

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100-101, Fax 0172 2864110

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Sh. Pawan Kumar,
S/o Sh. Birbal,
Tilak Nagar, Street No. 8,
Distt: Sri Muktsar Sahib.

.....Appellant

Vs

Public Information Officer
o/o Tehsildar, Ferozepur.

First Appellate Authority,
o/o Sub Divisional Magistrate,
Secretary School Education,
Punjab, Mohali.

.....Respondents.

Appeal Case No. 2904 of 2019

Present:- None on behalf of the appellant.

Shri Mukesh Mittal, Clerk, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 10.09.2019 vide which the respondents were directed to take appropriate action on the application of the appellant for seeking information and send reply/information to the appellant with a copy to the Commission.

2. The appellant is absent but he has sent a letter through e-mail stating that a copy of Scheduled Caste certificate issued by Tehsildar, Ferozepur alongwith supporting documents on the basis of which, the said certificate is issued.

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3. The employees (whose information has been sought) have sent their submissions for not supplying their information being third parties. They have further informed that in CWP No. 28251/2019 titled as Satnam Singh and others vs. State Information Commission, Punjab, was listed for hearing on 14.10.2019 and the Hon'ble Punjab and Haryana High Court has decided that photocopies of certificates be supplied except Scheduled Caste Certificate. In view of the decision of the Hon'ble High Court for not supplying photocopies of Scheduled Caste Certificates, it will also be appropriate not to supply supporting documents on the basis of which Scheduled Castes Certificates were issued, such as inquiry reports, statements of Patwaris and other persons. In view of the decision of Hon'ble Punjab and Haryana High Court, the final verdict of the Hon'ble High Court be awaited and the present case be adjourned sine-die. Accordingly, the present case is adjourned sine-die. Both the parties are free to approach the Commission as and when the Hon'ble High Court decides the above said writ petition.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Partap Singh,
S/o Sh. Sawinder Singh,
VPO: Marar, Tehsil: Batala,
Distt: Gurdaspur.

.....Appellant

Vs

Public Information Officer,
District Education Officer (Elementary),
Distt: Amritsar.

First Appellate Authority,
Director Public Instructions (Elementary),
Punjab, Mohali.

.....Respondents

Appeal Case No. 2903 of 2019

Present:- None on behalf of the appellant.

Shri Vishwa Mittar, Superintendent o/o District Education Officer (EE),
Amritsar on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 10.09.2019 vide which the respondents were directed to take appropriate action on the application of the appellant for seeking information and to intimate the appellant regarding action taken.

2. The appellant was absent on the previous date of hearing and he is again absent today without intimation.

3. In response to the previous order, the respondents have not provided any information to the appellant but submits copies of letters dated 25.09.2019 and

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1.10.2019 vide which they are filing point-wise reply to the application for seeking information and reply to the hearing notice issued by the Commission. Copies of these letters be sent to the appellant for his perusal and he is advised to revert back to the authorities, in case of deficiencies in the information. On receipt of the deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing.

5. To come up on 30.11.2019 at 11.00 A.M.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Pawan Kumar,
S/o Sh. Birbal,
Tilak Nagar, Street No. 8,
Distt: Sri Muktsar Sahib.

.....Appellant

Vs

Public Information Officer
o/o Secretary to Govt. of Punjab,
Department of Education,
Punjab School Education Board Complex,
Mohali.

First Appellate Authority,
o/o Sub Divisional Magistrate,
Secretary School Education,
Punjab, Mohali.

.....Respondents.

Appeal Case No. 2905 of 2019

Present:- None on behalf of the appellant.

Shri Anurag Chhabra, Junior Assistant, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 10.09.2019 vide which the respondents were directed to take appropriate action on the application of the appellant for seeking information and send reply/information to the appellant with a copy to the Commission.

2. The appellant is absent but he has sent a letter through e-mail stating that a copy of Scheduled Caste certificate, issued by Tehsildar, Ferozepur, be provided to him.

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3. The employees (whose information has been sought) have sent their submissions for not supplying their information being third parties. They have further informed that one CWP No. 28251/2019 which was listed for hearing on 14.10.2019 in the Hon'ble Punjab and Haryana High Court titled as Satnam Singh and others vs. State Information Commission, Punjab.

3. The representative of the respondents informs that employees (whose information has been asked by the present appellant) have given in writing that copies of their certificates be not given to the appellant being personal information of third parties. They further stated that the Hon'ble Punjab and Haryana High Court has passed order on 14.10.2019 that photocopies of certificates be supplied except Scheduled Caste Certificate. In view of the statement of the representative of the respondents, the final verdict of Hon'ble High Court be awaited and the present case be adjourned sine-die. Accordingly, the case is adjourned sine-die. Both the parties are free to approach the Commission as and when the Hon'ble Punjab and Haryana High Court decides the above writ petition.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Harpal Singh,
S/o Sh. Pritam Singh,
Vill: Uthiya, P.O: Walha,
Tehsil & Distt: Amritsar.

.....Appellant

Vs

Public Information Officer,
Director Public Instructions (Elementary),
Punjab, Mohali.

