

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



Sh. Rajinder Singh 9478914723
VPO Kohara near Jeet Clinic,
District Ludhiana.

....Appellant

vs

Public Information Officer
o/o Deputy Commissioner,
District Ludhiana

First Appellate Authority
o/o Commissioner,
Patiala Division,
Patiala.

....Respondents

Appeal Case No. 3888 of 2020
(Video Conference/Telephone Proceedings)

Present:- Sh. Rajinder Singh, appellant.
Ms Rajwant Kaur on behalf of the respondents.

ORDER

The titled case was heard on 26.11.2021 vide which the directions were given to the respondent-Public Information Officer to adopt the procedure mentioned under Section 11 of the RTI Act, 2005 and get the response from the 3rd party regarding Point No. 7 of the RTI application. He was also directed to take appropriate decision and the same be conveyed to the appellant with a copy to the Commission. Also the liberty was granted to the appellant to approach the Commission in case he is not satisfied with the same. The appellant approached the Commission and therefore, the notice of hearing was issued to the parties for today i.e. 2.2.2022.

2. The representative of the respondents reiterated the reply submitted on 24.12.2021 vide which it has intimated that the sought information relates to the 3rd party and cannot be supplied in accordance with the orders of the Hon'ble Supreme Court of India. However, the appellant requested that the directions may be issued to the respondent-Public Information Officer to supply the information in the public interest.

3. The information sought by the appellant pertaining to Point No. 7 of the RTI application is as follows:-

“ਸਾਲ 2020-2021 ਦੌਰਾਨ ਹੈਂਡੀਕੈਪਡ ਕੋਟੇ ਤੋਂ ਜਿਸ ਜੂਨੀਅਰ ਸਹਾਇਕ/ਕਲਰਕ ਨੂੰ ਪਦਉਨਤ

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Appeal Case No. 3888 of 2020

-2-

ਕਰਕੇ ਜੂਨੀਅਰ ਸਹਾਇਕ/ਸੀਨੀਅਰ ਸਹਾਇਕ ਦੀ ਪ੍ਰਮੋਸ਼ਨ ਦਿੱਤੀ ਗਈ ਉਸ ਦਾ ਹੈਂਡੀਕੈਪਡ ਸਰਟੀਫਿਕੇਟ ਦੀ ਕਾਪੀ ਉਪਲਬਧ ਕਰਵਾਉਣ ਤੋਂ ਇਲਾਵਾ ਉਨ੍ਹਾਂ ਕਰਮਚਾਰੀਆਂ ਦੀ ਤੁਢਲੀ ਨਿਯੁਕਤੀ ਕਿਸ ਸ਼੍ਰੇਣੀ ਵਿੱਚ ਹੋਈ ਸੀ ਦੱਸਿਆ ਜਾਵੇ।”

4. Although there is a provision in the Punjab RTI Rules, 2017 that the Commission while deciding an appeal may hear the third party but the response has already been taken by the office of the Deputy Commissioner, District Ludhiana and the relevant portion of the same is reproduced below:-

“...ਇਸ ਦਫਤਰ ਵੱਲੋਂ ਪੱਤਰ ਮਿੱਤੀ 13.12.2021 ਰਾਹੀਂ ਤੀਜੀ ਧਿਰ ਸ੍ਰੀ ਵਿਕਾਸ ਕੁਮਾਰ ਸੀਨੀਅਰ ਸਹਾਇਕ, ਦਫਤਰ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਲੁਧਿਆਣਾ ਨੂੰ ਨਿੱਜੀ ਜਾਣਕਾਰੀ ਦੇਣ ਸਬੰਧੀ ਪੁੱਛਿਆ ਗਿਆ। ਇਸ ਤੇ ਸ੍ਰੀ ਵਿਕਾਸ ਕੁਮਾਰ ਸੀਨੀਅਰ ਸਹਾਇਕ ਨੇ ਇਸ ਸ਼ਾਖਾ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਹੈ ਕਿ ਉਸਦੀ ਕੋਈ ਵੀ ਨਿੱਜੀ ਜਾਣਕਾਰੀ ਕਿਸੇ ਵੀ ਵਿਅਕਤੀ ਨੂੰ ਮੁਹੱਈਆ ਨਾ ਕਰਵਾਉਣ ਦੀ ਕ੍ਰਿਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ ਕਿਉਂਕਿ ਇਸ ਨਾਲ ਉਸਦੀ ਸੋਸ਼ਲ ਜਿੰਦਗੀ ਤੇ ਅਸਰ ਪੈ ਸਕਦਾ ਹੈ...”

5. The office has given a promotion to the Junior Assistant/Clerk to the post of Junior Assistant/Senior Assistant from the handicapped quota and the sought information relates to providing of the handicapped certificate thereof along with the quota of original appointment of a person promoted.

6. Keeping in view the above, the Commission is of the view that the larger public interest warrants to provide the remaining information as enumerated above. Therefore, the directions are issued to the respondent-Public Information Officer to supply the information as mentioned in para 3 above before the next date of hearing.

7. To come up on 24.2.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

sd

Dated: 2.2.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab

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Advocate Ravinder Singh, (9317561575)

House No. 16,
Shaheed Nagar,
Chhehartta, Amritsar.

...Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Amritsar.

First Appellate Authority
O/o Additional Commissioner,
Municipal Corporation, Amritsar.

...Respondents

Appeal Case No. 1686 of 2020.

(Video Conference/Telephone/Cisco webex Proceedings)

Present:- Sh. Ravinder Singh, Appellant.

Ms. Madhavi, Building Inspector on behalf of the respondents.

This order may be read with reference to the previous Order dated 25.11.2021.

