh,
S/o Sh. Chanan Singh,
VPO Qilla Raipur, Patti Karma Parkash,
Raipur, District Ludhiana.

Versus

Public Information officer,
o/o Labour Commissioner,
Sector-64, SAS Nagar, Punjab,

Complaint Case No. 476 of 2021 (Video Conference Proceedings)

PRESENT:

Harjit Singh (Complainant) 98552-42167

Parminder Singh, APIO-cum-Superintendent (for the Respondent) 76960-05999

ORDER:

*(To be read in continuity with earlier orders on **22.10.2021, 3.12.2021, and 11.3.2022**)*

1. The complainant, **Harjit Singh**, filed this RTI application dated **27.1.2020** and sought information **regarding action taken against defaulter labour officers**, from the PIO o/o **Labour Commissioner, Mohali**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **15.4.2021**. The case was last heard on **11.3.2022**.

2. Both parties are present. The respondent PIO represented by Parminder Singh, Superintendent, states that this RTI application was transferred to the Labour Commissioner at Ludhiana. However, neither the complainant nor to this Commission intimated of said transfer.

3. The respondent PIO-cum-Assistant Labour Commissioner, Headquarter was issued Show Cause Notice on 3.12.2021, to which he has not filed any written submission and nor he appeared in person. The aforesaid PIO is given final opportunity to appear in person at the Commission on Monday, 18.7.2022 at 12.00 Noon, along with copies of all earlier replies sent to the appellant along with attested copies of the appended information. The PIO is also to explain in writing why he took more than one year to furnish a reply to this RTI application which was submitted to the office of Labour Commissioner, Punjab at Mohall on 27.1.2020.

4. As directed by Speaking Order as above, the respondent PIO-cum-Assistant Labour Commissioner Sh. Harpreet Singh appeared in person on 14.7.2022 and has submitted a written reply to the Show Cause Notice issued to him vide this Commission's Order of 3.12.2021. Therein, he attributes the delay in supplying the requested information, to the long restrictions arising from the Pandemic. Along with his reply, the PIO has also submitted copies of Letter No. 126 dated 12.2.2021, whereby a point wise reply/information to the RTI application was furnished to the appellant.

Contd....2

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Complaint Case No. 476 of 2021 (Video Conference Proceedings)

5. The Commission has examined the PIO's reply to the Show Cause Notice and has also taken note of his oral submissions, and is of the view that this RTI application has been adequately addressed. It is also noted that there was no attempt to malafidely or deliberately deny or withhold any information.

6. This Complaint is accordingly **Disposed of**.

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

Chandigarh
13.7.2022

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FINAL ORDER

Parmod Kumar,
S/o Late Sh. Hem Raj,
H. No. 2650, Ward No.12,
Near Dushira Ground,
Kharar, Mohali.

Versus

Public Information Officer,
o/o Assistant Labour Commissioner,
SCO 102, Phase 3B2,
SAS Nagar, Mohali.

Complaint Case No. 1127 of 2021 (Video Conference Proceedings)

PRESENT:

Parmod Kumar (Complainant) 99149-22650
Surmukh Singh, Superintendent (for the Respondent) 99145-57851

ORDER:

(To be read in continuity with earlier orders on 11.3.2022)

1. The complainant, **Parmod Kumar**, filed this RTI application dated **9.2.2021** and sought information **regarding a Notice issued by the Punjab State Information Commission**, from the PIO o/o **Assistant Labour Commissioner, Mohali**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **3.9.2021**. The case was last heard on **11.3.2022**.
2. Both parties are present. As directed at the last hearing on 11.3.2022, the respondent PIO has submitted a reply to this Commission vide Letter No. 281 Dated 14.3.2022, along with copies of earlier correspondence regarding this RTI application.
3. The Commission is of the view that this RTI application has been adequately addressed. There is no further cause for action and this Complaint is accordingly **Disposed of**.

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

Chandigarh
13.7.2022

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FINAL ORDER

Kashmir Singh Bagga,
6/16, Improvement Trust Colony,
Scheme No.1, Batala Road,
Gurdaspur.

