

Shri Ajay Kumar, S/o Late Shri Ram Rakha,
H.No. A-1346, Street No.1,
Radha Swami Colony,
Fazilka.

.....Appellant.

Vs

Public Information Officer,
O/ o Distt. Education Officer (SE),
Fazilka.

First Appellate Authority:
O/o Distt. Education Officer (SE),
Fazilka.

.....Respondent

Appeal Case No. 2442 of 2021

Present:- Shri Ajay Kumar, appellant is present.
Shri Sukhwinder Singh, Clerk is present on behalf of Shri Rakesh Kumar, SPIO-
cum-Suptd. O/o Distt. Education Officer (SE), Fazilka.

O R D E R

Shri Ajay Kumar, appellant filed RTI application dated 18.02.2021 before the SPIO, O/o Deputy Commissioner, Fazilka. The RTI application was transferred U/s 6(3) of the RTI Act, 2005 to the SPIO, O/o Distt. Education Officer (SE), Fazilka vide letter no.293 dated 12.04.2021. When no information was provided to the appellant by the SPIO, then appellant filed First Appeal before the First Appellate Authority on 22.04.2021 and then Second Appeal before the Punjab State Information Commission on 24.05.2021. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today through **CISCO Webex Meetings Software.**

Both the parties are present today. The appellant stated that the sought for information has not been provided to him by the SPIO.

On the other hand the respondent stated that the reply has already been sent to the appellant vide letter dated 10.06.2021. He further stated that the appellant sought information regarding Shri Jain School, Shivpuri Road, Fazilka, which is a private school and it does not come within the ambit of RTI Act, 2005.

The Commission received an e-mail sent by the SPIO, which is a copy of letter dated 10.06.2021 along with copy of letter dated 31.05.2021. I have gone through letter dated 31.05.2021 vide which the Manager, Shri Jain Elementary School, Shivpuri Road, Fazilka has submitted that the said school is a private school and does not come within the ambit of RTI Act, 2005.

I have gone through the RTI application and also gone through the reply sent by the respondent. The appellant sought information regarding Shri Jain Elementary School, Shivpuri Road, Fazilka, which is a private school and it does not come within the ambit of definition of public authority as defined U/s 2(h) of the RTI Act, 2005. So, the present appeal case is **disposed of and closed.**

Dated: 15.09.2021

**(Avtar Singh Kaler)
State Information Commissioner, Punjab**

Shri Sukhwinder Singh (Reporter),
S/o Shri Subeg Singh,
R/o Village Sande Hasham,
Tehsil & Distt. Ferozepur.

.....Appellant.

Vs

Public Information Officer,
O/ o Principal,
Shaheed Bhagat Singh Public School,
Kulgadi, Distt. Ferozepur.

First Appellate Authority:
O/o Distt. Education Officer (SE),
Ferozepur.

.....Respondent

Appeal Case No. 2443 of 2021

Present:- Shri Sukhwinder Singh, appellant is present.
Shri Laxman Singh, Lecturer, O/o Principal, Shaheed Bhagat Singh Public
School, Kulgadi, Distt. Ferozepur is present.

O R D E R

Shri Sukhwinder Singh, appellant filed RTI application dated 17.02.2021 before the SPIO, O/o Distt. Education Officer (SE), Ferozepur. The RTI application was transferred U/s 6(3) of the RTI Act, 2005 to the SPIO, O/o Principal, Shaheed Bhagat Singh Public School, Kulgadi, Distt. Ferozepur vide letter dated 26.03.2021. When no information was provided to the appellant by the SPIO, then appellant filed First Appeal before the First Appellate Authority on 23.03.2021 and then Second Appeal before the Punjab State Information Commission on 24.05.2021. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today through **CISCO Webex Meetings Software**.

Both the parties are present today. The appellant stated that the sought for information has not been provided to him by the SPIO.

On the other hand the respondent stated that the appellant sought information regarding Shaheed Bhagat Singh Public School, Kulgadi, Distt. Ferozepur, which is a privately managed recognized school and does not get any financial grant either from the State Govt. or from the Central Govt., so the said school does not come within the ambit of RTI Act, 2005.

The Commission received an e-mail sent by the Principal, Shaheed Bhagat Singh Public School, Kulgadi, Distt. Ferozepur, which is a copy of letter dated 25.02.2021 along with a detailed written reply. I have gone through the said reply and the above mentioned facts have been submitted by the respondent.

I have gone through the RTI application and also gone through the reply sent by the respondent. The appellant sought information regarding Shaheed Bhagat Singh Public School, Kulgadi, Distt. Ferozepur, which is a private school and it does not come within the ambit of definition of public authority as defined U/s 2(h) of the RTI Act, 2005. So, the present appeal case is **disposed of and closed**.