2. The appellant states that the Respondent-Public Information Officer may be directed to supply the information in this case. However, the representative of the respondent states that the information is voluminous in nature. Hence, it cannot be supplied to the appellant as per the provisions of the RTI Act.

3. After detailed deliberations with both the parties, the appellant is directed to establish the public interest involved in seeking the voluminous information before the next date of hearing to take the matter to its logical end.

4. To come up on 15.3.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar/cisco webex.

sd

Dated: 02.02.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Advocate Ravinder Kumar
H.no. 2, New Harbans Nagar
New Shiv Mandir jal 144002 9417188119

....Appellant

Vs

Public Information Officer
o/o The Executive officer,
Improvement Trust,
Ranjit Avenue, Amritsar 143001

First Appellate Authority
o/o The Executive Officer,
improvement Trust,
Ranjit Avenue, Amritsar 143001

....Respondent

Appeal Case No. 3151 of 2020

(Video Conference /Telephone/Cisco Webex Proceedings)

Present:- None on behalf of the appellant.
Sh. Ravinder Kumar, Trust Engineer-cum-Public Information Officer on behalf
of the respondents.

ORDER

This order may be read with reference to the previous order dated 25.11.2021.

2. The appellant is absent but he has sent the written submissions in this case, which are taken on record. The submissions of the appellant regarding the sought information are reproduced below:-

“The applicant /appellant specifically asked to provide the information regarding the name and designation of the officer concerned who took the action on the applications dated 21.6.2019 and dated 12.12.2019 and also provide the copies of action taken by the said officers on the said applications”.

3. Also the respondent-APIO-cum-Trust Engineer, Improvement Trust, Amritsar, has sent the written submissions that the information pertaining to Point No. 2, 4, 5 and 12 of the RTI application has to be supplied by the Supdt-cum-Public Information Officer sales, Ms Harjit Kaur 9814417676 and Sh. Deepak Beri, Junior Assistant Mobile No. 9855340490. The information pertaining to Point No. 2,4,5 & 12 of the RTI application is same as enumerated in para 2 above.

3. It is also a fact on record that the Public Information Officer-cum-Supdt, Sales has already sent the written submissions that the information pertaining to Point No. 2,4,5 & 12 has to be supplied by the Engineering Department.

4. Keeping in view the above, the directions are issued to the Public Information Officer-cum-Supdt Sales, Ms Harjit Kaur and Sh. Ravinder Kumar, Trust Engineer to file an affidavit on the next date of hearing that the information pertaining to Point No. 2,4,5 & 12 of the RTI application does not relate to their branch else file the specific reply/supply the information to the appellant before the next date of hearing. In case of non compliance of this order before the next date of hearing disciplinary action will also be recommended to the concerned authority in this case.

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Appeal Case No. 3151 of 2020

-2-

5. The show cause notice was issued to Sh. Sonu Mahendru, Town Planner-cum-Public Information Officer, Improvement Trust, Amritsar to impose penalty and to award compensation. As the compensation amounting to Rs.4000/- has already been awarded by the Commission vide order dated 25.11.2021. As such, the respondent-Public Information Officer is directed to comply with the order dated 25.11.2021 before the next date of hearing and the decision regarding imposition of penalty against him will be taken on the next date of hearing.

5. Keeping in view the above, the directions are also issued to the Public Information Officer-cum-Suptd Sales, Ms Harjit Kaur and Sh. Ravinder Kumar, Trust Engineer and Sh. Sonu Mahendru, Town Planner-cum-Public Information Officer, Improvement Trust, Amritsar to remain present on the next date of hearing.

6. To come up on 15.3.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

Dated: 2.2.2022

Sd
(Suresh Arora)
Chief Information Commissioner,
Punjab

CC

1. Sh. Jatinder Kumar,
Chief Executive Officer,
Improvement Trust, Ranjit Avenue,
Amritsar
2. Sh. Sonu Mahendru, Nodal Officer (RTI)
Improvement Trust, Ranjit Avenue,
Amritsar.
3. Sh. Ravinder Kumar, Trust Engineer,

Improvement Trust, Ranjit Avenue,
Amritsar.
4. Ms Harjit Kaur
Public Information Officer-cum-Suptd Sales,
Improvement Trust, Ranjit Avenue,
Amritsar.

To ensure compliance of this order.

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Sh. Jaspal Singh
s/o Sh. Avtar Singh
r/o 1205, Gali No. 8, Hussainpura East,
Amritsar 143001

....Appellant

Vs

Public Information Officer
o/o Commissioner,
Municipal Corporation,
Amritsar

First Appellate Authority
o/o Commissioner,
Municipal Corporation,
Amritsar.

....Respondents

Appeal Case No. 3951 of 2021

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Sh. Jaspal Singh, Appellant.
Sh. Raj Kumar, Inspector, General Branch (7009750539).

ORDER

This order may be read with reference to the previous Order dated 25.11.2021.

2. The appellant states that he has received complete information except Point No.6 of the RTI application. However, the representative of the respondent states that the information pertaining to the General Branch has already been supplied to the appellant. Regarding Point No.6 of the RTI application, the representative of the respondent states that the information concerning the same has to be supplied by the O&M Department of Municipal Corporation, Amritsar. He also states that he has received the RTI application through the O&M Department, Municipal Corporation, Amritsar. Accordingly, the PIO, O&M Branch, Municipal Corporation, Amritsar is directed to file the reply/supply the information concerning Point No.6 of the RTI Application before the next date of hearing failing which the punitive action will be initiated.

3. To come up on 24.02.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

Dated: 2.2.2022

^{sd}
(Suresh Arora)
Chief Information Commissioner,
Punjab

cc
PIO
O .& M. BRANCH
M.C. AMRITSAR