

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



REGISTERED

Rajesh Giri,
Opposite Tanki No.2, Street No. 10,
Basant Nagar, Khanna.

Versus

Public Information Officer,
o/o Director Public Instruction (SE),
Punjab, Mohali.

First Appellate Authority,
Director Public Instruction (SE),
Punjab, Mohali.

Appeal Case No. 2779 of 2019 (Video Conference Proceedings)

PRESENT:
(Appellant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier orders on **5.9.19, 11.10.19, 20.11.19, 22.1.2020, 2.6.2020, 23.6.2021, and 5.8.2020**)

1. The RTI application is dated **30.4.2019** vide which the appellant has sought **information regarding a Punjab Government memo on property tax returns etc.** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **1.6.2019** and Second Appeal was filed in the Commission on **31.7.19** under Section 19 of the Right to Information Act, 2005.

2. Both parties are absent. In its order of 23.6.2021, the Commission had imposed a penalty of Rs. 5000/- on respondent PIO-cum-Assistant Director, Karamjit Singh, Service-3 Branch. The amount was to be deducted from the salary of Karamjit Singh in two monthly installments and deposit with Punjab Government Treasury. As per the said order, a copy of the challan receipt was to be submitted to the Commission by way of compliance. This has not been complied with.

3. The Commission takes a highly serious view of the respondent PIO's conduct. It shall pass an appropriate order unless compliance of the Order of 23.6.2021 is intimated to the Commission within 15 days of receipt of this order.

4. **Next hearing on 30.11.2021 at 11.00 am via Video Conference Facility from DC Office, Mohali.**

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

Chandigarh
14.10.2021

Cc: Sectary Education, Department of Education, Mini Secretariat Punjab, for information and further necessary action.

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Pawan Kumar,
S/o Sh. Shiv Lal,
Village Rupana,
Tehsil & District Sri Muktsar Sahib-152032

Versus

Public Information officer,
o/o Chief Engineer, Kandi Area, Development,
Irrigation Department Punjab, Chandigarh.
First Appellate Authority,
o/o Secretary,
Irrigation and Power Department,
Punjab, Chandigarh.

Appeal Case No. 259 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Dham Singh, Senior Assistant (for the Respondent) 95010-00137

ORDER:

1. The RTI application is dated **4.9.2020** vide which the appellant has sought information **regarding promotion from Junior Assistant to Senior Assistant from 1.4.2016 to 31.8.2019,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **10.11.2020** and Second Appeal was filed in the Commission on **31.12.2020** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.10.2020**.

2. The appellant is absent without intimation. The respondent PIO, represented by Dham Singh, Senior Assistant from the office of Chief Engineer, Kandi Area Development, is present via Video Conference from Mohali, states that a reply was sent to the appellant vide Letter No. 5734-36 Dated 9.9.2021 along with 64 pages by way of information pertaining to this RTI application. The appellant is granted one final opportunity to examine the same for any deficiency.

3. **Next hearing on 9.2.2022 at 11.00 am via Video Conference Facility. (The appellant can attend the hearing from DC Office, Sri Muktsar Sahib and the respondent PIO will attend the hearing from DC Office, Mohali).**

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

Chandigarh
14.10.2021

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Surinder Pal,
S/o Sh. Piyare Lal,
C/o Goyal Machinery Store,
Village Aulakh, Tehsil Malout,
District Sri Muktsar Sahib.

Versus

Public Information officer,
o/o Managing Director-cum-Chief,
Punjab Water Resources Management & Development Corporation Limited,
Old D.C. Office, Opposite Indus Hospital,
SCO-08-10, Phase-1, S.A.S. Nagar (Mohali).

First Appellate Authority,
Managing Director-cum-Chief,
Punjab Water Resources Management & Development Corporation Limited,
Old D.C. Office, Opposite Indus Hospital,
SCO-08-10, Phase-1, S.A.S. Nagar (Mohali).

Appeal Case No. 973 of 2021 (Video Conference Proceedings)

PRESENT:

Vipul Puri, Advocate (for the Appellant) 99889-09007
Bhupinder Singh, SDO (for the Respondent) 94650-60075

ORDER:

1. The RTI application is dated **3.8.2020** vide which the appellant has sought information **regarding service record of Jaspal Singh JE/SDO**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.12.2020** and Second Appeal was filed in the Commission on **16.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.10.2020**.

2. Both parties are present via Video Conference Facility. The appellant is represented by his lawyer Vipul Puri. As per the appellant, the third party cited in the RTI application has written to the PIO forbidding disclosure of the requested information which he claims as personal information. The Commission has examined the RTI application and finds that point No. 2 of the RTI application regarding the salary of the third party/employee, is neither third party nor personal information.

