

PUNJAB STATE INFORMATION COMMISSION

Red Cross Bhawan, Near Rose Garden, Madhya Marg,

Sector: 16, Chandigarh.

Tel. No.0172-2864100-01, Fax No.0172-2864110

Visit us @ www.infocommpunjab.com Email-ID pcic20@punjabmail.gov.in

Shri Manjit Singh,

S/o Shri Amar Singh,

R/o 4780, Shiva Ji Nagar, Ludhiana.

-----Complainant

Versus

Public Information Officer

o/o Anti Human Traffic Wing,

Police Lines, Ludhiana.

-----Respondent

Complaint Case No. 551 of 2018

Present: None on behalf of the complainant as well as the respondent.

ORDER

The case was last heard on 25.06.2018, when none was present on behalf of the complainant as well as the respondent without any intimation nor any reply has been filed by the respondent PIO. Accordingly, the PIO was directed to supply the requisite information to the complainant before the next date of hearing and file status report on the next date of hearing. The case was adjourned to 13.08.2018, which was further postponed for today due to certain administrative reasons.

2. Today again, none is present on behalf of the complainant as well as the respondents. However, a letter No. 289/5AS, dated 07.08.2018 has been received from Incharge, Anti Human Traffic Wing, Police Lines, Ludhiana vide which it has been informed that copy of Inquiry Report has been sent to the complainant by post on 26.06.2018. Accordingly, the complainant is directed to send his observations, if any, on the provided information, to the PIO, with a copy to the Commission, failing which case be will decided on merit on the basis of documents placed on record.

3. To come up on **10.12.2018 at 11.30 A.M. for further proceedings.**

Dates: 14.11.2018

**Sd/-
(S.S. Channy)
State Information Commissioner
Punjab**

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Shri Tejinder Singh,
Advocate, H.No.836,
MIG PHB Colony, Jamalpur,
Ludhiana-141010.

-----Complainant

Vs.

Public Information Officer
o/o Station House Officer,
Police Station, Ladhawal, Ludhiana.

-----Respondents

Complaint Case No. 943 of 2017

Present:- Shri Tejinder Singh, Complainant, in person.
None for the respondents.

ORDER

The case was last heard on 04.09.2018, when none was present on behalf of the complainant as well as the respondent. Viewing the callous and lackadaisical attitude of the PIO seriously, Shri Varinder Pal Singh, S.H.O. Police Station, Ladhawal, Ludhiana was directed to provide the requisite information to the appellant before the next date of hearing, failing which punitive action under the provisions of RTI Act would be initiated against him. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

2. Today, the complainant states that the requisite information has been supplied to him to his satisfaction and the case may be closed.

3. Accordingly, the case is **disposed of and closed**.

Sd/-

Dated : 14.11.2018

**(S.S. Channy)
Chief Information Commissioner
Punjab**

Contd.....p/2

4. After the hearing is over and the complainant has left, Shri Umesh Kumar, Head Constable, appears before the Commission on behalf of the respondent PIO. He states that the information has been provided to the complainant. Accordingly, he is apprised of the proceedings taken place during hearing of the case.

Dated : 14.11.2018

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

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Shri Tejinder Singh,
r/o Village Bholapur, P.O. Ramgarh,
Chandigarh Road, Ludhiana-141123.

-----Appellant

Vs

Public Information Officer
o/o Sub Registrar, Mullanpur Dakha,
District Ludhiana.

First Appellate Authority
o/o Sub Divisional Magistrate (West),
Ludhiana.

-----Respondents

Appeal Case No. 1656 of 2018

Present:- Shri Tejinder Singh, Appellant, in person.

None on behalf of the respondents.

ORDER

The case was last heard on 05.09.2018, when the appellant informed that no information had been supplied to him as yet. None was present on behalf of the respondents without any intimation. Viewing the absence of the respondents seriously, the PIO was directed to supply the requisite information to the appellant, with a copy to the Commission, before the next date of hearing, failing which punitive action under the provisions of RTI Act would be initiated against him. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

2. Today, the complainant states that the requisite information has been supplied to him to his satisfaction and the case may be closed.