Versus

Public Information officer,
o/o Managing Director,
Punjab Agro Industries Corporation,
Chandigarh.

Complaint Case No. 1305 of 2021 (Video Conference Proceedings)

PRESENT:
(Complainant) Absent
(Respondent) Absent

ORDER:

1. The complainant, **Kashmir Singh Bagga**, filed this RTI application dated **26.12.2019** and sought information **regarding Chargesheet to one Shehbaz Singh Cheema**, from the PIO o/o **Managing Director, Pb. Agro Industries Corporation, Pb., Chandigarh**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **29.11.2021**. Notice was issued to the parties for first hearing in the Commission on **14.7.2022**.
2. Both parties are absent. The case file has examined and it is found that the respondent PIO sent a reply vide Letter No. 1082 Dated 21.11.2020, which was within the stipulated period of 30 days. Vide this letter, the appellant was denied the requested information under Section 8(1)(j) of the RTI Act 2005.
3. The Commission has examined the RTI application and the respondent PIO's decision is upheld. There is no further cause for action and this Appeal is accordingly **Disposed of**.

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

Chandigarh
13.7.2022

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FINAL ORDER

Balwinder Kaur,
195/2, Sector 45-A,
Chandigarh.

Versus

Public Information Officer,
o/o Divisional Engineer Public Health-1,
Greater Mohali Area Development Authority (GMADA),
PUDA Bhawan, Sector-62, Mohali.

First Appellate Authority,
o/o Divisional Engineer, Public Health-1,
Greater Mohali Area Development Authority (GMADA),
PUDA Bhawan, Sector-62, Mohali.

Appeal Case No. 3320 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Jagir Singh, Senior Assistant (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 17.2.2021, 27.10.2021, and 10.2.2022)

1. The RTI application is dated **21.1.2020** vide which the appellant has sought information **regarding appeals to the Secretary Housing, Chief Administrator GMADA etc,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **26.2.2020** and Second Appeal was filed in the Commission on **2.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **10.2.2022**.
2. The appellant is absent. As directed by this Commission in its Order of 27.10.2021, the respondent PIO has submitted a copy of the reply sent to the appellant. Notably the appellant has remained absent in second successive hearing compelling the Commission to conclude that she is satisfied with the information supplied.
3. This Appeal Case is accordingly **Disposed of.**

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

Chandigarh
13.7.2022

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FINAL ORDER

Pawan Kalia, Advocate,
18, Adarsh Nagar,
Kapurthala.

Versus

Public Information Officer,
o/o Divisional Forest Officer,
Forest Complex, Sector 68,
SAS Nagar, Mohali.

First Appellate Authority,
o/o Conservator of Forest,
Forest Complex, Sector 68,
SAS Nagar, Mohali.

Appeal Case No. 4180 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Gurwinder Kaur, Forest Guard (for the Respondent) 98772-13061

ORDER:

(To be read in continuity with earlier orders on 11.3.2022)

1. The RTI application is dated **7.6.2021** vide which the appellant has sought information **regarding the CAMPA Scheme for 2019-20 and 2020-21 in Three points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **26.7.2021** and Second Appeal was filed in the Commission on **14.9.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.3.2022**.
2. The appellant is absent for the second successive hearing. As directed at the last hearing on 11.3.2022, the respondent PIO has submitted detailed assessment of the copying cost involved in furnishing the information requested in this RTI application. As per the assessment made by the accounts department of the present Public Authority, total copying cost would be around Rs. 52,800 plus Rs. 2000, which amounts to Rs. 54,800/-. The said assessment has been made on the basis of calculation of photocopying at Rs. 1 per page, whereas the actual market rate is around Rs. 2/- per page, which would double the cost of copying the requested information.
3. It is this Commission's view that this would amount to disproportionate diversion of public resources and the requested information is denied as per Section 7(9) of the RTI Act 2005. The appellant can approach the respondent PIO for inspection of the record for any specific information, he require and the respondent PIO is hereby directed to facilitate the inspection, if the appellant desire. This Appeal Case is accordingly **Disposed of**.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh
13.7.2022

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FINAL ORDER

Bharat Bhushan Mattu,
H.No.153, Akash Nagar,
Near Green Land School,
Central Post Office,
Ludhiana

Versus

Public Information Officer,
o/o Punjab Mandi Board,
Mohali.
First Appellate Authority,
o/o Punjab Mandi Board,
Mohali.

