

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
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**Barinder Singh,**  
S/o Sh. Bhupinder Singh,  
SarafGhati Bazaar,  
Patti,  
District-Tarn Taran.

Versus

**Public Information Officer,**  
o/o Deputy Director,  
Local Government,  
Amritsar.

## **Complaint Case No. 664 of 2019**

PRESENT:

(Complainant) Absent

Anil Chopra, Executive Officer, (for the Respondent) 78892-37617

ORDER:

1.The RTI application is dated **26.4.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on **29.7.19** under section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). The first hearing of this complaint case was held in the Commission on **6.9.19**, wherein the respondent PIO was asked to explain the long, four-month, delay in responding to the RTI application. The PIO o/o the deputy director Local Government, Amritsar, to whom the RTI application was originally submitted on 24.4.19, was also asked to explain the delay in transferring the application to the PIO MC Patti.

2.The complainant is absent today without any intimation to the Commission.

3.The respondent PIO, represented by Anil Chopra, Executive Officer, Municipal Council, Patti, has submitted that the PIO o/o Deputy Director, Local Government, Amritsar had on 15.5.19 asked the appellant to submit a fresh RTI to the PIO MC Patti, who was the custodian of the information he was seeking.

4. The PIO's (o/o Deputy, Director, Local Government, Amritsar) was clearly in violation of the RTI Act (Section 6[3]), which clearly states that applications must be transferred "*as soon as is practicable but in no case later than five days from the date of receipt of the application.*" The Act further stipulates that the applicant must be "*immediately*" informed about such a transfer.

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5. Under the circumstances this Commission deems the original RTI application of Barinder Singh, as transferred to the PIO Municipal Committee, Patti, who is directed to furnish the information sought by the appellant before the next date of hearing. The complainant is requested to intimate the Commission of whether he is satisfied with the information so furnished.

6. **Next hearing on 4.12.19 at 11.00 am.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

16.10.19

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**Jarnail Singh,**  
S/o Sh. Aatma Singh,  
**Village** Jalal Khera,  
PO Sular,  
District Patiala.

Versus

**Public Information Officer,**  
o/o Senior Superintendent of Police,  
Patiala.

## **Complaint Case No. 668 of 2019**

PRESENT:

(Complainant) Absent

Sukhbahal Singh, Head Constable (for the Respondent) 97791-33600

ORDER:

1.The RTI application is dated **21.6.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (**FAA**) and second appeal was filed in the Commission on **30.7.19** under Section 19 of the Right to Information Act, 2005 (**RTI Act**). The last hearing of this complaint case was held in the Commission on **6.9.19**, wherein the respondent PIO was directed to submit a reasoned reply explaining the delay in furnishing the requested information.

2.The respondent PIO, represented by Sukhbahal Singh, Head Constable and Balvir Singh, ASI, have submitted that the delay was because the investigation of the application is referred to in this RTI request was still underway at the time the application was received.

3.HC Sukhbahal Singh has also submitted a copy of letter No.1290/1073, dated: 28.6.19, vide which the complainant was informed that his RTI application was in the form of "*questions*" and that he has not appended his Identity Proof to his RTI request. In light of this, this Commission is satisfied that the delay in furnishing the information to the appellant (at the last hearing on 6.9.19) was reasonable and that the respondent PIO acted responsibly.

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4. There is no further cause for action in this case and this complaint case is herewith **CLOSED.**

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh.  
16.10.19

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**Mukhtiar Singh,**

District President National Human Rights Council,  
District Sangrur.

Versus

**Public Information Officer,**

o/o Assistant Registrar Cooperative Societies,  
Moonak, District Sangrur.

## **Complaint Case No. 669 of 2019**

PRESENT:

Mukhtiar Singh (Complainant) 98722-72019

Kuldeep Singh, Senior Assistant (for the Respondent) 89687-51027

ORDER:

1. The RTI application is dated **14.5.19** vide which the appellant has sought information regarding allotment of *Nazool* land etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **30.7.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this complaint case was held in the Commission on **6.9.19**, wherein the respondent PIO was directed to file a pointwise reply explaining the delay in furnishing the information.

2. The respondent PIO, represented by Kuldeep Singh, Senior Assistant, has submitted that representatives of the concerned Cooperative Society at village Bhutal Kalan are being uncooperative and are adamant on not disclosing the information requested by complainant. This, he stated, was despite several written communications from the office of APIO Assistant Registrar, Cooperative Societies, Moonak.

3. Meanwhile, the complainant, Mukhtiar Singh, has submitted that his essential purpose is to get the information he requested in his RTI application of 14.5.19. Mukhtiar Singh stated at this hearing that he would rather revert back to the first appellate authority viz. o/o Deputy Registrar, Cooperative Societies, Sangrur and if need be, file a second appeal to this Commission at a later date.

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4. Under the circumstances, this Commission orders that this complaint case be **REMANDED BACK** to the FAA, o/o Deputy Registrar, Cooperative Societies, Sangrur to be treated as the First appeal in an appeal case.

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

16.10.19

**CC: FAA O/o Deputy Registrar, Cooperative Societies, Sangrur.**

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**ShyamsunderBagui,**  
#116, MS Enclave, Dhakoli,  
Zirakpur – 160104

Versus

**Public Information Officer,**  
o/o Municipal Council,  
Zirakpur.

## **Complaint Case No. 675 of 2019**

### PRESENT:

Shyamsunder Bagui (Complainant) 83603-94977

Sarabjit Singh, Building Inspector (for the Respondent) 98724-68485

### ORDER:

1.The RTI application is dated **13.5.19** vide which the complainant has sought information by way of the building plans of two houses sharing the rear boundary with his own, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this complaint case was held in the Commission on **11.9.19**, wherein the respondent PIO-cum-EO Sukhjinder Singh was directed to appear in person with a written reply enumerating the reasons for delaying the information requested beyond the stipulated 30 days.

2.The respondent PIO-cum-EO, Sukhjinder Singh, is absent despite specific directions from this Commission on 11.09.2019. He has, instead, deputed his building inspector, Sarabjit Singh, who submitted that the requested information (building plans) pertains to a “third party” and so exempt from disclosure as per the RTI.

3.This Commission is however, of the view that the RTI is in public interest and could potentially be deployed to unearth wrongdoing and/or corruption within the jurisdiction of the Zirakpur Municipal Council.

4.The respondent PIO is directed to furnish duly attested copies of the building plans sought by the complainant, whereon internal details of the buildings in question are blanked out. To make this clearer, the respondent is required to furnish only the **OUTLINES** of the building plans requested by the complainant. This must positively be done within one week of receiving this order.

5.The respondent PIO is also directed to submit in writing the reasons for the long delay in responding to this RTI request.

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**4. Next hearing on 4.12.19 at 11.00 am.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

16.10.19



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**Shyamsunder Bagui,**  
#116, M.S. Enclave, Dhakoli,  
Zirakpur – 160104

Versus

**Public Information Officer,**  
o/o Municipal Council,  
Zirakpur.

## **Complaint Case No. 676 of 2019**

PRESENT:

Shyamsunder Bagui (Complainant) 83603-94977

Sarabjit Singh, Building Inspector (for the Respondent) 98724-68485

ORDER:

1.The RTI application is dated **13.5.19** vide which the appellant has sought information regarding the action taken on two complaints filed by him, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this complaint case was held in the Commission on **11.9.19**, wherein the respondent PIO-cum-EO Sukhjinder Singh was directed to appear in person with a written reply enumerating the reasons for delaying the information requested beyond the stipulated 30 days.

2.The respondent PIO-cum-EO, Sukhjinder Singh, is absent despite specific directions from this Commission on 11.09.2019. He has, instead, deputed his building inspector, Sarabjit Singh, who has submitted a written reply responding to the complainant's information request.

3.This Commission views the respondent PIO's conduct as continuing non-compliance with its ORDER of 11.9.19. The respondent PIO is directed to submit an AFFIDAVIT stating his reasons for evading the complainant's information request since 13.5.19.

## **4.Next hearing on 4.12.19 at 11.00 am.**

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh.  
16.10.19

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**Girdhari Lal Goyal,**

# 19, Aman Colony, Near Phatak No.22,  
Patiala 147001

Versus

**Public Information Officer,**

o/o Deputy Secretary,

o/o Principal Secretary,

Food, Civil Supplies and Consumer Affairs, Punjab,

Chandigarh.

## **Complaint Case No. 682 of 2019**

PRESENT:

Girdhari Lal Goyal (Complainant)

Kamal Sharma, Superintendent (for the Respondent) 98728-96062

ORDER:

1.The RTI application is dated **9.3.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this complaint case was held in the Commission on **12.9.19**, wherein the respondent PIO, represented by Manjit Singh Superintendent, had submitted that the file pertaining to the complainant's request for information could not be found.

2.The respondent PIO, represented today by Kamal Sharma, Superintendent, has submitted an oral plea that he has only recently joined as PIO and therefore requested some more time to search for the requested information (copies of seniority list issued by secretary food and supplies).

3.The respondent PIO is granted 15 days starting today i.e. 16.10.19 to search out the information and supply to the complainant. The respondent PIO is also directed to submit a written reply enumerating the reasons for the delay and a list of all officers who have been held a post of PIO since 9.3.19 with names, telephone numbers, and addresses.

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**4. Next hearing on 4.12.19 at 11.00 am.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

16.10.19

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**Dr.Sohan Lal Jain,**  
136-G, Gobind Nagar,  
Model Town,Patiala.

Versus

**Public Information Officer,**  
o/o Director,  
Health and Family Welfare Department,Punjab,  
Chandigarh.

**First Appellate Authority,**  
O/o Director,  
Health and Family Welfare Department,Punjab,  
Chandigarh.

## **Appeal Case No. 2811 of 2019**

PRESENT:

Dr. Sohan Lal Jain (Appellant)94179-39487

Rajinder Kumar, Senior Assistant (for the Respondent) 79739-65905

ORDER:

1.The RTI application is dated **22.2.19** vide which the appellant has sought information pertaining to instructions by the Director Health & Family Welfare to civil surgeons; government policy as per which the rural hospital at Bareta was upgraded; copy of the procedure for the resolution of complaints received on the 104 helpline; copy of appellant's ACRs for 2016-17 and 2017-18, copy of appellant's personal file from 1.1.17 till date etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **2.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this appeal case was held in the Commission on **12.9.19**, wherein the respondent PIO was absent without intimation. He was directed to furnish attested copies of the information requested pertaining to points 1 – 7 of the RTI application within 15 days of receiving the Commission's Order of 12.9.19.

2.The respondent PIO, represented today by Rajinder Kumar, Senior Assistant, has requested some more time to be able to submit pointwise response to the appellant's RTI application. He is granted 15 days to furnish the information requested or enumerate reasons for non-disclosure.

3.The appellant, who has been pursuing this case since 22.2.19 and seeking what are largely details of his own service, submitted that he has been subjected to a great deal of undue harassment by the respondent PIO. He has appealed to this Commission to be compensated

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for the detriment caused to him by the very public authority he once served. This Commission reserves its decision on the question of compensation until the next hearing.

**4.Next hearing on 4.12.19 at 11.00 am.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

16.10.19

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**Sukhwinder Kaur**, Legal Advisor,  
d/o Sh. Budh Singh,  
# 2149, Sector- 21 C,  
Chandigarh.

Versus

**Public Information Officer**,  
o/o Punjab School Education Board,  
Mohali.

**First Appellate Authority**,  
o/o Punjab School Education Board,  
Mohali.

## **Appeal Case No. 2816 of 2019**

PRESENT:

Sukhwinderkaur (Appellant) 98156-52464.

Mangal Singh, Assistant Secretary (for the Respondent) 98779-98380

ORDER:

1.The RTI application is dated **17.01.19** vide which the appellant has sought information pertaining to correspondence between the PSEB and its legal retainer; copies of her appeal/review of 20.11.17 and a copy of a complaint by one Chaman Lal and the Chairman's orders etc., as enumerated in her RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **2.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this appeal case was held in the Commission on **12.9.19**, wherein a portion of the information requested was denied and exempt from disclosure. The respondent PIO was directed to re-examine the appellant's request pertaining to points 4 & 5 of her RTI application and either furnish the information or submit a legally premised reply in writing for nondisclosure. The appellant was also requested to cite specific provisions of the RTI Act or subsequent Case Law in support of her information request pertaining to points 4 & 5 of her original RTI application.

2.The respondent PIO, represented today by Mangal Singh, Assistant Secretary, has submitted a written reply wherein he has sought exemption from disclosure of the information sought at point 4 and 5 of the RTI application under section 8 (1) (b) and 8 (1) (h) of the RTI Act claiming that the information was related to ongoing court case.