3. Accordingly, the case is **disposed of and closed**.

Sd/-

Dated : 14.11.2018

**(S.S. Channy)
Chief Information Commissioner
Punjab**

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Shri Tejinder Singh,
r/o Village Bholapur, P.O. Ramgarh,
Chandigarh Road, Ludhiana-141123.

-----Appellant

Vs

Public Information Officer
o/o Sub Registrar, Khanna,
District Ludhiana.

First Appellate Authority
o/o Sub Divisional Magistrate
Khanna, District: Ludhiana.

-----Respondents

Appeal Case No. 1642 of 2018

Present:- Shri Tejinder Singh, Appellant, in person.
Shri Karun Gupta, Tehsildar Khanna, on behalf of the respondents.

ORDER

The case was last heard on 05.09.2018, when the appellant informed that no information has been supplied to him so far. None was present on behalf of the respondents without any intimation. Consequently, a copy of the information, available in the Commission's file, was handed over to the appellant and he was directed to furnish the deficiencies, if any, in the provided information to the PIO, with a copy to the Commission. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

2. Today, the appellant states that requisite information has been supplied to him to his satisfaction and the case may be closed.

3. Accordingly, the case is **disposed of and closed**.

Dated : 14.11.2018

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

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Shri Tejinder Singh,
r/o Village Bholapur, P.O. Ramgarh,
Chandigarh Road, Ludhiana-141123.

-----Appellant

Vs

Public Information Officer
o/o Sub Divisional Magistrate-cum-Licensing
and Registering Authority), Khanna,
District Ludhiana.

First Appellate Authority
o/o Deputy Commissioner, Ludhiana.

-----Respondents

Appeal Case No. 1692 of 2018

Present:- Shri Tejinder Singh, Appellant, in person.
Shri Karun Gupta, Tehsildar Khanna, on behalf of the respondents.

ORDER

The case was last heard on 05.09.2018, when the appellant informed that no information had been supplied to him as yet. None was present on behalf of the respondents without any intimation. Viewing the absence of the respondents seriously, the PIO was directed to supply the requisite information to the appellant, with a copy to the Commission, before the next date of hearing, failing which punitive action under the provisions of RTI Act would be initiated against him. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

2. Today, the appellant states that requisite information has been supplied to him to his satisfaction and the case may be closed.

3. Accordingly, the case is **disposed of and closed**.

Dated : 14.11.2018

**Sd/-
(S.S. Channy)
Chief Information Commissioner
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Shri Tejinder Singh
r/o Village Bholapur, P.O. Ramgarh,
Chandigarh Road, Ludhiana-141123.

--Appellant

Vs.

Public Information Officer
o/o Sub Divisional Magistrate (East)-cum-
Licensing and Registering Authority,
Ludhiana.

First Appellate Authority,
O/o Deputy Commissioner,
Ludhiana.

-----Respondents

Appeal Case No. 250 of 2018

Present:- Shri Tejinder Singh, appellant, in person.
Mrs. Neelam Rana, Clerk, on behalf of the respondents.

ORDER

The case was last heard on 06.09.2018, when the appellant informed that no information had been received from the respondents till date. The representative of the respondents stated that particulars of parties (whom Registration Certificates have been issued) could not be given to the appellant being third party information. Accordingly, the respondents were directed to provide only number of Registration Certificates issued, before the next date of hearing. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

2. Today, the representative of the respondents states that the information

Contd.....p/2

available in their office has been provided to the appellant and the remaining information relates to the office of State Transport Commissioner, Punjab, Chandigarh. Accordingly, the appellant is advised to seek the remaining information from the PIO of the office of State Transport Commissioner, Punjab, Chandigarh by filing a fresh RTI application, to which the appellant agrees.

3. Accordingly, the instant case is **disposed of and closed**.

Dated : 14.11.2018

**Sd/-
(S.S. Channy)
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Shri S.P. Goyal, #2-C,
Sarabha Nagar, Gurudwara Road,
Ludhiana-141001.