3. The respondent PIO is herewith directed to submit a written point-wise reply to the RTI application along with the information pertaining to point No. 2 of the RTI application. The respondent PIO-cum-MD, must explain in writing why he has taken one-and-a-half years to address this RTI application.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

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Appeal Case No. 973 of 2021 (Video Conference Proceedings)

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 9.2.2022 at 11.00 am via Video Conference Facility. (The appellant can attend the hearing from DC Office, Sri Muktsar Sahib and the respondent PIO will attend the hearing from DC Office, Mohali).

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

14.10.2021

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Gurpreet Singh

S/o Sh. Chinderpal Singh,
Village Abul Khurana,
Tehsil Malout,
District Sri Muktsar Sahib.

Versus

Public Information officer,

o/o Superintendent Engineer,
Water Supply and Construction Division,
District Ferozepur.

Complaint Case No. 320 of 2021 (Video Conference Proceedings)

PRESENT:

Gurpreet Singh (Complainant) 97800-99052
Navneet Gupta, SDO (for the Respondent) 94649-96232

ORDER:

1. The complainant, **Gurpreet Singh**, filed this RTI application dated **21.1.2021** and sought information **regarding Order No. 1133/74A Dated 9.3.1999**, from the PIO o/o **Superintendent Engineer, Water Supply and Construction Division, Ferozepur**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **15.3.2021**. Notice was issued to the parties for first hearing in the Commission on **14.10.2021**.
2. Both parties are present via Video Conference Facility. The respondent PIO, represented by Navneet Gupta, SDO, stated that a reply was sent to the appellant vide Letter No. 465 Dated 28.1.2021, informing him that the requested record was very old and could not be found in the office. At this hearing also the respondent states that the requested record could be part of the official record prior to 2001, which was destroyed as per government instructions. On the advice of the Commission, he agreed to search for the concerned register/list detailing of the destruction of record and determine whether the requested record is part of that which was destroyed.
3. The complainant meanwhile, contests the respondent's claim that the requested record may have been destroyed. He reveals that the record cited in the RTI application pertains to the service record of the employee Sandeep Singh, Clerk in the office of SE, Water Supply and Construction Division, Ferozepur and should be available in the said office.
4. The respondent PIO is herewith directed to determine if the record is available and then submit a pointwise reply to the RTI application, either supplying the requested information or citing provisions of the RTI Act 2005, where seeking exemption for the disclosure.

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Complaint Case No. 320 of 2021 (Video Conference Proceedings)

5. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

6. **Next hearing on 9.2.2022 at 11.00 am via Video Conference Facility. (The appellant will attend the hearing from DC Office, Sri Muktsar Sahib and the respondent PIO will attend the hearing from DC Office, Ferozepur).**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

14.10.2021

PUNJAB STATE INFORMATION COMMISSION

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Mohinder Singh,
S/o Sh. Ram Singh,
T-2/171, Jugiala Colony,
Shahpurkandi Township,
Tehsil & District Pathankot.

Versus

Public Information officer,
o/o Administrative Officer-2,
Water Resources Department,
Punjab, Chandigarh.
First Appellate Authority,
o/o Chief Engineer,
KAD Water Resources Department,
Punjab, Chandigarh.

Appeal Case No. 1773 of 2021 (Video Conference Proceedings)

PRESENT:

Mohinder Singh (Appellant) 96461-41428
Davinder Singh, Senior Assistant (for the Respondent) 85560-01310

ORDER:

1. The RTI application is dated **3.6.2020** vide which the appellant has sought information **regarding pay scale notifications pertaining to Data-entry Operators, Assistant Computer Programmers and Computer Programmers in 1986, 1996 and 2006 etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **28.7.2020** and Second Appeal was filed in the Commission on **6.4.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.10.2020**.

2. Both parties are present via Video Conference. The respondent PIO, represented by Devinder Singh, Senior Assistant, has stated that a reply was sent to the appellant vide Letter No. 2970-71 Dated 22.6.2021.

3. The respondent PIO is directed to send a copy of the said reply to the Commission forthwith. The respondent PIO is further directed to submit a pointwise reply to each of the 3 points on the RTI application to the appellant with a copy to this Commission within 10 days of receipt of this order. Said reply must be signed by the PIO-cum-Superintendent Grade-1, Davinder Singh.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

Contd. ...2

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Appeal Case No. 1773 of 2021 (Video Conference Proceedings)

5. Next hearing on 9.2.2022 at 11.00 am via Video Conference Facility. (The appellant will attend the hearing from DC Office, Pathankot and the respondent PIO will attend the hearing from DC Office, Mohali).