First Appellate Authority,
Secretary to Government of Punjab,
Secretary Education,
Punjab School Education Board Complex,
Mohali.

.....Respondents

Appeal Case .No. 2908 of 2019

Present:- None on behalf of the appellant.

Shri Vishwa Mittar, Superintendent o/o District Education Officer (EE),
Amritsar on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 10.09.2019 vide which the respondents were directed to take appropriate action on the application of the appellant for seeking information and to intimate the appellant regarding action taken. The appellant was advised to visit the respondent's office and get the remaining information after inspecting the record.

2. The appellant was absent on the previous date of hearing and he is again absent today without intimation.

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3. In response to the previous order, the respondents have sent two letters dated 25.09.2019 and 1.10.2019 to the Commission, mentioning point-wise reply to the application for seeking information and reply to the hearing notice. On the previous date of hearing, the appellant was advised to visit the office of the respondents for getting the remaining information after inspection. The representative of the respondents states that the appellant has failed to visit their office for inspection and remaining information could not be supplied. He further states that no observation has been received from him in their office. After the perusal of the record of the Commission, no observation has been received in the Commission. From these facts, it appears that the appellant is satisfied with the information already supplied to him. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Jasbir Singh,
Vill: Bholapur, Jhabewal,
P.O: Ramgarh,
Distt: Ludhiana.

.....Appellant

Vs

Public Information Officer,
Deputy Commissioner,
District-Amritsar.

First Appellate Authority,
Additional Deputy Commissioner,
Distt: Amritsar.

Public Information Officer,
o/o Superintendent (Food Branch),
Food and Drugs Administration, Punjab,
Near Civil Hospital, Kharar, District SAS NagarRespondents

Appeal Case No. 2570 of 2019

Present:- None on behalf of the appellant.

ORDER

This order may be read with reference to the previous order dated 30.09.2019 vide which last opportunity was given to Superintendent (Food Branch), Food and Drugs Administration, Punjab, Near Civil Hospital, Kharar, District SAS Nagar to file his reply after taking appropriate action on the RTI application of the appellant, which was transferred by the Deputy Commissioner, Amritsar under Section 6(3) of the RTI Act, 2005 failing which punitive action will be initiated.

2. None is present on behalf of the appellant without intimation.

3. The respondents were absent on the previous date of hearing and they are also absent without intimation. Viewing the absence of the respondents seriously, it

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is, therefore, a fit case to issue a notice under Section 20 of the Right to Information Act, 2005 to Shri Sukhdev Singh to show cause why penalty @ Rs.250/- per day for delay in supplying the information maximum upto 25000/- should not be imposed on him for absence and not supplying the information within the stipulated period. The written explanation of the PIO may be filed before the next date of hearing when he may also avail the opportunity of personal hearing. He is further directed to take appropriate action on the application of the appellant for seeking information before the next date of hearing.

4. To come up on 18.11.2019 at 11.00 A.M.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

CC

Shri Sukhdev Singh,
Superintendent (Food Branch),
Food and Drugs Administration, Punjab,
Near Civil Hospital, Kharar, District SAS Nagar

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Sh. Surjit Singh,
2990/76, Street No.4,
Guru Gobind Singh Nagar,
Near Mair Di Chakki, P.O: Lohara,
Distt: Ludhiana.

.....Appellant

Vs

Public Information Officer,
Local Bodies Minister,
Punjab, Chandigarh.

First Appellate Authority,
Local Bodies Minister,
Punjab, Chandigarh.

.....Respondents

Appeal Case No. 2821 of 2019

Present:- None on behalf of the appellant.

Shri Sanjay Tandon, Senior Vigilance Officer on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 04.09.2019 vide which the respondents have informed the appellant vide their letters dated 23.09.2019 and 27.09.2019 stating that the information cannot be provided as per the judgment given by the Hon'ble Apex Court in Civil Appeal No.6454 of 2011, Central Board of Secondary Education and others vs. Aditya Bandopathyay and others and appellant was advised to go through the same and send his observations to the respondents with a copy to the Commission.

2. The representative of the respondents states that no observation till today has been received in their office from the appellant.

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3. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that the respondents have sent their reply vide their letter dated 23.09.2019 and 27.09.2019 but in response to these letters, no observation has been received in their office as well as in the Commission's office. The appellant is absent without intimation. From this it appears that the appellant is satisfied with the reply given by the respondents. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Shri Jasbir Singh,
Village Bholapur Jhabewal
Post Office Ramgarh,
District Ludhiana

.....Appellant

Vs

Public Information Officer,
o/o Sub Registrar (West)
Hambran Road,
Haibowal Khurd,
Ludhiana

First Appellate Authority
o/o Deputy Commissioner,
Ferozpur Road,
Ludhiana

.....Respondents.

Appeal Case No.2144 of 2019

Present:- None on behalf of the appellant.

Shri Vineet Kumar, Jr. Assistant, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 30.09.2019 vide which last opportunity was afforded to the respondents to take action on the application of the appellant and inform the outcome to the appellant with a copy to the Commission.