-----Appellant

Vs

Public Information Officer
o/o District & Sessions Judge,
District Court, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Court, Ludhiana.

-----Respondents

Appeal Case No. 1545 of 2018

Present:- None on behalf of the appellant.

Shri Om Parkash, Superintendent, on behalf of the respondents.

ORDER

The case was last heard on 06.09.2018, when the representative of the respondents informed that they had supplied complete information to the appellant on 23.01.2018. On receipt of the information from the respondents, the appellant filed an appeal before the First Appellate Authority on 29.01.2018, which was decided by him on 13.03.2018. Accordingly, the appellant was directed to furnish specific deficiencies in the information already supplied to him and the respondents were directed to remove the deficiencies before the next date of hearing. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

2. Today, the appellant is not present. However, a letter dated 22.10.2018 has been received from him vide which he has informed that he has engaged an Expert

Contd.....p/2

Advocate to attend the hearing of all his Appeals. He has further informed that the Advocate engaged by him can attend the hearing at Ludhiana only. Thus he has requested to fix the hearing of the case through Video Conferencing in the office of Deputy Commissioner, Ludhiana.

3. The representative of the respondents informs that the information has already been supplied to the appellant and no observations have been received from him till date. Thus the case deserves to be dismissed on merit, but still one last opportunity is afforded to him to furnish deficiencies, if any, in the provided information to the PIO, with a copy to the Commission.

4. On the request of the appellant, the case is adjourned to **11.12.2018 at 11.30 A.M. for final hearing through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Dated : 14.11.2018

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road, Ludhiana-141001.

-----Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
District Courts, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Courts, Ludhiana.

-----Respondents

Appeal Case No. 2061 of 2018

Present:- None for the appellant.

Shri Om Parkash, Superintendent, on behalf of the respondents.

ORDER

The case was last heard on 12.09.2018, when the appellant was not present. The representative of the respondents informed that requisite information had already been supplied to the Commission with a copy to the appellant vide letter No. 3653-54/G, dated 06.08.2018 and no observations had been received from him till date. Accordingly, last opportunity was afforded to the appellant to send his observations, if any, on the provided information, to the PIO, with a copy to the Commission, failing which case will be decided on merit on the basis of documents placed on record. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

Contd.....p/2

2. Today, the appellant is not present. However, a letter dated 22.10.2018 has been received from him vide which he has informed that he has engaged an Expert Advocate to attend the hearing of all his Appeals. He has further informed that the Advocate engaged by him can attend the hearing at Ludhiana only. Thus he has requested to fix the hearing of the case through Video Conferencing in the office of Deputy Commissioner, Ludhiana.

3. The representative of the respondents informs that the information has already been supplied to the appellant and no observations have been received from him till date. Thus the case deserves to be dismissed on merit, but still one last opportunity is afforded to him to furnish deficiencies, if any, in the provided information to the PIO, with a copy to the Commission.

4. On the request of the appellant, the case is adjourned to **11.12.2018 at 11.30 A.M. for final hearing through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Dated : 14.11.2018

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road, Ludhiana-141001

-----Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
District Courts, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Courts, Ludhiana.

-----Respondents

Appeal Case No. 2011 of 2018

Present:- None for the appellant.

Shri Om Parkash, Superintendent, on behalf of the respondents.

ORDER

The case was last heard on 12.09.2018, when the appellant was not present. The representative of the respondents informed that requisite information had already been supplied to the Commission with a copy to the appellant vide letter No. 3655-56/G, dated 06.08.2018 and no observations had been received from him till date. Accordingly, last opportunity was afforded to the appellant to send his observations, if any, on the provided information, to the PIO, with a copy to the Commission, failing which case would be decided on merit on the basis of documents placed on record. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

Contd.....p/2

2. Today, the appellant is not present. However, a letter dated 22.10.2018 has been received from him vide which he has informed that he has engaged an Expert Advocate to attend the hearing of all his Appeals. He has further informed that the Advocate engaged by him can attend the hearing at Ludhiana only. Thus he has requested to fix the hearing of the case through Video Conferencing in the office of Deputy Commissioner, Ludhiana.