(Avtar Singh Kaler)

Dated: 15.09.2021

State Information Commissioner, Punjab

Shri Davinder Sharma Bitta, S/o Shri Sham Lal,
H.NO. 874, Street No.6,
Janakpuri, Ludhiana.

.....Appellant.

Vs

Public Information Officer,
O/o Jain Public Sr. Sec. School,
Ludhiana.

First Appellate Authority:
O/o Distt. Education Officer (SE),
Ludhiana.

.....Respondent

Appeal Case No. 2493 of 2021

Present:- Shri Davinder Sharma Bitta, appellant is present.
Ms. Jaspreet Kaur, Clerk O/o Distt. Education Officer (SE), Ludhiana is present.

O R D E R

Shri Davinder Sharma Bitta, appellant filed RTI application dated 01.03.2021 before the SPIO, O/o Distt. Education Officer (SE), Ludhiana. The RTI application was transferred U/s 6(3) of the RTI Act, 2005 to the SPIO, O/o Jain Public Sr. Sec. School, Ludhiana vide letter dated 19.04.2021. When no information was provided to the appellant by the SPIO, then appellant filed First Appeal before the First Appellate Authority on 06.04.2021 and then Second Appeal before the Punjab State Information Commission on 25.05.2021. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today through **CISCO Webex Meetings Software**.

Shri Davinder Sharma Bitta, appellant is present and Ms. Jaspreet Kaur, Clerk O/o Distt. Education Officer (SE), Ludhiana is also present.

The appellant stated that the sought for information has not been provided to him by the respondent.

The respondent stated that the appellant sought information regarding Jain Public Sr. Sec. School, Ludhiana, which is a private school and it does not come within the ambit of RTI Act, 2005. She further stated that the reply regarding this has already been sent to the appellant vide letter dated 06.08.2021.

The Commission received an e-mail sent by the First Appellate Authority-cum-DEO (SE), Ludhiana, which is a copy of letter dated 06.08.2021 along with copy of letter dated 23.07.2021. I have gone through letter dated 23.07.2021 in which the Principal, Jain Public Sr. Sec. School, Ludhiana has submitted that the said school is a private school and does not fall within the ambit of definition of public authority as stated in the RTI Act, 2005.

I have gone through the RTI application and also gone through the reply sent by the respondent. The appellant sought information regarding Jain Public Sr. Sec. School, Ludhiana, which is a private school and it does not come within the ambit of definition of public authority as defined U/s 2(h) of the RTI Act, 2005. So, the present appeal case is **disposed of and closed**.

Dated: 15.09.2021

**(Avtar Singh Kaler)
State Information Commissioner, Punjab**



Shri Davinder Sharma Bitta,
S/o Shri Sham Lal,
H.NO. 874, Street No.6,
Janakpuri, Ludhiana.

.....Appellant.

Vs

Public Information Officer,
O/ o ACP (West),
Ludhiana.

First Appellate Authority:
O/o ACP (West),
Ludhiana.

.....Respondent

Appeal Case No. 2494 of 2021

Present:- Shri Davinder Sharma Bitta, appellant is present.
None present on behalf of the SPIO, O/o ACP (West), Ludhiana.

O R D E R

Shri Davinder Sharma Bitta, appellant filed RTI application dated 18.02.2021 and sought some information from the SPIO, O/o ACP (West), Ludhiana. When no information was provided to the appellant by the PIO, then he filed First Appeal before the First Appellate Authority on 22.03.2021 and then Second Appeal before the Punjab State Information Commission on 25.05.2021. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today through **CISCO Webex Meetings Software**.

The appellant is present today, whereas the respondent is absent.

The appellant stated that he has received the sought for information on 10.06.2021, but the information is incomplete. However, on asking from the appellant that whether he has brought to the notice of the SPIO the deficiencies in the information, then the appellant could not reply satisfactorily. It means that he is satisfied with the information provided to him by the SPIO on 10.06.2021 that is why he has not submitted any deficiencies till date.

As the SPIO has provided the sought for information to the appellant on 10.06.2021, so the present appeal case is **disposed of and closed**.

Dated: 15.09.2021

(Avtar Singh Kaler)
State Information Commissioner, Punjab



Shri Davinder Sharma Bitta,
S/o Shri Sham Lal,
H.NO. 874, Street No.6,
Janakpuri, Ludhiana.

.....Appellant.

Vs

Public Information Officer,
O/ o Commissioner of Police,
Ludhiana.