Appeal Case No. 4117 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Jaswinder Kaur, Superintendent (for the Respondent) 98140-41680

ORDER:

(To be read in continuity with earlier orders on 11.3.2022)

1. The RTI application is dated **15.6.2021** vide which the appellant has sought information **regarding public servants falling under Group A, B, and C in Punjab Mandi Board**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.7.2021** and Second Appeal was filed in the Commission on **9.9.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.3.2021**.
2. The appellant is absent. The respondent PIO is represented by Jaswinder Kaur, Superintendent. As requested at the last hearing on 11.3.2022, the appellant has made a written submission to support his claim that the requested information is in the larger public interest.
3. The Commission has examined both the RTI application and submission made by the appellant and is of the view that the requested information is exempt from disclosure as personal information as per Section 8(1)(j) of the RTI Act 2005, as well as per the Hon'ble Supreme Court's Judgement dated 13.11.2019 in *Civil Appeal No.10044 of 2010 titled in Central Public Information Officer Supreme Court of India vs Subhash Chandra Agarwal*. The respondent PIO's decision regarding this RTI application is hereby upheld. This Appeal Case is accordingly **Disposed of**.

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

Chandigarh
13.7.2022

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FINAL ORDER

Bharat Bhushan Mattu,
H.No.153, Akash Nagar,
Near Green Land School,
Central Post Office,
Ludhiana

Versus

Public Information Officer,
o/o Registrar, Water Resource Department,
Punjab, Mohali.

First Appellate Authority,
o/o Secretary,
Punjab State Irrigation Department,
Punjab, Chandigarh.

Appeal Case No. 4211 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Priyanka, Senior Assistant (for the Respondent) 84270-38150

ORDER:

(To be read in continuity with earlier orders on 11.3.2022)

1. The RTI application is dated **25.6.2021** vide which the appellant has sought information **regarding public servants falling under Grade A, B, and C in the department** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **30.7.2021** and Second Appeal was filed in the Commission on **16.9.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.3.2022**.

2. The appellant is absent. As advised at the last hearing on 11.3.2022, the appellant has made a written submission, arguing that the information requested is in the larger public interest. The Commission has examined said submission as well as the RTI application and is of the view that the requested information is exempt as contended by the respondent PIO. It in fact constitutes personal information which exempt as per Section 8(1)(j) of the RTI Act 2005, as well as the Hon'ble Supreme Court's Judgement dated 13.11.2019 in *Civil Appeal No.10044 of 2010 titled in Central Public Information Officer Supreme Court of India vs Subhash Chandra Agarwal*. The respondent PIO's decision is upheld.

3. This Appeal Case is accordingly **Disposed of**.

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

Chandigarh
13.7.2022

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Prem Sagar,
H.No. 58, Main Bazar,
Sawan Nagar, Amritsar.

Versus

Public Information Officer,
o/o Admn Officer-2, Irrigation Works,
Punjab, Sector-18, Chandigarh.

First Appellate Authority,
o/o Superintendent Engineer,
Irrigation Works, Punjab,
Sector 17, Chandigarh.

Appeal Case No. 4290 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Kuldeep Singh, Clerk (for the Respondent) 78375-57617

ORDER:

(To be read in continuity with earlier orders on 11.3.2022)

1. The RTI application is dated **6.3.2021** vide which the appellant has sought information **regarding Five letters issued by the Chief Engineer Canals (Irrigation Works) Punjab**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.5.2021** and Second Appeal was filed in the Commission on **21.9.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.3.2022**.
2. The appellant is absent. The respondent PIO, as directed by the Commission, has furnished a written pointwise reply to the RTI application along with duly attested copies of the requested information.
3. This Appeal Case is accordingly **Disposed of**.

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

Chandigarh
13.7.2022

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FINAL ORDER

Prem Sagar,
H.No.58, Main Bazar,
Sawan Nagar,
Amritsar.