3. The representative of the respondents informs that the information has already been supplied to the appellant and no observations have been received from him till date. Thus the case deserves to be dismissed on merit, but still one last opportunity is afforded to him to furnish deficiencies, if any, in the provided information to the PIO, with a copy to the Commission.

4. On the request of the appellant, the case is adjourned to **11.12.2018 at 11.30 A.M. for final hearing through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Dated : 14.11.2018

**Sd/-
(S.S. Channy)
Chief Information Commissioner
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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road, Ludhiana-141001.

-----Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
District Courts, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Courts, Ludhiana.

-----Respondents

Appeal Case No. 2010 of 2018

Present:- None for the appellant.

Shri Om Parkash, Superintendent, on behalf of the respondents.

ORDER

The case was last heard on 12.09.2018, when the appellant was not present. The representative of the respondents informed that requisite information had already been supplied to the Commission with a copy to the appellant vide letter No. 3649-50/G, dated 06.08.2018 and no observations had been received from him till date. Accordingly, last opportunity was afforded to the appellant to send his observations, if any, on the provided information, to the PIO, with a copy to the Commission, failing which case will be decided on merit on the basis of documents placed on record. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

Contd.....p/2

2. Today, the appellant is not present. However, a letter dated 22.10.2018 has been received from him vide which he has informed that he has engaged an Expert Advocate to attend the hearing of all his Appeals. He has further informed that the Advocate engaged by him can attend the hearing at Ludhiana only. Thus he has requested to fix the hearing of the case through Video Conferencing in the office of Deputy Commissioner, Ludhiana.

3. The representative of the respondents informs that the information has already been supplied to the appellant and no observations have been received from him till date. Thus the case deserves to be dismissed on merit, but still one last opportunity is afforded to him to furnish deficiencies, if any, in the provided information to the PIO, with a copy to the Commission.

4. On the request of the appellant, the case is adjourned to **11.12.2018 at 11.30 A.M. for final hearing through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Dated : 14.11.2018

**Sd/-
(S.S. Channy)
Chief Information Commissioner
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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road, Ludhiana-141001.

-----Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
District Courts, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Courts, Ludhiana.

-----Respondents

Appeal Case No. 2027 of 2018

Present:- None for the appellant.

Shri Om Parkash, Superintendent, on behalf of the respondents.

ORDER

The case was last heard on 12.09.2018, when the appellant was not present. The representative of the respondents informed that requisite information had already been supplied to the Commission with a copy to the appellant vide letter No. 3651-52/G, dated 06.08.2018 and no observations had been received from him till date. Accordingly, last opportunity was afforded to the appellant to send his observations, if any, on the provided information, to the PIO, with a copy to the Commission, failing which case would be decided on merit on the basis of documents placed on record. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

Contd.....p/2

2. Today, the appellant is not present. However, a letter dated 22.10.2018 has been received from him vide which he has informed that he has engaged an Expert Advocate to attend the hearing of all his Appeals. He has further informed that the Advocate engaged by him can attend the hearing at Ludhiana only. Thus he has requested to fix the hearing of the case through Video Conferencing in the office of Deputy Commissioner, Ludhiana.

3. The representative of the respondents informs that the information has already been supplied to the appellant and no observations have been received from him till date. Thus the case deserves to be dismissed on merit, but still one last opportunity is afforded to him to furnish deficiencies, if any, in the provided information to the PIO, with a copy to the Commission.

4. On the request of the appellant, the case is adjourned to **11.12.2018 at 11.30 A.M. for final hearing through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Dated : 14.11.2018

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road, Ludhiana-141001.

.....Appellant

Vs

Public Information Officer
O/o Hon'ble Punjab and Haryana High Court,
Chandigarh.

First Appellate Authority
O/o Hon'ble Punjab and Haryana High Court,
Chandigarh.