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

Chandigarh
14.10.2021

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Prem Sagar,
S/o Sh. Amar Nath,
58, Main Bazar,
Sawan Nagar,
District Amritsar.

Versus

Public Information officer,
o/o Administrative Officer-2,
o/o Chief Engineer (Canals),
Irrigation Works, Punjab,
Sector-18, Chandigarh.
First Appellate Authority,
o/o Director Water Cell,
Irrigation Department, Punjab,
SCO-45/1, Sector-17 E,
Chandigarh.

Appeal Case No. 893 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Dham Singh, Senior Assistant (for the Respondent) 95010-00137

ORDER:

(To be read in continuity with earlier orders on 16.7.2021)

1. The RTI application is dated **10.6.20** vide which the appellant has sought **information regarding his promotion etc. by way of the action taken on the Department of Irrigation's Memo No. 10/12/15-2SP3/1004766 dated 19.6.2017 addressed to the Chief Engineer Canals and Irrigation Works**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **11.9.2020**, and Second Appeal was filed in the Commission on **8.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **16.7.2021**.

2. The appellant is absent without intimation. The respondent PIO, represented by Dham Singh, Senior Assistant, is present via Video Conference from Mohali. At the last hearing on 16.7.2021, the respondent PIO was issued a Show Cause Notice and also given an opportunity to be heard in person. The PIO has failed to submit a reply to the Show Cause Notice and has also not supplied the information requested in this RTI application. The respondent PIO is herewith given a final opportunity to:

i) File a written reply to the Show Cause Notice issued to him by this Commission on 16.7.2021.

ii) Submit a written reply to the RTI application along with duly attested copies of the requested information which must be attested in the format given as under. This must be done within 10 days of this hearing.

Contd. ...2

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Appeal Case No. 893 of 2021 (Video Conference Proceedings)

3. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

4. **Next hearing on 9.2.2022 at 11.00 am via Video Conference Facility. (The appellant will attend the hearing from DC Office, Amritsar and the respondent PIO will attend the hearing from DC Office, Mohali).**

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

14.10.2021

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Rakesh Kumar Gupta,
S/o Sh. Des Raj Gupta,
8/237, Jagraon Road, Mandi Mullanpur,
District Ludhiana-141101

Versus

Public Information officer,
o/o Director, Colonization-cum-Administrator,
New Mandi Township,
Sector-65 A, SAS Nagar, District Mohali.

Public Information officer,
o/o Secretary, Punjab Mandi Board,
65-A, S.A.S. Nagar, District Mohali-160062

First Appellate Authority,
o/o Director Colonization,
Punjab Mandi Board,
Room No. 412, 4th Floor,
65-A, S.A.S. Nagar,
District Mohali.

Appeal Case No. 2231 of 2021 (Video Conference Proceedings)

PRESENT:

Rakesh Kumar Gupta (Appellant) 98149-24851
Jaswinder Kaur, Superintendent (for the Respondent) 98140-41680
Virender Singh Sidhu, Deputy DM (for the Respondent) 99882-12210
Jugraj Singh, Senior Assistant from Colonization Department (for the Respondent) 95017-12432

ORDER:

1. The RTI application is dated **18.5.2021** vide which the appellant has sought information **regarding transfer of farmers canteen and surplus area to MC Dakhra etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.5.2021** and Second Appeal was filed in the Commission on **1.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.10.2020**.

2. Both parties are present via Video Conference Facility. The Commission notes that this RTI application was filed under the Life & Liberty Clause on 18.5.2021, and the First Appeal was preferred by the appellant, only eight days later, on 25.5.2021. Second Appeal was preferred on 1.6.21.

3. Order RESERVED.

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

Chandigarh
14.10.2021

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Rakesh Kumar Gupta,
S/o Sh. Des Raj Gupta,
8/237, Jagraon Road,
Mandi Mullanpur, District Ludhiana-141101

Versus

Public Information officer,
o/o Additional Chief Secretary (D),
Punjab Mini Secretariat, Punjab,
Sector-9, Chandigarh-160009
First Appellate Authority,
o/o Additional Chief Secretary (D),
Punjab Mini Secretariat, Punjab,
Sector-9, Chandigarh-160009

Appeal Case No. 2226 of 2021 (Video Conference Proceedings)

PRESENT:

Rakesh Kumar Gupta (Appellant) 98149-24851
Jaswinder Kaur, Superintendent (for the Respondent) 98140-41680
Jugraj Singh, Senior Assistant from Colonization Department (for the Respondent) 95017-12432

ORDER:

1. The RTI application is dated **18.5.2021** vide which the appellant has sought information **regarding transfer of farmers canteen and surplus area to MC Dakha etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.5.2021** and Second Appeal was filed in the Commission on **1.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.10.2020**.