2. The appellant is absent but he has sent an e-mail stating that no information has been provided to him till date.

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3. The representative of the respondents states that photocopy of audit report was supplied to the appellant but he does not know whether any recovery has been effected or not because the matter is pending in the Court of Collector under Section 47 of the relevant Act.

4. In view of the statement of the representative of the respondents, it is observed that the matter is under process. As such the information cannot be provided at this stage. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Sarbpreet Singh,
House No. 1603, Sector-38 B,
Chandigarh.

.....Appellant

Vs

Public Information Officer,
O/o Punjab Vidhan Sabha,
Secretariat, Sector-1, Chandigarh.

First Appellate Authority,
O/o Punjab Vidhan Sabha,
Secretariat, Sector-1, Chandigarh.

.....Respondents

Appeal Case No. 3324 of 2019

Present:- Shri Sarabpreet Singh, appellant in person.

Dr. Vikram Singh, APIO on behalf of the respondents.

ORDER

The RTI application is dated 15.04.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 19.06.2019 and second appeal was filed in the Commission on 09.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been received from the respondents till date.

3. The respondents have informed the Commission vide their letter dated 10.10.2019 that they have not received the grounds of appeal with the notice of hearing.

Contd.....p/2

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4. After hearing the respondent-APIO and going through the record, one more copy of grounds of appeal is handed over to the respondents from the record of the Commission. The respondents are directed to take appropriate action on the application for seeking information under the provisions of RTI Act, 2005 and intimate the appellant with a copy to the Commission as early as possible. The appellant is advised to go through the reply/information received from the respondents and revert back to the authorities, in case of deficiencies.

5. To come up on 11.11.2019 at 11.00 A.M. at Chandigarh.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Shri Surjit Singh
s/o Shri Rattan Singh,
Village Chahar Majra, PO Barwa,
Tehsil Sri Anandpur Sahib, District Roop Nagar.Appellant

Vs

Public Information Officer,
O/o Block Development and Panchayats Officer,
Block Nurpur Bedi, Tehsil Sri Anandpur Sahib,
District Roop Nagar.

First Appellate Authority,
O/o District Development and Panchayats Officer,
Roop Nagar.Respondents

Appeal Case No. 3347 of 2019

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 20.12.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 25.01.2019 and second appeal was filed in the Commission on 10.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The respondents have sent an e-mail on 14.10.2019 to the Commission, enclosing the receipt given by the appellant, stating that complete information has been provided to him to his satisfaction and the case may be closed.

3. In view of the receipt given by the appellant, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Shri Parminder Singh
s/o Shri Bhajan Singh,
Village Gharuan, Tehsil Kharar,
District Mohali.

.....Appellant

Vs

Public Information Officer,
O/o Block Development and Panchayats Officer,
Kharar, District SAS Nagar.

First Appellate Authority,
O/o District Development and Panchayats Officer,
Mohali.

.....Respondents

Appeal Case No. 3470 of 2019

Present:- Shri Parminder Singh, appellant.

Shri Jagmohan Singh, Panchayat Secretatry, on behalf of the
respondents.

ORDER

The RTI application is dated 22.11.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 15.04.2019 and second appeal was filed in the Commission on 19.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The representative of the respondents states that they have sent information to the appellant on 12.04.2019. On receipt of the information, the appellant states that he has sent deficiencies in the information to the respondents on 10.06.2019 so supplied to him.

Contd.....p/2

Appeal Case No. 3470 of 2019

-2-

3. After hearing both the parties and going through the record available on the case file, it is observed that deficiencies have not been removed by the respondents. The respondents are directed to remove the deficiencies as early as possible from the appellant. On receipt of the reply from the respondents, the appellant is advised to go through the same and revert back to the authorities before the next date of hearing.

4. To come up on 18.11.2019 at 11.00 A.M.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Shri Satinder Singh Soni
H.No.21-E, Rama Estate,
Near Dayal Bagh Gurudwara,
Ambala Cantt.,

.....Appellant

Vs

Public Information Officer,
O/o Chief Secretary to Govt. of Punjab,
Punjab Civil Secretariat, Chandigarh.

First Appellate Authority,
O/o Chief Secretary to Govt. of Punjab,
Punjab Civil Secretariat, Chandigarh.Respondents

Appeal Case No. 3376 of 2019

Present:- Shri Satinder Singh Soni, appellant.

Shri Kuldeep Singh, APIO, on behalf of the respondents.

ORDER

The RTI application is dated 04.05.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 13.07.2019 and second appeal was filed in the Commission on 12.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant state till date no information has been provided to him by the respondents.
3. The representative of the respondents states that the appellant has not sought specific information so that they are unable to transfer the application for seeking information to the concerned branch, which holds the record.
4. After hearing both the parties and going through the record available on the case file, it is observed that information-seeker has not sought specific information. He is advised to seek specific information as early as possible so that the respondents can transfer the application for seeking information to the concerned branch for supplying the information.
4. To come up on 18.11.2019 at 11.00 A.M.

Dated : 15.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab