

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. Balwinder Singh,
S/o Late Sh. Hari Ram,
R/o H. No. 42/2, (98889-47946)
Sector – 41- A,
Chandigarh.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block- Adampur,
District- Jalandhar.

.....Respondent

Complaint Case .No. 176 of 2020
(Video Conference Proceeding)

Present:- Shri Balwinder Singh, complainant, at Chandigarh.
Shri Jai Kumar, Panchayats Secretary-cum-PIO on behalf of the respondent.

ORDER

The RTI application is dated 16.01.2019 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 13.02.2020 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 respondent-PIO states that information sought by the complainant has been sent vide their letter dated 07.02.2020 enclosing two pages concerning resolution dated 16.07.2011 and regarding point at Sr. No.2, no document is available in their record.

3. The appellant states that they have supplied the information sought by another information-seeker concerning point at Sr. No.2 in the year 2012 but now the respondent-PIO states that no information is available in their record, which is doubtful. From this, it is revealed that they do not want to share this information with him.

4. The respondent-PIO is directed to give reasons in writing in the shape of self declaration/affidavit that why the record concerning point at Sr. No. 2 is not available in their record before the next date of hearing.

5. To come up on 27.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar with the advice to the appellant to appear at Chandigarh and the respondent-PIO may appear through Video Conference Facility.

Dated: 16.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Mahant Amardeep Singh S/o Sh. Chanan Singh,
R/o # 1529/12, (73071-65600)
Street Karam Singh,
Chowk Karori, Amritsar- I,
District Amritsar.

.....Complainant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Administrative Complex, Amritsar.

.....Respondent

Complaint Case No. 1011 of 2019
(Video Conference Proceeding)

Present:- None on behalf of the complainant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 26.02.2020 vide which last opportunity was afforded to the respondent-PIO to take appropriate action and intimate the complainant regarding action taken to the Complainant with a copy to the Commission otherwise punitive action under the relevant provisions of RTI Act, 2005 will be initiated on the next date of hearing.

2. One more last opportunity is afforded to Ms. Amanjot Kaur, Assistant Commissioner (General)-cum-PIO is directed to supply the asked for information before the next date of hearing failing which punitive action will be initiated on the next date of hearing.

5. To come up on 27.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

Dated :16.03.2020

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

CC

Ms. Amanjot Kaur,
Assistant Commissioner (General)
o/o Deputy Commissioner,
Mini Secretariat, Amritsar.

(Regd.)

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Sh. Harvinderpal Singh s/o Sh. Kuldip Singh,
H.No. 210, Sudarshan nagar,
Sultanwind Road, Amritsar 143001

....Appellant

Vs

Public Information Officer,
Tehsildar Amritsar-1
District Administrative Complex, Amritsar.

First Appellate Authority
o/o Sub Divisional Magistrate,
Amritsar-1, Administrative Complex, Amritsar.

....Respondent

Appeal Case No. 3920 of 2019
(Video Conference Proceedings)

Present:- Shri Hardeep Singh, on behalf of the appellant.
Shri Arvinder Singh, Reader to Tehsildar, Amritsar-1 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 26.02.2020 vide which the respondents were directed to get the record inspected from the appellant since 1975 to 2018 and supply the requisite information after identification of the documents by the appellant on the spot.

2. Both the parties request for one adjournment.
3. On the request of both the parties, one more adjournment is afforded to get the record inspected and supply photocopies of documents identified by the appellant on the spot.
4. To come up on **15.04.2020** at **3.00 P.M.** through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

Dated: 16.03.2020

sd/-
(Suresh Arora)
Chief Information Commissioner.
Punjab.

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Sh. Sanjiv Satyal S/o Sh. Kuldip Singh,
R/o VPO – Harse Mansar,
Tehsil –Mukerian, (87280-35800)
District- Hoshiarpur.

.....Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block- Mukerian,
District- Hoshiarpur.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, Hoshiarpur.

..... Respondents

Appeal Case No. 749 of 2020
(Video Conference Proceeding)

Present:- None on behalf of the appellant.
Shri Surinder Pal, Panchayats Secretary-cum-PIO, on behalf of the respondents.

ORDER

The RTI application is dated 09.10.2019 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 27.10.2019 and second appeal was filed in the Commission on 14.02.2020 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 is absent without intimation.
3. The respondent-PIO states that complete information has been provided to the appellant vide their letter dated 15.02.2020 by post and a copy of the same was also handed over to him on 08.03.2020 to his satisfaction.
4. Last opportunity is afforded to the appellant to go through the information handed over to him on 08.03.2020 personally and revert back to the authorities with a copy to the Commission, in case of deficiencies, in the information so supplied to him within 5 days from today and the respondents are directed to remove the same on receipt from the appellant before the next date of hearing.
5. To come up on 27.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Hoshiarpur.

Dated: 16.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Prem Kumar,
R/o # 262/W-11, Kartar Niwas,
Gurdaspur Road, Sri Hargobindpur,
Tehsil Batala, District Gurdaspur.

.....Appellant

Vs

Public Information Officer,
O/o Executive Officer, Panchayat Samiti,
Block- Mukerian, District- Hoshiarpur.

First Appellate Authority,
O/o Addl. Deputy Commissioner (D),
Mini Secretariat, Hoshiarpur.

..... Respondents

Appeal Case No. 754 of 2020 (Video Conference Proceeding)

Present:- Shri Prem Kumar, appellant.
Shri Yudhvir Singh, Superintendent, on behalf of the respondents.

ORDER

The RTI application is dated 19.08.2019 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 09.10.2019 and second appeal was filed in the Commission on 14.02.2020 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 complete information regarding points at Sr. Nos. 1 and 2 has been supplied to the appellant to his satisfaction but information regarding point at Sr. No.3, from 8.2.2018 to 31.03.2019 has been provided as per its availability in the record. He further states that he has given in writing that record prior to 8.2.2018 is not available in their record.

3. The appellant is satisfied with the information supplied to him and does not want to pursue the matter any further. He further requests that the case may be disposed of and closed. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 16.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Satnam Singh S/o Sh. Jaspal Singh,
R/o Village- Mathi,
Tehsil & District- Fatehgarh Sahib.

.....Appellant

Vs

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat, Mathi,
O/o Block Development & Panchayat Officer,
Block Khera, District Fatehgarh Sahib.

First Appellate Authority,
O/o Block Development & Panchayat Officer,
Block Khera, District Fatehgarh Sahib.

..... Respondents

Appeal Case No. 758 of 2020
(Video Conference Proceeding)

Present:- Shri Satnam Singh appellant.
Shri Labh Singh, Panchayats Secretary-cum-PIO on behalf of the respondents.

ORDER

The RTI application is dated 09.10.2019 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 27.10.2019 and second appeal was filed in the Commission on 14.02.2020 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 respondent-PIO states that complete information has been provided to the appellant to his satisfaction and nothing has been left which could be supplied to the appellant as per his RTI application under the provisions of RTI Act, 2005. The appellant confirms that he has received the information to his satisfaction and does not want to pursue the matter any further. He further requests that the case may be disposed of and closed.

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

Dated: 16.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Prem Singh S/o Sh. Pritam Singh,
R/o Village– Machhian Khurd,
Tehsil & District- Ludhiana.

.....Appellant
Vs

Public Information Officer,
O/o Sub Registrar (East),
Transport Nagar,
Ludhiana.

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

..... Respondents

Appeal Case No. 748 of 2020 (Video Conference Proceeding)

Present:- Shri Prem Singh, appellant.

Shri Shiv Kumar, Reader to Naib Tehsildar, Ludhiana on behalf of the respondents.

ORDER

The RTI application is dated 25.09.2019 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 20.11.2019 and second appeal was filed in the Commission on 14.02.2020 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 hands over information to the appellant during the hearing. The appellant confirms that he is satisfied with the information supplied to him and the present case may be disposed of as he does not want to pursue the matter.

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

Dated: 16.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Pritam Singh S/o Sh. Baru Singh,
R/o Vill.- Ghunas, Tehsil Tapa,
District -Barnala. 148108.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block -Sehna, District- Barnala.

.....Respondent

Complaint Case .No. 97 of 2020 (Video Conference Proceeding)

Present:- Shri Mander Singh on behalf of the complainant.
None on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 26.02.2020, in which it is mentioned that the complainant stated that he inspected the record of the respondent-Panchayat and identified the documents, copies of which he required to be furnished to him. He further stated on the previous date that she would provide the same on 26.02.2020 during the hearing after getting the photocopies prepared of the identified documents and further stated that Ms. Sukhpal Kaur, respondent-PIO intimated the complainant that she could not appear due to sudden demise of her father and the case was adjourned to 16.03.2020.

2. The respondent-PIO is absent without intimation.

3. The absence of the respondent-PIO is viewed seriously. Last opportunity is afforded to the respondent-PIO to supply photocopies of documents identified by the complainant on 25.02.2020 failing which punitive action will be initiated on the next date of hearing.

4. To come up on 27.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Barnala.

Dated :16 03.2020

sd/-

(Suresh Arora)

Chief Information Commissioner
Punjab

CC

Ms. Sukhpal Kaur,
Panchayat Secretary-cum-PIO
o/o Block Development and Panchayats Officer,
Block Sehna, District Barnala.

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Sh. Mander Singh S/o Sh. Pritam Singh,
R/o Ghunas,
Tehsil Tappa,
District Barnala. 148108

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block- Sehna, District Barnala.

.....Respondent

Complaint Case .No. 954 of 2019 (Video Conference Proceeding)

Present:- Shri Mander Singh, complainant (M.No.75891-36911).
None on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 26.02.2020, in which it is mentioned that the complainant stated that he inspected the record of the respondent-Panchayat and identified the documents, copies of which he required to be furnished to him. He further stated that the respondent-PIO stated that she would provide the same on 26.02.2020 during the hearing after preparing photocopies of the identified documents. He further stated that Ms. Sukhpal Kaur, respondent-PIO intimated the complainant that she could not appear due to sudden demise of her father and the case was adjourned to 16.03.2020.

2. The respondent-PIO is absent without intimation.
3. The absence of the respondent-PIO is viewed seriously. Last opportunity is afforded to the respondent-PIO to supply the photocopies of the documents identified by the complainant on 25.02.2020 failing which punitive action will be initiated on the next date of hearing.
4. To come up on 27.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Barnala.

Dated :16 03.2020

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

CC
Ms. Sukhpal Kaur,
Panchayat Secretary-cum-PIO
o/o Block Development and Panchayats Officer,
Block Sehna, District Barnala.

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Sh. Ajay Nand alias Ajay kumar Mehta,
R/o C -118, East, Mohan Nagar, (98146-46309)
Chamrang Nagar, Amritsar.Appellant

Vs

Public Information Officer,
O/o Tehsildar,
Amritsar- 1,

First Appellate Authority,
O/o Deputy Commissioner,
Administrative Complex, Amritsar.Respondents

Appeal Case No. 4587 of 2019
(Video Conference Proceeding)

Present:- Shri Ajay Nand, appellant, at Chandigarh.
Shri Arvinder Singh, Reader to Tehsildar, Amritsar-1 on behalf of the
respondents.

ORDER

This order may be read with reference to the previous order dated 26.02.2020 vide which last opportunity was afforded to the appellant to send citation for supply of personal information of third party before the next date of hearing failing which the case will be decided on the merits of the case. After receipt of citation from the appellant, the respondents are directed to take action and intimate the appellant regarding action taken with a copy to the Commission.

2. In compliance to the previous order, the appellant has sent clipping of Times of India in which it is published in reference to the order of Central Information Commission that service book of an employee can be assessed by a third party. He also quoted three citations of Punjab and Haryana High Court in CWP No.17758 date of decision 19.05.2016 and Hon'ble Himachal Pradesh High Court (DB) in CWP No. 640 of 2012 decided on 24.08.2012 and another case judgment of Hon'ble Punjab and Haryana High Court in CWP No.17718 of 2014.

3. After hearing the parties and going through the record available on the case file, it is revealed that in the order of Central Information Commission it is mentioned that service book of an employee can be assessed by third party, if the information sought by the information-seeker is in public interest or in corruption case. However, the appellant has failed to establish any larger public interest in seeking the information. He also quoted judgments of Punjab and Haryana High Court in CWP No.17758 , date of decision 19.05.2016 and Hon'ble Himachal

Contd.....p/2

Pradesh High Court (DB) in CWP No. 640 of 2012 decided on 24.08.2012 in which it is mentioned that if once the delay is established then penalty must be imposed on the respondent-PIO. After perusing the record, it is ascertained that the appellant has not mentioned date on his own RTI application for seeking information, which was sent to the Deputy Commissioner's office. However, the date of application for seeking information has been determined from the receipt given by the postal authority i.e. 21.08.2019. The Commission is of the view that registered letter of 21.08.2019 was delivered to Deputy Commissioner's office after few days from its dispatch. Considering the number of working days, the PIO has not committed any violation of the Right to Information Act, 2005 in transferring the application to the concerned PIO. The application dated 21.08.2019 was transferred to the Officer Incharge/Sadar Kanugo Branch, Amritsar on 05.09.2019 and they have sent reply to the appellant on 30.9.2019, which is within stipulated period under the provisions of RTI Act, 2005. It is pertinent to mention here that the citation CWP No.17718 quoted by appellant is not relevant to the present case as it envisages that the complete information should be supplied in corruption cases. The Hon'ble Apex Court in Civil Appeal No. 22 of 2009 titled as Canara Bank vs. C.S. Shyam and another, Girish Ramchandra Deshpande Vs. Central Information Commissioner and Ors reported as (2013)1 SCC 212 and R.K. Jain vs. Union of India and another reported as (2013) 14 SCC 794 has held that "**It is for the reasons, that firstly, the information sought by respondent No.1 of individual employees working in the Bank was personal in nature; secondly, it was exempted from being disclosed under Section 8(j) of the Act and lastly neither respondent No.1 disclosed any public interest much less larger public interest involved in seeking such information of the individual employee.**" The information regarding points at Sr. Nos. 2 and 3 has already been supplied to the appellant to his satisfaction and information concerning points at Sr. No.1 and 4 has been denied because the appellant failed to establish any larger public interest. Hence the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 16.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Ajay Nand/ Ajay Kumar Mehta
S/o Late Sh. Nanad Kishor, (98146-46309)
R/o # C- 118, East Mohan Nagar,
Chamrang road, Amritsar.

.....Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Mini Secretariat, Amritsar.

First Appellate Authority,
O/o Deputy Commissioner,
Mini Secretariat, Amritsar.

..... Respondents

Appeal Case No. 745 of 2020
(Video Conference Proceeding)

Present:- Shri Ajay Nand, appellant, in person at Chandigarh.

Ms. Krishna, Assistant Town Planner o/o Municipal Corporation, Amritsar
alongwith Shri Manpreet Singh, Assistant Engineer, PSPCL, Amritsar and Shri
Arvinder Singh, Reader to Tehsildar, Amritsar-1 on behalf of the respondents.

ORDER

The RTI application is dated 06.11.2019 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 14.12.2019 and second appeal was filed in the Commission on 14.02.2020 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. PIO/Deputy Commissioner, Amritsar transferred the application for seeking information under Section 6(3) of the RTI Act, 2005 to PIO/Commissioner, Municipal Corporation, Amritsar and Chief Engineer, Punjab State Power Corporation Ltd., Amritsar for supplying the information as sought by the appellant. Shri Manpreet Singh, AE states that complete information has been supplied to the appellant concerning point at Sr. No.1 regarding disconnection of power and reconnection. PIO/MC states that they have brought in writing that no information is available in their record concerning point at Sr. No. 1. Shri Arvinder Singh, Reader to Tehsildar, Amritsar-1 states that he will check the record of the Deputy Commissioner's office whether any order regarding compliance report of Hon'ble Punjab and Haryana High Court has been issued by their office or not.

Contd.....p/2

-2-

3. After hearing both the parties and going through the record available on the case file it is revealed that information concerning point at Sr. No. 1 has been supplied to the satisfaction of the appellant by PSPCL. Hence, PSPCL is exempted from appearance in future in this case. The respondent-MC, Amritsar is directed to send the information brought by her to the appellant through registered post. The representative of the respondent-DC, Ludhiana is directed to check up the matter concerning points at Sr. No. 2 and 3 and intimate whether this information is available in their office or not before the next date of hearing.

4. To come up on 27.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

Dated: 16.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.