**STATE INFORMATION COMMISSION, PUNJAB**

**Punjab Red Cross Building (Next to Rose Garden)**

**Sector:16/B, Madhya Marg, Chandigarh**

**Contact No.0172-2864116, Fax No.0172-2864125**

**(**[**www.infocommpunjab.com**](http://www.infocommpunjab.com/) **and Email.ID** **scic@punjabmail.com**

Sh. Satish Kumar s/o Sh. Sham Lal,

R/o Ward No. 16-A/149, Subhash Nagar,

Dhuri, District Sangrur. …Appellant

Versus

Public Information Officer,

O/o District Manager,

Punjab State Warehousing Corporation,

Sangrur.

First Appellate Authority,

O/o Managing Director,

Punjab State Warehousing Corporation,

Punjab, Chandigarh. ...Respondent

**Appeal Case No. 62 of 2017**

**PRESENT:** None is present on behalf of the appellant.

 Smt. Narinder Kaur, RTI Incharge on behalf of the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 26.07.2017.

2. The appellant is absent without any intimation to the Commission. He was absent even on the last two hearings.

3. The respondent states that reply to the Notice of the Commission has already been filed during the hearing dated 31.05.2017.

4. During the hearing dated 26.07.2017, the appellant was advised to file rejoinder in response to the reply of the respondent but till today, neither he has filed any rejoinder nor is present for today’s hearing. The appellant has not attended the hearing in the Commission consequently thrice entailing thereby that he does not want to follow up his case further. In wake of aforementioned, this Appeal Case is hereby, **disposed of and closed.**

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**14.09.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Bachitar Singh,

Opposite ITI College, Khemkaran Road,

Tithi Wind, Tehsil Patti, District Tarn Taran. …Appellant

Versus

Public Information Officer,

O/o District Education Officer(Secondary)

Tarn Taran.

First Appellate Authority,

O/o District Education Officer(Secondary),

Mohali. ...Respondent

**Appeal Case No. 69 of 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

 (ii) Sh. Naresh Kumar, on behalf of the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 26.07.2017.

2. The appellant is absent for today’s hearing.

3. The respondent states that the information has already been supplied to the appellant and acknowledgment of receiving the information has already been placed on record. He files a reply to the show cause notice today in the Commission.

4. After perusing the record available on file it emerges that PIO has already supplied the information to the appellant with which the appellant is satisfied. Keeping in view, all the facts mentioned in the reply are found satisfactory. The show cause notice issued to the PIO is hereby, dropped. No further cause of action is pending in the instant Appeal Case, which is hereby, **disposed off and closed.**

5. Announced in the open Court. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**14.09.2017 State Information Commissioner**

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Sh. Dhanpat Rai, (98882-88076)

Employee Colony, Shahkot,

Jalandhar-144702. …Complainant

Versus

Public Information Officer,

O/o Principal Govt. Girls High School,

Shahkot. ...Respondent

**Complaint Case No. 101 of 2017**

**PRESENT:** (i) Sh. Dhanpat Rai, the complainant

 **(ii) Sh.** Manjit Singh, DDO on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 26.07.2017.

2. The complainant states that he filed an RTI application on 27.09.2016 on five points but till today, complete information has not been provided to him.

3. The respondent states that he has recently promoted and has brought the original record for the inspection of the complainant. He files a reply to the show cause notice, which is taken on record.

4. After going through the record, the complainant has given in writing that he is satisfied with the information provided.

5. The attention of the complainant is drawn to the decision of the Hon'ble Supreme Court of India dated 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 titled Chief Information Commissioner and Another Vs. State of Manipur and Another (arising out of SLP © No.32768-32769/2010) wherein it has been held that *while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. As per the above decision of the Hon'ble Supreme Court of India, the Information Commission has a power to receive and enquire into the complaint of any person who has been refused access to any information requested under this Act (section 18 (1)(b)} or has been given incomplete, misleading or false information under the Act (Section 18(1)(e) or has not been given a response to a request for information or access to information within time limits specified under the Act (Section 18(1)(c))*.

Contd…p-2

**Complaint Case No. 101 of 2017**

6. In the complaint cases, it is to be seen whether the intention of the respondent-PIO is clear or not. In this case, the complainant has filed RTI on 27.09.2016 and respondent has given reply on 27.10.2016 within the time limit, which shows that she has dealt with the RTI application in time. Keeping in view, all the facts mentioned in the reply are found satisfactory.

7. In view of aforementioned, the Complaint Case is **closed and disposed off.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**14.09.2017 State Information Commissioner**

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Sh. H.S.Hundal, Advocate,

Chamber No.82, Distt Courts,

SAS Nagar.

Appellant

Versus

**Public Information Officer**,

O/o SSP,

Mini Sectt., Moga.

**First Appellate authority**

o/o IGP, Bathinda.

Respondent

**Appeal CASE NO. 3246 OF 2016**

**PRESENT:** (i) Sh. H.S.Hundal, the appellant.

(ii)Sh. Mohinder Singh, ASI on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 26.07.2017.

2. The appellant states that till today, no information has been provided to him by the respondent.

3. The respondent files reply mentioning therein that the sought for record is not traceable after making serious efforts to locate the same.

4. The PIO is directed to appear personally alongwith an affidavit stating that the original record relating to this RTI application is not traceable, on the next date of hearing, failing which punitive provision of the RTI Act,2005 could be invoked.

5. The matter is adjourned for further hearing now on **08.11.2017 at 11.30AM in the o/o Red Cross Bhawan, Madhya Marg, Sector:16, Chandigarh.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**14.09.2017 State Information Commissioner**

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Sh. H.S.Hundal, Advocate,

Chamber No.82, District Courts,

SAS Nagar.

Appellant

Versus

**Public Information Officer**,

O/o SDM, Mini Sectt.,

Moga.

**First Appellate authority**

o/o SDM, Mini Sectt.,

Moga.

Respondent

**Appeal CASE NO. 4184 OF 2016**

**PRESENT:** Sh. H.S.Hundal, the appellant.

 None is present on behalf of the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 26.07.2017.

2. The appellant has given in writing that he has received the information and is satisfied. He has requested that his case may please be closed.

3. The respondent is absent for today’s hearing, without any intimation to the Commission.

4. The perusal of the record reveals that the respondent has provided the information to the appellant with which the appellant is satisfied and has given in writing his satisfaction today in the Commission. No further cause of action is left in the instant Appeal Case which is hereby, **closed and disposed off**. Copies of the order be sent to the parties.

 **Sd/-**

**Chandigarh (Prof. Viney Kapoor Mehra)**

**14.09.2017 State Information Commissioner**

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Sh. H.S.Hundal, Advocate,

Chamber No.82, District Courts,

Mohali.

Appellant

Versus

**Public Information Officer**,

O/o AETC, Gurdaspur.

**First Appellate authority**

O/o DETC, Amritsar.

Respondent

**Appeal CASE NO. 3461 OF 2016**

**PRESENT:** Sh. H.S.Hundal, the appellant.

Sh. S.S.Chahal, APIO on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 26.07.2017.

2. The appellant has given in writing that he has received the information and is satisfied. He has requested that his case may please be closed.

3. The respondent files reply to the show cause notice, which is placed on record.

4. After hearing both the parties and perusing the record available on file it emerges complete information as per the RTI application of the appellant has been supplied to him with which the appellant is satisfied. During the last hearing a bailable warrant was issued to the respondent for not attending the hearing in the Commission. At today’s hearing, the respondent has filed reply to the show cause notice, which is taken on record. Keeping in view, all the facts mentioned in the reply are found satisfactory. No further cause of action is left in the instant Appeal Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.’

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**14.09.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh.H.S.Hundal, Advocate,

Chamber No.82, District Courts,

Mohali.

Appellant

Versus

**Public Information Officer**,

O/o S.E,

PSPCL, Operation Circle,

Mohali.

 **First Appellate Authority**,

O/o C.E,

Operation South, Patiala.

Respondent

**Appeal Case No. 3457 of 2016**

Present : (i) Sh. H.S.Hundal, the appellant.

(ii) APIO and J.E on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 26.07.2017.

2. The appellant states that till today, complete information has not been provided to him by the respondent.

3. The respondent-APIO o/o Chief Engineer, Civil, PSPCL, Patiala appears and states that the information has already been sent to the appellant vide letter dated 08.09.2017 by registered post.

4. The appellant is advised to go through the information, whenever he will receive the same and revert back to the authorities in case he is not satisfied with the information. On receipt of the deficiencies, the respondents are directed to remove the same before the next date of hearing, failing which punitive provision of the RTI Act,2005 could be invoked.

5. The matter is adjourned for further hearing now on **08.11.2017 at 11.30AM in the o/o Red Cross Bhawan, Madhya Marg, Sector:16, Chandigarh.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**14.09.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. H.S.Hundal, Advocate,

Chamber No.82, District Courts,

SAS Nagar.

Appellant

Versus

**Public Information Officer**,

O/o SDM, Mini Sectt.,

Moga.

**First Appellate authority**

o/o SDM, Mini Sectt.,

Moga.

Respondent

**Appeal CASE NO. 4160 OF 2016**

**PRESENT:** Sh. H.S.Hundal, the appellant.

 None is present on behalf of the respondent

**ORDER:**

This order may be read with reference to the previous order dated 26.07.2017.

2. The appellant states that till today, no information has been provided to him by the respondent. He further states that during the last hearing, the respondent has provided information which was irrelevant and he has already pointed out to the respondent.

3. Neither the PIO nor his representative is present for today’s hearing.

4. The appellant is advised to visit the o/o respondent within one week and inspect the record relating to his RTI application.

5. The respondent is directed to allow the appellant for inspection and provide the information to the appellant, which will be pointed out by him before the next date of hearing, failing which punitive provision of the RTI Act, 2005 could be invoked.

6. The matter is adjourned for further hearing now on **08.11.2017 at 11.30AM in the o/o Red Cross Bhawan, Madhya Marg, Sector:16, Chandigarh.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**14.09.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Chetan Sharma,

C/o Sh. Hari Om JIndal,

C-37, Kitchlu Nagar,Ludhiana.

Complainant

Versus

**Public Information Officer**,

O/o Ludhiana Improvement Trust,

Ludhiana.

Respondent

**Complaint CASE NO. 1478 OF 2016**

**PRESENT:** Sh. Hariom Jindal, Ld. Counsel of the complainant in this case.

 Sh. Rajiv Sachdeva, Jr. Assistant on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 26.07.2017.

2. The representative of the complainant states that till today, complete information has not been provided to complainant by the respondent.

3. The respondent files an affidavit in response to the orders dated 26.07.2017 of the Commission stating that whatever information was available has been supplied to the complainant and no other is left to be supplied. Copy of the same is handed over to the representative of the complainant.

4. During the hearing dated 08.03.2017, the respondent was directed to submit the proof by which mode they have sent the information to the complainant but till today, no such proof has been submitted by the respondent. Last opportunity is given to the respondent to submit the proof, before the next date of hearing, failing which punitive provision of the RTI Act, 2005 could be invoked.

5. The matter to come up for further hearing now on **15.11.2017 at 11.30AM**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**14.09.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. H.S.Hundal, Advocate,

Chamber No.82, District Courts,

Mohali.

Appellant

Versus

**Public Information Officer**,

O/o Tehsildar,

Mini Sectt., Moga.

**First Appellate authority**

O/o SDM,

Moga.

Respondent

**Appeal CASE NO. 3523 OF 2016**

**PRESENT:** Sh. H.S.Hundal, the appellant.

Sh. Joginder Singh, APIO is present on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 26.07.2017.

2. At today’s hearing, the appellant states inspite of the directions of the Commission, no information has been provided to him by the respondent.

3. Sh. Joginder Singh, APIO is appearing on behalf of the o/o D.C.Moga and states that the information relating to point no. 1 and 2 which was related to their department has already been supplied. Copy of the same is taken on record. He further states that rest of the information is to be provided by the PIO o/o Tehsildar, Moga, Sh. Lakhwinder Singh Gill.

4. During the last hearing, the PIO o/o Tehsildar, Moga was directed to personally appear for today’s hearing but neither he has come nor has sent any intimation of his absence, which shows that he has no regard for the orders of the Commission.

5. Hence, a bailable warrant be issued to the PIO o/o Tehsildar, Moga through S.S.P. Moga for not complying the orders of the Commission. He is also directed to provide the remaining information relating to point nos. 3 to 6 to the appellant before the next date of hearing.

Contd…p-2

**Appeal CASE NO. 3523 OF 2016**

6. The PIO o/o Deputy Commissioner, Moga is exempted from further appearances, as the information which was related to their department has been supplied with which the appellant is satisfied.

7. The matter to come up for further hearing now on **08.11.2017 at 11.30AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**06.09.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Punjab Red Cross Building (Next to Rose Garden)**

**Sector:16/B, Madhya Marg, Chandigarh**

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**BAILABLE WARRANT OF PRODUCTION**

BEFORE PROF. VINEY KAPOOR MEHRA, STATE INFORMATION COMMISSIONER, PUNJAB

In case of Sh. H.S.Hundal, Advocate v/s Public Information Officer, O/o Tehsildar, Moga.

Complaint/Appeal No. : AC : 3523/2016

**UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005.**

**NEXT DATE OF HEARING : 08.11.2017**

To

 **Senior Superintendent of Police,**

 **Moga.**

 Whereas the Public Information Officer Sh. Lakhwinder Singh Gill, O/o Tehsildar, Moga, has failed to appear before the State Information Commissioner despite the issuance of repeated notices/directions in the above mentioned complaint case. Therefore, you are hereby directed to serve this bailable warrant on Public Information Officer, O/o Tehsildar, Moga to appear before Pro. Viney Kapoor Mehra, SIC at o/o Red Cross Bhawan, Madhya Marg, Sector:16, Chandigarh on 08.11.2017 at 11.30AM and submit his written submissions in regard to the order dated 14.09.2017 (copy enclosed) alongwith the information to be provided to the appellant.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**14.09.2017 State Information Commissioner**