-----Respondents

Appeal Case No. 2028 of 2018

Present:- None on behalf of the appellant as well as the respondents.

ORDER

The case was last heard on 12.09.2018, when the appellant was not present. Shri Inder Singh, Joint Registrar(Rules)-cum-PIO, appearing on behalf of the respondents, informed that point-wise reply had been sent to the appellant on 20.01.2018 and thereafter complete admissible information as per the orders of the First Appellate Authority had been supplied to the appellant on 20.03.2018. Accordingly, the appellant was directed to send his observations, if any, on the reply/information sent by the PIO, to the PIO, with a copy to the Commission. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

Contd.....p/2

2. Today, the appellant is not present. However, a letter dated 22.10.2018 has been received from him vide which he has informed that he has engaged an Expert Advocate to attend the hearing of all his Appeals. He has further informed that the Advocate engaged by him can attend the hearing at Ludhiana only. Thus he has requested to fix the hearing of the case through Video Conferencing in the office of Deputy Commissioner, Ludhiana.

3. None is present on behalf of the respondents, However, a perusal of case file reveals that the information/Reply has already been supplied to the appellant and no observations have been received from him till date. Thus the case deserves to be dismissed on merit, but still one last opportunity is afforded to him to furnish deficiencies, if any, in the provided information to the PIO, with a copy to the Commission.

4. On the request of the appellant, the case is adjourned to **11.12.2018 at 11.30 A.M. for final hearing through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Dated : 14.11.2018

**Sd/-
(S.S. Channy)
Chief Information Commissioner
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Shri Sukhminder Singh,
S/o Shri Malkeet Singh,
VPO: Boparai Kalan, Tehsil: Jagraon,
District: Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Assistant Registrar,
Co-operative Societies, Jagraon,
District: Ludhiana.

First Appellate Authority,
O/o Deputy Registrar,
Co-operative Societies, Jagraon, District: Ludhiana.

Secretary, The Boparai Kalan Cooperative Agriculture
Multipurpose Society Limited,
Village: Boparai Kalan, Tehsil: Jagraon, District: Ludhiana.

....Respondents

Appeal Case No. 2692 of 2015

Present: None on behalf of the appellant.

Shri Bharat Bhushan, Senior Assistant, office of Assistant Registrar,
Cooperative Societies, Jagraon and Shri Ashwani Prashar, Advocate for
The Boparai Kalan Cooperative Agriculture Multipurpose Society Limited.

ORDER

In this case, during hearing on 02.08.2017, Shri Akam Singh, Assistant Registrar Cooperative Societies, Jagraon informed that the information in respect of three points, available in their record, had been supplied to the appellant. Shri Ashwani Prashar, Ld. Counsel for the Boparai Kalan Cooperative Multi Purpose Agricultural Service Society Ltd., Boparai Kalan, Tehsil Jagraon, District Ludhiana, submitted that the said Society is a private body having its own Managing Committee and is not

Contd.....p/2

receiving any grant-in-aid from the Government. He further submitted that the land in question had not been allotted by the Government at concessional rate and thus is not covered under RTI Act, 2005. He submitted written reply dated 22.07.2017 in this regard, which was taken on record and a copy of which was handed over to the appellant.

2. As per the judgement of Hon'ble Supreme Court in Thalappalam Ser. Coop. Bank Ltd. and others Vs. State of Kerala and others in Civil Appeal No. 9017 of 2013 decided on 07.10.2013, the onus lies on appellant to prove that the said Society is a Public Authority under the RTI Act, 2005. Accordingly, the appellant was directed to submit a rejoinder to the written submission made by the Ld. Counsel for the Society.

3. The appellant submitted that he was asked by the Assistant Registrar, Cooperative Societies, Jagraon to deposit Rs. 750/- as documentation charges so that the requisite information could be supplied to him and now the information was not being supplied to him. Accordingly, the Assistant Registrar, Cooperative Societies, Jagraon was directed to file a detailed reply on the next date of hearing as to on what basis the appellant was asked to deposit Rs. 750/- as documentation charges and now as to why the information was being denied to him. The case was adjourned to 13.09.2017, 25.10.2017 and then to 20.12.2017 due to certain administrative reasons.