First Appellate Authority:
O/o Commissioner of Police,
Ludhiana.

.....Respondent

Appeal Case No. 2495 of 2021

Present:- Shri Davinder Sharma Bitta, appellant is present.
ASI Tarsem Lal-1689/LDH is present on behalf of the SPIO, O/o Commissioner of Police, Ludhiana.

ORDER

Shri Davinder Sharma Bitta, appellant filed RTI application dated 02.02.2021 and sought some information from the SPIO, O/o Commissioner of Police, Ludhiana. When no information was provided to the appellant by the PIO, then he filed First Appeal before the First Appellate Authority on 10.03.2021 and then Second Appeal before the Punjab State Information Commission on 25.05.2021. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today through **CISCO Webex Meetings Software**.

Both the parties are present today.

The respondent stated that the sought for information has been provided to the appellant by hand on 23.07.2021.

The appellant, Shri Davinder Sharma Bitta also stated that he has received the information and he is satisfied.

The Commission has received an e-mail sent by the SPIO, which is a copy of letter no. 2495 dated 08.09.2021 along with duly signed receipt made by the appellant. I have gone through the duly signed receipt executed by the appellant and he submitted that he has received the information and is satisfied.

As the SPIO has provided the sought for information to the appellant and the appellant is satisfied, so the present appeal case is **disposed of and closed**.

Dated: 15.09.2021

**(Avtar Singh Kaler)
State Information Commissioner, Punjab**

Shri Pankaj Kumar Malhotra, S/o Late Shri Vijay Kumar,
R/o B-34, 6516, SN62B, Sunil Nagar,
Street No.2, Jassian Road,
Haibowal Kalan, Ludhiana.

.....Appellant.

Vs

Public Information Officer,
O/o CMO, Ludhiana.

First Appellate Authority:
O/o Civil Surgeon,
Ludhiana.

... ..Respondent

Appeal Case No. 3272 of 2020

Present:- Shri Pankaj Kumar Malhotra, appellant is absent.
Dr. Mannu, O/o CMO, Ludhiana is present.

O R D E R

Shri Pankaj Kumar Malhotra, appellant filed RTI application dated 27.07.2020 and sought some information from the SPIO, O/o CMO, Ludhiana.

Today the case is heard through CISCO Webex Meetings Software.

The appellant is absent today, whereas the respondent is present and she stated that the reply/information has already been sent to the appellant vide letter no. 1496 dated 28.08.2020.

The Commission has received a mail sent by the SPIO on 14.09.2021 diarized vide no. 20869, which is a copy of letter no. 1189 dated 10.09.2021 along with copy of letter no. 1178 dated 09.09.2021 and a copy of letter no. 1496 dated 28.08.2020.

I have gone through letter no.1189 dated 10.09.2021 and it is submitted by the respondent that the reply/information was sent to the appellant vide letter no. 1496 dated 28.08.2020 by stating that the information sought by the appellant is not related with the office of the public authority.

Further, the SPIO has replied to the show cause notice issued vide order dated 27.07.2021. I have gone through the reply and it is submitted by the respondent that the reply/information had already been provided to the appellant on 28.08.2020, but due to official duties during Covid-19 the respondent could appear before the Commission. The respondent further requested to drop the show cause notice and assured the Commission that in future the information will be provided to the information seekers within time. The request of the respondent appears genuine so the show cause notice issued to the SPIO is hereby dropped and filed with the strict direction to the SPIO that in future he will remain more vigilant towards his duties.

In the light of the facts mentioned above, the present appeal case is **disposed of and closed** with the observation that in case the appellant wants to get the information, then he should file fresh RTI application before the concerned public authority for obtaining the sought for information.

Dated: 15.09.2021

**(Avtar Singh Kaler)
State Information Commissioner, Punjab**



Shri Rajwinder Singh,
S/o Shri Kuldeep Singh,
2636, Street No. 1,
Azad Nagar, Near Shimla Market,
Putligarh, Amritsar.

..... Complainant

Vs

Public Information Officer,
O/o District Child & Security Officer,
24, Majitha Road, Near Madan Hospital,
Amritsar.

.....Respondent

Complaint Case No. 814 of 2020

Present:- Shri Rajwinder Singh, complainant/applicant is present.
Sh. Taranjit Singh, Legal and Probation Officer is present on behalf of the SPIO,
O/o District Child & Security Officer, Amritsar.

O R D E R

Shri Rajwinder Singh, complainant/applicant filed RTI application dated 23.07.2020 and sought some information from the SPIO, O/o District Child & Security Officer, Amritsar.