3.The respondent PIO is directed to furnish proof byway of Annexures to support his claim that the information requested is in fact related to the afore mentioned court case.

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4.The appellant is again advised to file a reply citing legal provisions to support her case.

5.Next hearing on 4.12.19 at 11.00 am.

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

16.10.19

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**Karnail Singh,**  
# 704 B, Sector-33 B,  
Chandigarh.

Versus

**Public Information Officer,**  
o/o Director,  
Department of Finance,  
Treasury and Accounts Branch,  
Plot No. 2 A, Sector-33 A,  
Chandigarh.

**First Appellate Authority,**  
O/o Director, Department of Finance,  
Treasury and Accounts Branch,  
Plot No. 2 A, Sector-33 A, Chandigarh.

## **Appeal Case No. 2818 of 2019**

### PRESENT:

Karnail Singh (Appellant) 94639-15508

Archana, Senior Assistant (for the Respondent) 97792-85272

### ORDER:

1. The RTI application is dated **29.3.19** vide which the appellant has sought information regarding Departmental Promotion Committees for DCFAs etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). The case was last heard on **6.9.19**.

2. The respondent PIO represented by Archana, Senior Assistant, has handed over information in response to the request resubmitted by appellant on the advice of this Commission on 6.9.19.



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3.The appellant Karnail Singh has pointed out certain shortcomings in the information provided.

4.The respondent PIO is directed to furnish the complete information requested and also directed to ensure that every copy of the information furnished is attested by a competent officer.

**5.The next hearing on 28.11.19 at 11.00 am.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

16.10.19

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**Jaspal Singh,**  
#2542, Mari Wala Town,  
Manimajra,  
Chandigarh.

Versus

**Public Information Officer,**  
o/o Senior Superintendent of Police,  
Mohali.

**First Appellate Authority,**  
O/o Senior Superintendent of Police,  
Mohali.

## **Appeal Case No. 2819 of 2019**

PRESENT:

(Appellant) Absent

(for the Respondent) Absent

ORDER:

1.The RTI application is dated **16.5.19** vide which the appellant has sought information in 14 points pertaining to a complaint submitted by him, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this appeal case was held in the commission on **6.9.19**, wherein the PIO was directed to submit a pointwise reply to the RTI application.

2.Both parties are absent. The respondent PIO meanwhile wrote to this Commission on 3.10.19(vide letter No.58923/9) that the appellant wishes to “withdraw his appeal”.

3.However, this Commission has no intimation from the appellant Jaspal Singh and therefore directs the respondent PIO to appear at the next hearing in person with documentary proof of his claim that the appellant wishes to withdraw his appeal.

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4.The appellant Jaspal Singh is also requested either to directly write to the Commission or appear at the next hearing and state his case in person.

5.The next hearing on 4.12.19 at 11.00 am.

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

16.10.19

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**Surinder Singh,**  
s/o Sh. Raghubir Singh,  
VPO: Miani, Ward No. 3,  
District Hoshiarpur.

Versus

**Public Information Officer,**  
O/o Inspector of General Police,  
NRI & Mahilla Wing,  
Mohali.

**Firsts Appellate Authority,**  
O/o Additional Director General of Police,  
NRI & Mahilla Wing,  
Mohali.

## **Appeal Case No. 2843 of 2019**

### **PRESENT:**

(Appellant) Absent

Veerpal Kaur, Inspector (for the Respondent) 98882-17528

### **ORDER:**

1.The RTI application is dated **30.4.19** vide which the appellant has sought information by way of a copy of a letter issued by the NRI & Mahila Wing vide which his son's passport was impounded, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). The first hearing of this appeal case was held in the Commission on **6.9.19**, wherein the respondent PIO was directed to furnish the requested information to the appellant.

2.The respondent PIO, represented by Veerpal Kaur, Inspector, submitted that the requested information has been handed over to the appellant as directed by this Commission.

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3.The appellant (who is absent today)has also apprised the Commission (vide a letter dated 4.10.19)that he has received the requested information. He has also recorded his appreciation for the Commission's help.

4.There is no further cause for action and this appeal case is herewith **CLOSED.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

16.10.19