4. On 20.12.2017, Shri Akam Singh, Assistant Registrar Cooperative Societies, Jagraon, appearing on behalf of the respondents, informed that the information available in their office had been supplied to the appellant. The appellant

Contd.....p/3

expressed dis-satisfaction. Consequently, the appellant was directed to inspect the concerned file of the office of Assistant Registrar Cooperative Societies, Jagraon to identify any specific document required by him, which would be supplied to him by the PIO. Besides, the appellant was directed to furnish documents to the said Cooperative Society, with a copy to the Commission, to prove that the said Society is a Public Authority under the RTI Act so that necessary response could be got from the Society in question for the purpose of declaring the Society a Public Authority. The case was adjourned to 24.01.2018, which was further postponed to 07.03.2018, 18.04.2018, 23.05.2018, 20.06.2018, 01.08.2018 and then to 05.09.2018 due to certain administrative reasons.

5. On 05.09.2018, none was present on behalf of the appellant as well as the respondents without any intimation. Accordingly, the Assistant Registrar, Cooperative Societies, Jagraon was directed to intimate the Commission as to whether the relevant file had been inspected by the appellant and identified documents had been supplied to him or not. Besides, one last opportunity was afforded to the appellant to submit requisite documents as per the requirement of the judgement of Hon'ble Supreme Court of India passed in the case of Thalappalam Ser. Coop. Bank Ltd. and others Vs. State of Kerala and others in Civil Appeal No. 9017 of 2013 decided on 07.10.2013, for the consideration of the Commission to prove that the said Society is a Public Authority under the RTI Act, 2005. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

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6. Today, Shri Bharat Bhushan, Senior Assistant, office of Assistant Registrar, Cooperative Societies, Jagraon states that the appellant has not turned up to inspect the relevant file as per the orders of the Commission. He further states that though the appellant has not deposited Rs. 750/- as document charges still the available information has been supplied to him.

7. The appellant is not present without any intimation nor he has submitted requisite documents as per the requirement of the judgement of Hon'ble Supreme Court of India passed in the case of Thalappalam Ser. Coop. Bank Ltd. and others Vs. State of Kerala and others in Civil Appeal No. 9017 of 2013 decided on 07.10.2013, for the consideration of the Commission to prove that the said Society is a Public Authority under the RTI Act, 2005. It shows that the appellant is not to submit anything else in the matter and is satisfied with the provided information.

8. Accordingly, the case is **disposed of and closed**.

**Sd/-
(Viney Kapoor Mehra)
S. I. C.**

**Sd/-
(Pawan Kumar Singla)
S.I.C.**

**Sd/-
(S.S. Channy)
C.I.C.**

Dated: 14.11.2018

CC: PS/CIC for the kind information of Hon'ble CIC
PS/SIC(PKS) for the kind information of Hon'ble SIC(PKS)
PS/SIC(VKM) for the kind information of Hon'ble SIC(VKM)

PUNJAB STATE INFORMATION COMMISSION

Red Cross Bhawan, Near Rose Garden, Madhya Marg,

Sector: 16, Chandigarh.

Tel. No.0172-2864100-01, Fax No.0172-2864110

Visit us @ www.infocommpunjab.com, Email-ID pcic20@punjabmail.gov.in

Shri Jaspal Singh,
S/o Shri Ramesh Arora,
House No. 319/3, Gurdeep Nagar,
Jagraon, Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Deputy Director,
Urban Local Bodies, Ludhiana.

First Appellate Authority,
O/o Deputy Commissioner, Ludhiana.

....Respondents

Appeal Case No. 2744 of 2017

Present: Shri Jaspal Singh, Appellant, in person.

Shri Amrinder Singh, PIO-cum-Executive Officer, Nagar Council, Jagraon,
on behalf of the respondents.