2. Both parties are present via Video Conference Facility. The Commission notes that this RTI application was filed under the Life & Liberty Clause on 18.5.2021, and the First Appeal was preferred by the appellant, only eight days later, on 25.5.2021. Second Appeal was preferred on 1.6.21.

3. Order RESERVED.

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

Chandigarh
14.10.2021

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Rakesh Kumar Gupta,
S/o Sh. Des Raj Gupta,
8/237, Jagraon Road,
Mandi Mullanpur, District Ludhiana-141101

Versus

Public Information officer,
o/o Director, Colonization-cum-Administrator,
New Mandi Township,
Sector-65 A, SAS Nagar,
District Mohali.

First Appellate Authority,
o/o Director Colonization,
Punjab Mandi Board,
Room No. 412, 4th Floor,
65-A, S.A.S. Nagar,
District Mohali.

Appeal Case No. 2230 of 2021 (Video Conference Proceedings)

PRESENT:

Rakesh Kumar Gupta (Appellant) 98149-24851

Jugraj Singh, Senior Assistant from Colonization Department (for the Respondent) 95017-12432

ORDER:

1. The RTI application is dated **18.5.2021** vide which the appellant has sought information **regarding transfer of farmers canteen and surplus area to MC Dakha etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.5.2021** and Second Appeal was filed in the Commission on **1.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.10.2020**.

2. Both parties are present via Video Conference Facility. The Commission notes that this RTI application was filed under the Life & Liberty Clause on 18.5.2021, and the First Appeal was preferred by the appellant, only eight days later, on 25.5.2021. Second Appeal was preferred on 1.6.21.

3. Order RESERVED.

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

Chandigarh
14.10.2021

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Rakesh Kumar Gupta,
S/o Sh. Des Raj Gupta,
8/237, Jagraon Road,
Mandi Mullanpur, District Ludhiana-141101

Versus

Public Information officer,
o/o Director, Colonization-cum-Administrator,
New Mandi Township,
Sector-65 A, SAS Nagar,
District Mohali.
First Appellate Authority,
o/o Director Colonization, Punjab Mandi Board,
Room No. 412, 4th Floor,
65-A, S.A.S. Nagar,
District Mohali.

Appeal Case No. 2232 of 2021 (Video Conference Proceedings)

PRESENT:

Rakesh Kumar Gupta (Appellant) 98149-24851
Jugraj Singh, Senior Assistant from Colonization Department (for the Respondent) 95017-12432

ORDER:

1. The RTI application is dated **17.5.2021** vide which the appellant has sought information **regarding possession of old mandi to MC Jagraon from Punjab Mandi Board/Colonization Department etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.5.2021** and Second Appeal was filed in the Commission on **1.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.10.2020**.

2. Both parties are present via Video Conference Facility. The Commission notes that this RTI application was filed under the Life & Liberty Clause on 17.5.2021, and the First Appeal was preferred by the appellant, only eight days later, on 25.5.2021. Second Appeal was preferred on 1.6.21.

3. Order RESERVED.

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

Chandigarh
14.10.2021

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Rakesh Kumar Gupta,
S/o Sh. Des Raj Gupta,
8/237, Jagraon Road,
Mandi Mullanpur, District Ludhiana-141101

Versus

Public Information officer,
o/o Director, Colonization-cum-Administrator,
New Mandi Township,
Sector-65 A, SAS Nagar,
District Mohali.

First Appellate Authority,
o/o Director Colonization,
Punjab Mandi Board,
Room No. 412, 4th Floor,
65-A, S.A.S. Nagar,
District Mohali.

Appeal Case No. 2233 of 2021 (Video Conference Proceedings)

PRESENT:

Rakesh Kumar Gupta (Appellant) 98149-24851

Jugraj Singh, Senior Assistant from Colonization Department (for the Respondent) 95017-12432

ORDER:

1. The RTI application is dated **17.5.2021** vide which the appellant has sought information **regarding possession of old mandi to MC Jagraon from Punjab Mandi Board/Colonization Department etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.5.2021** and Second Appeal was filed in the Commission on **1.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.10.2020**.

2. Both parties are present via Video Conference Facility. The Commission notes that this RTI application was filed under the Life & Liberty Clause on 17.5.2021, and the First Appeal was preferred by the appellant, only eight days later, on 25.5.2021. Second Appeal was preferred on 1.6.21.

3. Order RESERVED.

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

Chandigarh
14.10.2021