

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100

Email: psic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Sh. Ratan Lal, S/o Sh Ram Lal,

Dani Dada Niraian,

Back Side BMF Camp,

Hanumangarh Road,

Abohar, Distt Fazilka.

M : 9501113274

Appellant

Vs

Public Information Officer,

O/o DPI (SE), PB,

Mohali.

First Appellate Authority

O/o DPI (SE), PB,

Mohali.

Respondents

Appeal Case No. 5002/2021

(Video Conference/Telephone Proceedings)

Present:- Sh. Ratan Lal, appellant.

Sh. Rajeev(APIO), 9888866340 on behalf of the respondents.

ORDER

The RTI application is dated 7.5.2021 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 29.6.2021 and second appeal was filed in the Commission on 1.11.2021 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 the respondent may be directed to supply the complete information in this case. However, the representative of the respondents submits the written response regarding the sought information vide which it has informed that the information does not cover under Section 2(f) of the RTI Act, 2005.

3. It is appropriate to mention that the "Information" means as per the provisions of the RTI Act, 2005, any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, report, papers, samples, models data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.

5. Furthermore, it is relevant to mention Section 2 (j) of the RTI Act, 2005 which is as follows:-

"right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to—

(i) inspection of work, documents, records;

(ii) taking notes, extracts or certified copies of documents or records;

(iii) taking certified samples of material;

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Appeal Case No. 5002/2021

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(iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device.

6. It is also pertinent to mention **Section 10(1)** of the RTI Act, 2005 :-

“Where a request for access to information is rejected on the ground that it is in relation to information which is exempt from disclosure, then, notwithstanding anything contained in this Act, access may be provided to that part of the record which does not contain any information which is exempt from disclosure under this Act and which can reasonably be severed from any part that contains exempt information.

(2) Where access is granted to a part of the record under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall give a notice to the applicant, informing—

- (a) that only part of the record requested, after severance of the record containing information which is exempt from disclosure, is being provided;
- (b) the reasons for the decision, including any findings on any material question of fact, referring to the material on which those findings were based;
- (c) the name and designation of the person giving the decision;
- (d) the details of the fees calculated by him or her and the amount of fee which the applicant is required to deposit; and
- (e) his or her rights with respect to review of the decision regarding non-disclosure of part of the information, the amount of fee charged or the form of access provided, including the particulars of the senior officer specified under sub-section (1) of section 19 or the Central Information Commission or the State Information Commission, as the case may be, time limit, process and any other form of access.

6. Since, the appellant has sought the information as available on record pertaining to the Teachers Transfer Policy 2019, therefore, the respondent-Public Information Officer is directed to supply the sought information to the appellant before the next date of hearing except the grading/numbers of ACRs, which is exempted as per the provisions of the RTI Act, 2005, being the personal information.

7. To come up on 13.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka.

Dated: 16.12.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Amarjit Singh Dhamotia, RTI Activist, President, Whistle Blower,

NCAG Office, Ludhiana, #

1331-5, Street No 5,

Near Vishwakarma Bhawan,

Down Canal Road,

Simlapuri, Ludhiana-141003

Appellant

Vs

Public Information Officer,

O/o Chief Secretary, PB,

Chandigarh.

First Appellate Authority

O/o Chief Secretary, PB,

Chandigarh.

Public Information Officer

o/o the Principal Secretary to Govt. of Punjab,

Department of Science, Technology & Environment,

Punjab Civil Secretariat-1, Chandigarh.

Respondents

Appeal Case No. 5062/2021

(Video Conference/Telephone Proceedings)

Present:- None on behalf of the appellant.

Smt. Seema, Supdt. 9872975226 on behalf of the respondents on telephone.

ORDER

The RTI application is dated 30.7.2021 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 31.8.2021 and second appeal was filed in the Commission on 8.11.2021 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. However, the respondent-Public Information Officer states that the RTI application of the appellant has already transferred under Section 6(3) of the RTI Act, 2005 to the Principal Secretary Science, Technology and Environment Department. He has also sent the written response regarding the same, which is taken on record.

3. Accordingly, the Public Information Officer o/o the Principal Secretary to Govt. of Punjab, Department of Science, Technology and Environment Department is impleaded as necessary party in this case to file the reply/supply the information in this case before the next date of hearing.

4. To come up on 25.1.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana (for the appellant) and at Chandigarh (for the respondents).

sd

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 16.12.2021

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Sector 16, Chandigarh.

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Sh. Daljit Singh s/o Sh. Gopal Singh
r/o H.No. 477/4 A
Street No. 00, Hargobind Nagar,
Near Hargobind Sahib, Gurudwara Sahib
District Ludhiana 9592313001

....Appellant

Vs

Sh. Kuldeep Singh, **Registered**
Public Information Officer
o/o Circle Revenue Officer-cum-
Tehsildar East,
District Ludhiana
9872222543

First Appellate Authority
o/o S.D.M. (East)
District Ludhiana

....Respondents

Appeal Case No. 2332 of 2021
(Video Conference Proceedings)

Present:- Sh. Sukhbir Singh, on telephone, on behalf of the appellant.
Sh. Rajni Rani(SA), 6280186509 on behalf of the respondents. 9872222543

ORDER

This order may be read with reference to the previous order dated 23.11.2021.

2. The representative of the respondents requested for the adjournment of the case and assured that the complete information as per the order dated 23.11.2021 will be supplied to the appellant.
3. Accordingly, last opportunity is granted to the respondent-Public Information Officer to comply with the order dated 23.11.2021 before the next date of hearing failing which the penalty provisions will be invoked.
4. To come up on 25.1.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

sd

Dated: 16.12.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Gourav Sekhri,
Chamber No. 68- A,
District Court,
Amritsar. (9888866559)

Appellant

Vs

Sh. Pardeep, Supdt-cum-
Public Information Officer,
O/o Director,
Department of Medical Education and Research, Punjab
Medical Education Bhawan, Sector 69,
Mohali.

Registered

First Appellate Authority,
O/o Director,
Department of Medical Education and Research, Punjab
Medical Education Bhawan, Sector 69,
Mohali.

Respondents

AC No. 3236/2020

(Video Conference/Telephone Proceedings)

Present:- Shri Gourav Sekhri appellant.

Sh.Dheeraj(SA) 9888480888, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 10.11.2021.

2. The appellant states that the similar information has already been supplied by the Amritsar but the information pertaining to Patiala Medical College has not been supplied so far by the respondents. Also, he states that the information supplied vide letter dated 29th October 2021 is not legible as has been provided by the Director Medical Education & Research, Punjab.

3. The response has already been received from the office of the Principal Secretary, Medical Education and Research vide which the information pertaining to Point Number 2 has been supplied to the appellant. Also the response has been filed by the office of the Director Medical Education & Research Punjab vide number 21543 dated 15th December 2021. Copy of which is taken on record.

4. After hearing both the parties the directions are issued to them to remain present on the next date of hearing at Chandigarh in person along with the original record/information supplied to take the matter to its logical end.

5. To come up on 24 January 2022 at 12:30 PM at Chandigarh

sd

Dated: 16.12.2021

(Suresh Arora)

Chief Information Commissioner,
Punjab.