ORDER

This case was earlier heard by Dr. Pawan Kumar Singla, S.I.C. on 05.12.2017, 02.01.2018 and 05.02.2018. During hearing on 05.02.2018 he recommended for constitution of a Larger Bench and consequently, a Larger Bench comprising of Dr. S.S.Channy, Ld. CIC and Dr. Pawan Kumar Singla, Ld. SIC was constituted and the case was fixed for hearing on 18.04.2018, which was further postponed to 05.09.2018 due to certain administrative reasons.

2. On 05.09.2018, the appellant was not present. However, a letter dated 04.09.2018 was received from him requesting for adjournment of the case as he was

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unable to attend hearing due to ill health. None was present on behalf of the respondents without any intimation. Viewing the absence of the respondents seriously, the PIO was directed to supply the requisite information to the appellant, with a copy to the Commission, before the next date of hearing. The case was adjourned to 10.10.2018, which was further postponed for today due to certain administrative reasons.

3. Today, the appellant expresses dis-satisfaction with the provided information as he states that two Plans of Grewal Colony have been provided to him. Consequently, after hearing both the parties and discussing the matter at length, it is observed that the available information has been provided to the appellant and he may approach the competent authority for the removal of his grievances, if any, if he so desires.

4. Accordingly, the instant case is **disposed of and closed**.

**Sd/-
(Pawan Kumar Singla)
S. I. C.**

**Sd/-
(S.S. Channy)
C.I.C.**

Dated: 14.11.2018

CC: PS/SIC(PKS) for the kind information of Hon'ble SIC(PKS)

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Shri Anil Kumar,
S/o Shri Sohan Lal,
Resident of Village: Saifabad,
Tehsil, Phillaur, District: Jalandhar.

.....Appellant

Versus

Public Information Officer
O/o Secretary, Chamber of Industrial
And Commercial Undertaking,
Gill Road, Ludhiana.

....Respondent

Complaint Case No. 51 of 2018

Present: Shri Anil Kumar, Complainant, in person.
None on behalf of the respondent.

ORDER

This case was earlier heard by Shri A. S. Chanduraian, Ld. S.I.C. on 27.02.2018, 19.03.2018, 09.04.2018 and 08.05.2018. During hearing on 08.05.2018 he recommended for constitution of a Larger Bench and consequently, a Larger Bench comprising of Dr. S.S.Channy, Ld. CIC and Shri A. S. Chanduraian, Ld. SIC was constituted and the case was fixed for hearing on 20.06.2018, which was further postponed to 05.09.2018, due to certain administrative reasons.

2. On 05.09.2018, the Ld. Counsel for the respondent stated that the respondent Organization was not covered under the provisions of RTI Act, 2005 and thus was under no obligation to supply the requisite information to the Complainant. The complainant made a written submission vide letter dated 05.09.2018, a copy of

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which was handed over to the Counsel for the respondent and he was directed to send a reply to the complainant, with a copy to the Commission. The case was adjourned to 03.10.2018.

3. On 03.10.2018, the complainant made a fresh submission dated 03.10.2018, which was taken on record. As the complainant is employee of the respondent Organisation, he made inter-alia special pleadings as under:-

“ The Act gives the right to information only to the citizens of India. It does not make provision for giving information to Corporations, Associations, Companies etc. which are legal entities/persons, but not citizens. However, if an application is made by an employee or office-bearer of any Corporation, Association, Company, NGO etc. indicating his name and such employee/office bearer is a citizen of India, information may be supplied to him/her. In such cases, it would be presumed that a citizen has sought information at the address of the Corporation etc. “

Accordingly, a copy of the written submission of complainant was handed over to Shri Vivek Chauhan, Counsel for the respondent, who appeared before the Commission, after the hearing was over, for sending their reply, if any, to the complainant, with a copy to the Commission. It is also directed that the above noted special pleadings made

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by the complainant be also appropriately considered and replied to. The case was adjourned for today.