Today the case is heard through CISCO Webex Meetings Software.

Both the parties are present today.

The appellant stated that he has received the sought for information, but that has been provided very late by the respondent.

The respondent stated that the attested copies of sought for information has been provided to the complainant-applicant on 07.07.2021.

The Commission has received an e-mail sent by the SPIO, which is a copy of letter no.354 dated 27.07.2021 along with copy of letter no.322 dated 07.07.2021. I have gone through the said letters.

The appellant has also sent an e-mail to the Commission by submitting that he has received the sought for information, but that has been provided very late by the respondent.

As the SPIO has provided the sought for information to the appellant and the appellant has admitted that he has received the information, so the present appeal case is **disposed of and closed.**

Dated: 15.09.2021

(Avtar Singh Kaler)
State Information Commissioner, Punjab

Satwinder Singh Sandhu,
S/o Kuldeep Singh,
R/o Village Kohar Singh Wala,
Tehsil Guruharsahai, District Ferozepur.

.... Complainant

Versus

(Regd.) Public Information Officer,
O/o Deputy Commissioner,
Ferozepur.

.... Respondent

Complaint Case No. 498 of 2020

Present:- Shri Satwinder Singh Sandhu, Complainant/applicant is present.
None present on behalf of the SPIO, O/o Deputy Commissioner, Ferozepur.

ORDER

Shri Satwinder Singh Sandhu, complainant/applicant filed RTI application dated 04.03.2020 and **sought attested copies of complete file No. E706962G dated 29.01.2020** from the SPIO, O/o Deputy Commissioner, Ferozepur.

Today the case is heard through CISCO Webex Meetings Software.

The complainant/applicant is present today, whereas the respondent is absent.

Shri Satwinder Singh Sandhu, complainant/applicant stated that he has received the information, but that has been provided very late by the respondent.

The respondent though is absent today, but he has sent an e-mail to the Commission, which is a copy of letter no.332 dated 14.09.2021 along with a photocopy of E-challan Receipt No.1334081 dated 13.07.2021.

I have gone through letter no.332 dated 14.09.2021 and it is submitted by the respondent that in compliance to the Order of the Commission, Shri Lakhwinder Singh, APIO-cum-Tehsildar has deposited the amount of penalty of Rs.5,000/- in the Govt. Treasury on 14.07.2021 vide E-challan Receipt No.1334081 dated 13.07.2021.

As the information in the present case has been provided to the applicant and now the amount of penalty of Rs.5,000/- has also been deposited in the Govt. Treasury by the respondent, so there is no reason to pursue the case further. Hence, the present compliant case is **disposed of and closed.**

Dated: 15.09.2021

(Avtar Singh Kaler)
State Information Commissioner, Punjab

Copy to: (Regd.): Deputy Commissioner, Ferozepur.

- **for information.**



Shri Deepak Kalia,
31, Kailash Nagar,
Jalandhar - 144004.

..... Appellant

Vs

Public Information Officer,
O/o Commissioner of Police,
Jalandhar.

First Appellate Authority,
O/o Commissioner of Police,
Jalandhar.

.....Respondent

Appeal Case No. 1257 of 2021

Present:- Shri Deepak Kalia, appellant is present.
SI Balwinder Kumar is present on behalf of the SPIO-cum-Deputy Commissioner of Police, Jalandhar.

O R D E R

Shri Deepak Kalia, appellant filed RTI application dated 05.11.2020 and sought some information from the SPIO, O/o Commissioner of Police, Jalandhar.

Today the case is heard through CISCO Webex Meetings Software.

Both the parties are present today.

The respondent stated that letter dated 02.09.2021 was written to the appellant to deposit Rs.224/- for providing photocopies of 112 pages of information and Rs.50/- for a C.D., total Rs.274/- with the office of the SPIO. He further stated that after that 115 pages of information and C.D. was provided to the appellant free of cost.

The appellant stated that the respondent has provided him the attested copies of 115 pages of information, but the CD is still pending.

The respondent stated that the C.D. has also been sent to the appellant through registered post on 13.09.2021.

As the respondent SPIO has complied with the Order of the Commission and provided the information to the appellant, so the present appeal case is **disposed of and closed.**

Dated: 15.09.2021

(Avtar Singh Kaler)
State Information Commissioner, Punjab.



Shri Jagshir Singh, S/o Shri Gian Singh, (M: 81958-00345),
R/o H.No. 9/20, Back side Pandori Nursing Home,
Mandi Mullanpur, Distt. Ludhiana.

.....Appellant.