Versus

Public Information Officer,
o/o Registrar, Water Resource Department, Punjab,
Sector 18, Chandigarh.
First Appellate Authority,
o/o Superintendent Engineer,
Inter State Waters Irrigation works, Punjab,
Sector 18, Chandigarh.

Appeal Case No. 4369 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent
Kuldeep Singh, Clerk (for the Respondent) 78375-57617

ORDER:

(To be read in continuity with earlier orders on 11.3.2022)

1. The RTI application is dated **24.2.2021** vide which the appellant has sought information **regarding his promotion etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.5.2021** and Second Appeal was filed in the Commission on **24.9.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.3.2022**.
2. The appellant is absent. As directed by the Commission in its Order of 11.3.2022, the respondent PIO has submitted a written reply vide Letter No. 902 Dated 16.3.2022, along with attested copies of the requested information.
3. This Appeal Case is accordingly **Disposed of**.

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

Chandigarh
13.7.2022

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FINAL ORDER

Surinder Singh,
S/o Santokh Singh,
1381, Baba Farid Nagar,
Village Kala Ghunupur Chheharate,
District Amritsar.

Versus

Public Information officer,
o/o Labour Commissioner, Pb.,
Sector-64, Phase-10, Mohali.
First Appellate Authority,
Labour Commissioner, Pb.,
Sector-64, Phase-10, Mohali.

Appeal Case No. 5595 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent
Baljeet Singh, Clerk (for the Respondent) 76965-72849

ORDER:

1. The RTI application is dated **2.9.2021** vide which the appellant has sought information **regarding Complaint Dated 25.9.202 against OCM Pvt. Ltd. Amritsar**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **4.10.2021** and Second Appeal was filed in the Commission on **10.12.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.7.2022**.
2. The appellant is absent without intimation. The respondent PIO, represented by Baljeet Singh, Clerk, states that the information pertains to the office of Assistant Labour Commissioner, Amritsar and the RTI application was accordingly transferred, under Section 6(3) of the RTI Act 2005, to the concerned office i.e. Assistant Labour Commissioner, Amritsar. The Assistant Labour Commissioner, Amritsar, has furnished a reply along with attested information vide Letter No. 268 Dated 1.11.2021.
3. The respondent PIO is herewith directed to submit a copy of the said reply and information to the Commission forthwith. This Appeal Cases is accordingly **Disposed of.**

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

Chandigarh
13.7.2022

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FINAL ORDER

Sandeep Kumar,
S/o Sh. Om Parkash,
St. No. 2, Near Shani Dev Mandir,
Patel Nagar, Malout.

Versus

Public Information officer,
o/o Chief, Punjab Mandi Board,
Punjab Mandi Bhawan, Sector-65-A, SAS Nagar, Mohali.
First Appellate Authority,
o/o Chief, Punjab Mandi Board,
Punjab Mandi Bhawan, Sector-65-A, SAS Nagar, Mohali

Appeal Case No. 5732 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Jaswinder Kaur, Superintendent (for the Respondent) 98140-41680

Mohit Anand, Senior Assistant (for the Respondent) 96460-32994

ORDER:

1. The RTI application is dated **25.1.2021** vide which the appellant has sought information **regarding Promotions to the post of JE from 1.4.2010 to 20.1.2021**, 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 **15.12.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.7.2022**.

2. The appellant is absent but has informed the Commission of his inability to attend this hearing. The respondent PIO has submitted a written reply to this Commission's Notice of Hearing along with a copy of the reply sent to the appellant vide Letter No. 416 Dated 9.3.2021, whereby he was informed that the information requested at points 1, 2, 3, and 4 was not available in the format requested and would have to be created. The PIO states that as per the RTI Act 2005, no Public Authority is obligated to create information:

“ਪ੍ਰਸ਼ਨਨਲ ਅਤੇ ਟਰੇਨਿੰਗ ਵਿਭਾਗ ਵੱਲੋਂ ਪੱਤਰ ਨੰ : 1/4/2009-ਆਈ.ਆਰ. ਮਿਤੀ 05.10.2009 ਰਾਹੀਂ ਜਾਰੀ Guide on Right to Information Act, 2005 ਜਿਸ ਅਨੁਸਾਰ ਸੂਚਨਾ, ਜਿਸ ਰੂਪ ਜਾਂ ਫਾਰਮੈਟ ਵਿੱਚ ਹੈ, ਉਸ ਦੀ ਫੋਟੋਕਾਪੀ ਮੂਲ ਰੂਪ ਵਿੱਚ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾ ਸਕਦੀ ਹੈ, ਪਰੰਤੂ ਰਿਕਾਰਡ ਵਿੱਚੋਂ ਤਿਆਰ ਕਰਨ ਉਪਰੰਤ ਸੂਚਨਾ ਤਿਆਰ ਕਰਕੇ ਦੇਣ ਦਾ ਉਪਬੰਧ ਨਹੀਂ ਹੈ।”

3. Information pertaining to points 5 and 6 has been furnished. The Commission has examined the PIO's reply as well as the RTI application and is of the view that the respondent PIO adequately addresses this RTI application. This Appeal is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
13.7.2022

PUNJAB STATE INFORMATION COMMISSION

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FINAL ORDER

Surinder Kumar,
S/o Sh. Milkhi Ram,
R/o. 564-E, Bhai Randhir Singh Nagar,
Ludhiana.

Versus

Public Information Officer,
o/o Punjab Water Resources Management & Development Corporation,
SCO-8-9-10, Sector-55, SAS Nagar (Mohali)
First Appellate Authority,
Superintendent Engineer,
Punjab Water Resources Management & Development Corporation,
SCO-8-9-10, Sector-55, SAS Nagar (Mohali)

Appeal Case No. 2367 of 2021 (Video Conference Proceedings)

PRESENT:

Surinder Kumar (Appellant) 81460-63000
Chairman Singh, Senior Assistant (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 5.4.2022)

1. The RTI application is dated **15.1.2021** vide which the appellant has sought information **regarding the interest paid to retired employees for late payment of gratuity/leave encashment (1.1.2011 to date) in three points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **1.4.2021** and Second Appeal was filed in the Commission on **18.5.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.4.2022**.
2. Both parties are present. The appellant has confirmed that now he has received all the requested information barring that at point no. 3 of the RTI application. The Commission has examined the RTI application and is of the view that point no. 3 is by way of a question, which is not permissible as per RTI Act 2005.
3. There is no further cause for action and this Appeal Case is accordingly **Disposed of**.

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

Chandigarh
13.7.2022

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FINAL ORDER

Surinder Kumar,
S/o Milkhi Ram,
#564 E, Bhai Randhir Singh Nagar, PO Rajguru Nagar,
Ludhiana.

Versus

Public Information Officer,
o/o Financial Advisor,
Punjab Water Resource Management & Development Corporation,
SCO-8-9-10, Sector-55, SAS Nagar (Mohali).

First Appellate Authority,
o/o Superintendent Engineer,
Punjab Water Resource Management & Development Corporation,
SCO-8-9-10, Sector-55, SAS Nagar (Mohali).

Appeal Case No. 4370 of 2021 (Video Conference Proceedings)

PRESENT:

Surinder Kumar (Appellant) 81460-63000

Parminder Singh, APIO-cum-Superintendent (for the Respondent) 76960-05999

ORDER:

(To be read in continuity with earlier orders on 11.3.2022)

1. The RTI application is dated **28.4.2021** vide which the appellant has sought information **regarding TDS and interest**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **NIL** and Second Appeal was filed in the Commission on **28.9.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.3.2022.2022**.
2. Both parties are present. As per the reply to this Commission's Notice of Hearing, submitted vide Letter No. 173 Dated 12.4.2022, the respondent PIO states that the information sought by the appellant constitutes personal information of various employees and therefore qualifies for exemption under Section 8(1)(j) of the RTI Act 2005.
3. The Commission has examined the RTI application along with the respondent PIO's reply and concurs with the PIO. This Appeal is accordingly **Disposed of**.

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

Chandigarh
13.7.2022