4. Today, none is present on behalf of the respondent without any intimation nor any reply has been received from them. Accordingly, the PIO is again directed to send their reply to the complainant, with a copy to the Commission, before the next date of hearing. Besides, the complainant is also directed to submit any other document, if he so desires, to prove that the respondent is a public authority under the RTI Act, 2005.

5. To come up on **09.01.2019 at 1.30 P.M. for further proceedings.**

**Sd/-
(A. S. Chanduraian)
S. I. C.**

**Sd/-
(S.S. Channy)
C.I.C.**

Dated: 14.11.2018

CC: PS/SIC(A) for the kind information of Hon'ble SIC(A)

PUNJAB STATE INFORMATION COMMISSION

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Smt. Harpreet Kaur,
Principal, Guru Gobind Singh Khalsa
Senior Secondary School,
Sarhali Kalan, District: Tarn-Taran.

-----Appellant

Vs

Shri Gurmahabir Singh,
S/o Shri Paramdeep Singh,
R/o Village: Sarhali Kalan,
Tehsil and District: Taran-Taran.

First Appellate Authority
o/o Deputy Commissioner, Taran-Taran.

-----Respondents

Appeal Case No. 911 of 2018

Present:- Shri Raman Kumar Mehra, Advocate, on behalf of Appellant, Smt. Harpreet Kaur, Principal, Guru Gobind Singh Khalsa Senior Secondary School, Sarhali Kalan, District: Tarn-Taran.

None on behalf of the respondents.

ORDER

The facts of this case, in brief, are that Shri Gurmahabir Singh sought certain information from Smt. Harpreet Kaur, Principal, Guru Gobind Singh Khalsa Senior Secondary School, Sarhali Kalan, District: Tarn-Taran, who denied the information on the ground that the school is a private institution being run by its management and this institution is not substantially financed directly or indirectly by the funds of the appropriate State or Central Government and thus is not covered under the RTI Act. The First Appellate Authority-cum-Deputy Commissioner, Tarn-Taran vide its order dated 18.01.2018 has held that Guru Gobind Singh Khalsa Senior Secondary School, Sarhali Kalan, District: Tarn-Taran, is a Public Authority under the RTI Act as it is on the Grant-in-Aid list of the State Government. The Principal of the School has challenged the order of the Deputy Commission Tarn-Taran in the Commission.

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2. This case was last heard on 19.07.2018 by Smt. Preety Chawla, SIC., when she recommended for the constitution of a Larger Bench for deciding this case as a very complicated issue is involved in this case. Consequently, a Larger Bench consisting of Dr. S.S.Channy, Ld. Chief Information Commissioner; Dr. Pawan Kumar Singla, Ld. State Information Commissioner and Smt. Preety Chawla, Ld. State Information Commissioner was constituted and a Notice of Hearing was issued for 10.10.2018, which was further postponed for today due to certain administrative reasons.

3. Today, Shri Raman Kumar, Advocate, appearing on behalf of the Principal of the School states that it is a private school being run by its management and thus it is not covered under the RTI Act. He further states that 26 teachers are being paid by the Management of the School and 4 teachers are being paid with the grant. Consequently, after hearing the Ld. Counsel for the School and discussing the matter, he is directed make a detailed written submission on the next date of hearing on the following points:-

- (1) The source of land on which school is set up i.e. whether donated by some one or acquired by the management and who paid for that.
- (2) Details of 95% grant being received from the Government for the last 10 years with a copy of annual grant. The purpose be also pointed out.
- (3) The number of posts being funded by the Government for the last 10 years

4. To come up on **09.01.2019 at 1.15 P.M. for further proceedings.**

Sd/-
(Smt. Preety Chawla)
S. I. C.

Sd/-
(Pawan Kumar Singla)
S.I.C.

Sd/-
(S.S. Channy)
C.I.C.

Dated: 14.11.2018

CC: PS/SIC(PKS) for the kind information of Hon'ble SIC(PKS)
PS/SIC(PC) for the kind information of Hon'ble SIC(PC)