Vs

(Regd.) Public Information Officer,
O/ o Block Development & Panchayat Officer,
Ghal Khurd, Distt. Ferozepur.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Ferozepur.

.....Respondent

Appeal Case No. 3889 of 2018

Present:- Shri Jagshir Singh, appellant is present.
Shri Nirmaljit Singh, PIO-cum-Panchayat Secretary, Gram Panchayat, Ratta
Khera Punjab Singh is present.

O R D E R

Shri Jagshir Singh, appellant filed RTI application dated 18.08.2018 and sought some information from the office of the SPIO.

Today the case is heard through CISCO Webex Meetings Software.

Both the parties are present today.

The appellant, Shri Jagshir Singh stated that he has received the amount of compensation of Rs.10,000/-, but the information is still incomplete as the PIO has not provided information regarding the period 2008 to 2012.

Shri Nirmaljit Singh, PIO-cum-Panchayat Secretary, Gram Panchayat, Ratta Khera Punjab Singh stated that the appellant has sought information regarding the Gram Panchayat, Ratta Khera Punjab Singh for the period 2008 till the filing of RTI application. He further stated that he has sent the information for the period 2013 to 2017 to the appellant on 22.07.2020, which was available as per the record of the Gram Panchayat and the remaining information regarding the period 2008 to 2012 is not available in the record of the Gram Panchayat being not received while taking the charge. He further stated that the amount of compensation of Rs.10,000/- has been paid to the appellant.

A penalty of Rs.12,500/- each was imposed upon Shri Parminder Singh, SPIO-cum-BDPO, Ghal Khurd and Shri Nirmaljit Singh, PIO-cum-Panchayat Secretary, Gram Panchayat, Ratta Khera Punjab Singh vide Order dated 25.11.2020 and a direction was issued to deduct the amount of penalty from the salaries of the concerned persons and to deposit in the Govt. Treasury.

Shri Nirmaljit Singh, PIO-cum-Panchayat Secretary stated that he has deposited the amount of penalty of Rs.12,500/- in the Govt. Treasury vide E-Challan Receipt No.1338181 dated 14.07.2021. He further stated that Shri Parminder Singh, SPIO-cum-BDPO, Ghal Khurd

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has also deposited the amount of penalty of Rs.12,500/- in the Govt. Treasury vide E-Challan Receipt No.1495646 dated 13.09.2021 and the compliance report regarding this has been sent to the Commission.

The Commission has received an e-mail sent by the SPIO-cum-BDPO, Ghal Khurd, which is a copy of letter no.2126 dated 13.09.2021 along with copy of E-Challan Receipt No.1338181 dated 14.07.2021 and a copy of E-Challan Receipt No.1495646 dated 13.09.2021. I have gone through letter no.2126 dated 13.09.2021 and it is submitted by the BDPO that the information which was available in the record of the concerned Gram Panchayat along with the compensation of Rs.10,000/- has been provided to the appellant. It is further submitted by the BDPO that the remaining information is not available in the record of the Gram Panchayat being not received while taking charge.

The PIO has provided the information to the appellant, which was available as per the record of the Gram Panchayat and the remaining information regarding the period 2008 to 2012 is not available in the record of the Gram Panchayat being not received while taking the charge, so the respondent is unable to provide the same to the appellant. The amount of compensation of Rs.10,000/- has also been paid to the appellant by the respondent PIO as admitted by the appellant himself.

The amount of penalty of Rs.12,500/- each has also been deposited by Shri Parminder Singh, SPIO-cum-BDPO, Ghal Khurd and Shri Nirmaljit Singh, PIO-cum-Panchayat Secretary, Gram Panchayat, Ratta Khera Punjab Singh vide E-Challan Receipt No.1495646 dated 13.09.2021 and E-Challan Receipt No.1338181 dated 14.07.2021 respectively.

As the PIO has provided the information to the appellant, which was available as per the official record and also paid the amount of compensation of Rs.10,000/- to the appellant, so the present appeal case is **disposed of and closed**.

(Avtar Singh Kaler)

Dated: 15.09.2021

State Information Commissioner, Punjab

(Regd.) CC: District Development and Panchayat Officer, Ferozepur. - for information.

(Regd.) CC: Director, Rural Development and Panchayats Department, Mohali.

- for information.

(Regd.) CC: Shri Parminder Singh, SPIO-cum-BDPO, Ghal Khurd, Distt. Ferozepur.

- for information.

(Regd.) CC: Shri Nirmaljit Singh, PIO-cum-Panchayat Secretary, Gram Panchayat, Ratta Khera Punjab Singh, Block Ghal Khurd, Distt. Ferozepur. – for information.