

STATE INFORMATION COMMISSION, PUNJAB
SCO No. 84-85, SECTOR 17-C, CHANDIGARH

Tele No. 0172-4630061, FAX No. 0172-4630888, Visit us @ www.infocommpunjab.com

Sh. Hariom Jindal
C-37, Kitchlu Nagar,
Ludhiana – 141001

Complainant

Versus

Public Information Officer,
O/o Greater Mohali Area Development Authority (GMADA)
PUDA Bhawan, Sector 62, S.A.S. Nagar

Respondent

COMPLAINT CASE NO. 1813/2015

Present : None on behalf of the Complainant.
Sh. Balwinder Singh, Sr. Assistant – for Respondent.

ORDER

The complainant is absent and seeking adjournment for personal reasons. The respondent states that the information has already been sent to the complainant vide memo dated 14.10.2015.

The complainant on the other hand, is seeking an adjournment. The request is accepted for confirmation of receipt of information.

To come up **on 01.12.2015 at 11.00 AM.**

15.10.2015

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Amrik Singh , DIG (Retd.) (92175-82000)
1, Dutt Road,
Moga – 142001

Complainant

Versus

Public Information Officer,
O/o Chief Town Planner, Punjab,
PUDA Bhawan, Sector 62, S.A.S. Nagar

Respondent

COMPLAINT CASE NO.1830 /2015

Present : None on behalf of the Complainant.
Sh. Pankaj Bawa, Distt. Town Planner – for Respondent.

ORDER

Sh. Pankaj Bawa states that the information asked for has already been supplied to the complainant. A copy of the same has also been submitted by him in this Court.

Since the complainant has filed a petition with the Hon'ble CIC to transfer this case the matter is adjourned to await the decision of the Hon'ble CIC.

To come up **on 01.12.2015 at 11.00 AM.**

15.10.2015

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Sh. Kawaldeep Singh
H.No. 501/2, Dooma Wali Gali,
Patiala – 147001

Complainant

Versus

Public Information Officer,
O/o President, Shiromani Gurdwara Parbhadak Committee (SGPC)
Amritsar

Respondent

COMPLAINT CASE NO.1871 /2015

Present : Sh. Kawaldeep Singh, (88728-83772) Complainant in person.
Sh. Kuldeep Singh, (98786-36935), G.P.A. – for Respondent.

ORDER

Sh. Kuldeep Singh states that the information has since been sent to the Complainant. A copy has also been endorsed to the Commission. The perusal of the copy suggests that the information and the enclosures are not certified. More so, the complainant denies having received the information. The respondent is directed to send the certified copies to the information seeker within a period of 15 working days from today positively under intimation to the Commission failing which penal proceedings shall be initiated.

To come up **on 26.11.2015 at 11.00 AM.**

15.10.2015

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Ms. Sarabjeet Kaur
W/o Sh. Rasal Singh
Village Chuslobad,
Patti, Dist. Tarn Taran

Complainant

Versus

Public Information Officer,
O/o Superintendent, Jails,
Patti, Dist. Tarn Taran

Respondent

COMPLAINT CASE NO.1883 /2015

Present : None on behalf of the Complainant.
Sh. Rajesh Kumar, Jr. Assistant – for Respondent.

ORDER

Sh. Rajesh Kumar is present whereas the complainant is absent. Sh. Rajesh Kumar states that the complainant was desired to deposit a fee of Rs.150/- to procure the copies of the document mentioned in her original RTI application. However, she has not deposited the amount. The respondent has shown me copies of the documents thus prepared which could have been handed over to her had she been present.

The perusal of the documents further suggests that the intimation has been sent to her timely and as such she is not entitled to receive the documents free of cost.

As the complainant is absent without any communication or notice the matter is disposed with the observation that the complainant may procure the information from Deputy Superintendent of Police (Jails), Patti, the PIO, on payment of requisite fee on any working day. The respondent shall hand over the information to her which is readily available with him.

15.10.2015

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Sh. Madan Mohan Arya (98552-91041)
S/o Sh. Surinder Nath
Guru Glass House,
Moga – 142001

Appellant

Versus

Public Information Officer,
O/o Director General of Police, Punjab
Punjab Police H.Q., Sector 9, Chandigarh

First Appellate Authority
O/o Director General of Police, Punjab
Punjab Police H.Q., Sector 9, Chandigarh

Respondent

APPEAL CASE NO. 2689/2015

Present : None on behalf of the Appellant.
1. Sh. Mohinder Singh, ASI, O/o SSP, Moga and
2. Sh. Gurmit Singh O/o DGP, Chandigarh – for Respondents.

ORDER

Sh. Mohinder Singh, ASI is present. The appellant has sent a request for adjournment as he is unable to travel on account of his indisposition in a major accident. But he has not conveyed anything about the receipt of information which, according to the respondent, has been sent to him vide memo dated 26.05.2015. The respondent has not been able to produce any copy of the same.

Since the status of the application is fluid the matter shall be re-heard **on 01.12.2015**

at 11.00 AM.

15.10.2015

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Raghbir Singh
H.No. 368, Block A,
Ranjit Avenue, Amritsar

Complainant

Versus

Public Information Officer,
O/o Principal Secretary to Govt. Of Punjab,
Deptt. Of Food, Civil Supplies & Consumer Affairs,
Punjab Civil Secretariat-2, Sector 9, Chandigarh

Respondent

COMPLAINT CASE NO.1909/2015

Present : Sh. Raghbir Singh, Complainant in person.
Sh. Shiv Dhadwal, Sr. Assistant – for Respondent.

ORDER

Heard. The facts that emerge after hearing both the parties are that the complainant was working as officiating DFSC in Amritsar. He was charge-sheeted along with others on account of an alleged shortage of wheat stock during the years 1997 to 2001.

The complainant is seeking a copy of noting portion of the file whereon the decision of penalizing him on completion of inquiry has been taken.

The respondent takes the plea of Section 8(h) of the RTI Act that is revelation shall impede the process of investigation or apprehension or prosecution of the offenders. This bench is of the view that invocation of this provision is incorrect. It is a case of departmental inquiry in which the decision against the complainant has already been taken. He is entitled to procure the information at least relating to him to defend his position. The PIO in the respondent department is advised to provide him the copies of the notings discussed above within 15 working days from today failing which penal proceedings shall be initiated.

To come up on **08.12.2015 at 11.00 AM.**

15.10.2015

Sd/-
(Yashvir Mahajan)
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Sh. Mohamad Sadiq (94652-23703)
S/o Sh. Prem Khan
Village – Chahadmajra, P.O. Tira,
Tehsil Kharar, Dist. S.A.S. Nagar

Appellant

Versus

Public Information Officer,
O/o Forest Range Officer,
Forest Bhawan, Sector 68,
S.A.S. Nagar

First Appellate Authority
O/o Divisional Forest Officer,
Patiala

Respondents

APPEAL CASE NO. 2524/2015

Present : None on behalf of the Appellant.
1. Sh. Gurmit Singh, (98724-70373), Superintendent, Patiala Forest Div. and
2. Sh. Balwinder Singh, (95309-91924),Forester, Mohali Forest Division – for
Respondents.

ORDER

The appellant is absent. The respondents from the office of Patiala and Mohali Forest Divisions state that the available information with their office has been provided to the appellant. They have submitted a copy of the memo, which suggests that the appellant has been provided information vide memos dated 30.03.2015 and 05.01.2015 from the office of the DFO, Mohali and Patiala respectively.

Since this is the first date of hearing it shall be appropriate to afford another opportunity to the appellant to react on the submissions of the respondents thus made above.

To come up on **03.12.2015 at 11.00 A.M.**

15.10.2015

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Shyam Singh, Advocate
S/o Sh. Dharam Pal Singh
183/9, Jaimal Colony, Near Dulladi Gate,
Nabha, Dist. Patiala

Appellant

Versus

Public Information Officer,
O/o Forest Range Officer,
Hathi Khana, Nabha, Dist. Patiala

First Appellate Authority
O/o Divisional Forest Officer,
Near Mini Secretariat, Patiala

Respondents

APPEAL CASE NO. 2540/2015

Present : None on behalf of the Appellant.
1. Sh. Gurmit Singh, (98724-70373), Superintendent, Patiala Forest Div. and
2. Sh. Sat Pal Singh, Range Officer, Nabha – for Respondents.

ORDER

A communication has been received from the appellant that he is unable to attend the Court and has sought adjournment. He further pleads that the complete information as asked by him, has not been supplied.

The respondents present - Sh. Gurmit Singh and Sh. Sat Pal Singh say that complete information has been supplied to the appellant, a copy of which has also been presented before this bench. It is being taken on record. As the appellant is absent and has requested for adjournment an opportunity is afforded to him to go through the same and react about the adequateness/sufficiency of the information. The matter shall again be taken up on **03.12.2015 at 11.00 A.M.**

15.10.2015

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Dalvir Singh (98551-54146)
V.P.O. Mutton, Tehsil Balachaur,
Dist. S.B.S. Nagar-144522

Appellant

Versus

Public Information Officer,
O/o Director General of Police, Punjab
Punjab Police H.Q., Sector 9,
Chandigarh

First Appellate Authority
O/o Director General of Police, Punjab
Punjab Police H.Q., Sector 9,
Chandigarh

Respondents

APPEAL CASE NO.2587 /2015

Present : Sh. Dalvir Singh (98551-54146), Appellant in person.
Sh. Hari Singh, (95927-08600) APIO – cum – Superintendent – for Respondents.

ORDER

Sh. Dalvir Singh, Complainant states that partly information has been received by him but the vital information has been retained by the PIO.

The respondent takes the plea of not divulging the information which is re-produced below:

“The noting portion sought by the applicant cannot be supplied, because noting is a opinion between one officer and other. As per law of evidence opinion between one officer and other is a privileged document even if required by the court this type of document is to be produced in court in a sealed cover with supported affidavit by the Head of the Administrative Department.”

The view point of the respondent is not supported by any statutory backing as the observations made in the noting portion of the file is not covered under the exemptions granted under Section 8 of the RTI Act and other provisions. The PIO is again advised to provide the information to the information seeker as asked for within 15 working days from today and report compliance on the next date of hearing.

To come up on **01.12.2015 at 11.00 AM.**

15.10.2015

Sd/-
(Yashvir Mahajan)
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Sh. Paramjeet Saini,
S/O Sh. Bhagwant Singh
H.No. 2684, Phase 7,
Mohali

Complainant

Versus

Public Information Officer
O/o Director Public Instructions (S.E.) Punjab,
Punjab School Education Board Complex,
Phase 8, S.A.S. Nagar

Respondent

COMPLAINT CASE NO.1370/2015

Present : Sh. Paramjeet Saini, (93161-17337), Complainant in person.
Sh. Ashwini Kumar, (98141-40114) PIO – cum – Asstt. Director – for Respondent.

ORDER

Heard. Both the parties seek adjournment. The matter shall be re-heard **on**

10.11.2015 at 11.00 AM.

Chandigarh
17.09.2015

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Harvinder Singh (98729-56960),
R/o Wairach Colony,
Samana, Distt. Patiala.

Appellant

Versus

Public Information Officer
O/o District Forest Officer,
Patiala.

First Appellate Authority,
O/o Conservator of Forests, Punjab,
Patiala.

Respondents

APPEAL CASE NO.2064/2015

Present : None on behalf of the Appellant.
1. Sh. Gurmeet Singh, Supdt. (98724-70373),
2. Sh. Satpal Singh, (98145-20233) Range Officer, Nabha, and
3. Sh. Bhalminder Singh, Range Officer, Badson (95010-07546) – for Respondents.

ORDER

Heard. This order be read in continuation of my earlier observations made on 17.09.2015 which are re-produced hereunder:

“There seems some communication gap between both the parties. The physical inspection has not matured. PIO O/o D.F.O., Patiala has submitted a copy of memo addressed to the Commission wherein he has stated that he has specifically written and telephonically asked the information seeker to come present and inspect the record. The appellant came along with 14 – 15 people which created a commotion and disorder in the office.

Another opportunity is afforded to information seeker as well as PIO to clinch the matter. The Appellant shall visit the office of the PIO on 07.10.2015 at 11.00 AM sharp. He may take one person along for his assistance and PIO shall cooperate in presenting and inspection of the relevant record.

To come up **on 15.10.2015 at 11.30 AM.**”

APPEAL CASE NO.2064/2015

The PIO states that on the appointed day that is 07.10.2015, the appellant was made to inspect the record and the certified copies of the bills relating to Bhadson Range was given on demand to him. The record pertaining to the Nabha Range was also inspected by them. However, they did not ask for any certified copy.

The appellant is absent. From the documents presented before me, I am convinced that this application stands satisfied as the entire record is stated to have been got inspected and copies of the documents asked for has been supplied. Disposed of.

Chandigarh
15.10.2015

Sd/-
(Yashvir Mahajan)
State Information Commissioner