

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. Darshan Singh, S/o Sh. Joginder Singh
172, Gurbaksh Nagar, Chabal Road,
Amritsar.

.....Appellant

Vs.

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

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

.....Respondents

Appeal Case No. 4990 of 2021

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Sh. Darshan Singh, appellant on telephone.
Sh. Varinder Mohan, ATP on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 09.03.2022.

2. The appellant submits that the letter dated 14th July 2021 was issued to him by the respondent authority but the same letter has been issued without any information although it has been written in the said letter that the information is attached here with. However, the representative of the respondent submits that the complaint of the appellant is under consideration and the final decision is yet to be taken on the same.

3. After hearing both the parties, it has transpired that the appellant filed the RTI application dated 30 June 2021 but after a gap of around 10 months the respondent is replying that the matter concerning the complaint as has been sought by the appellant is under consideration. It is also a fact on record that the First Appellate Authority Shri Hardeep Singh, PCS, Additional Commissioner, Municipal Corporation, Amritsar has not passed any order as per the first appeal filed by him on 27 July 2021. Keeping in view, the above the respondent public authority is not tuned up to perform its obligations under the RTI Act, 2005 and the appellant has to cause the harassment in getting the information. Considering all the facts, the ends of justice would be met only by awarding compensation in this case. As such an amount of Rs.5000 is awarded as compensation in this case in favour of the appellant. Therefore, the respondent Public Information

Contd..p/2

PUNJAB STATE INFORMATION COMMISSION

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

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

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189



Appeal Case No. 4990 of 2021

-2-

Officer is directed to pay the compensation amount out of the state exchequer before the next date of hearing. Also, a copy of this order is being sent to the Commissioner, Municipal Corporation, Amritsar to fix responsibility in this regard and get the amount recovered, if so deems fit. Also the respondent Public Information Officer is directed to file the written submissions regarding the complaint filed by the appellant information of which has been sought by him before the next date of hearing failing which the penalty provisions will also be invoked on the next date of hearing.

4. To come up on 1st June 2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Amritsar.

Dated: 20.4.2022

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC
Commissioner, (By name)
Municipal Corporation,
District Amritsar

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. Ramesh Kumar, S/o Sh. Dhani Ram,
#17093, Near Kanya Mandir,
Aggarwal Colony,
Bathinda – 151001.

.....Appellant

Vs.

Public Information Officer
O/o Head Master,
Govt. High School, Chughe Khurd,
Bathinda - 151001

First Appellate Authority
O/o DEO (SE), Bathinda.

.....Respondents

Appeal Case No. 590 of 2022.

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Shri Jai Kishen on behalf of the appellant.
Shri Krishan Kumar 9417753918 and Shri Manoj Kumar on behalf of the respondents.

ORDER

The RTI Application is dated 20.08.2021 vide which the appellant has sought information as enumerated in his RTI Application. First appeal was filed with the First Appellant Authority (hereinafter called FAA) on 30.09.2021 and second appeal was filed in the Commission on 25.01.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to parties for today.

2. The appellant submits that the respondent may be directed to supply the complete information in this case. However, the respondent has sent the information through email which is taken on record. After point wise detailed deliberation with the parties regarding the sought information, it has ascertained that the information pertaining to point number 1 and 2 of the RTI application has been supplied to the appellant with which the appellant agreed to. Regarding point number 3 of the RTI application the respondent Public Information Officer is directed to provide the gross salary details of all the employees from 1 April 2017 to 31 March 2018. Regarding point number 4, 5 and 6 of the RTI application, it has ascertained that the appellant has sought the third party information. Accordingly the appellant is directed to establish the public interest involved in seeking the third-party information before the next date of hearing to take the matter to its logical end.

3. To come up on 16 June 2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Bathinda

sd

Dated:20.4.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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

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

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189



Sh. Rawinder Sharma,
#919, Street No. 4,
Harkrishan Nagar, Chheharatta,
Amritsar, M: 9914524530

.....Appellant

Vs.

Public Information Officer
O/o Principal, Govt. Sr. Sec. School,
N.T.C., Rajpura, Patiala.

First Appellate Authority
O/o DEO (SE), Patiala.

.....Respondents

Appeal Case No. 576 of 2022.

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Sh. Ravinder Sharma, appellant
Smt. Jasbir Kaur, Principal 99156 99885 on behalf of the respondents

ORDER

The RTI Application is dated 18.10.2021 vide which the appellant has sought information as enumerated in his RTI Application. First appeal was filed with the First Appellant Authority (hereinafter called FAA) on 23.11.2021 and second appeal was filed in the Commission on 25.01.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to parties for today.

2. The appellant submits that the respondent Public Information Officer may be directed to supply the complete information as has been sought by him. However, the reply has also been submitted by the respondent Public Information Officer Smt.Aashmi Narula, which is taken on record. It has also submitted by her that the information related to the third party, who has also refused that his information should not be shared with the appellant. To take the matter to its logical end, the appellant is directed to establish the public interest involved in seeking the third-party information before the next date of hearing.

3. To come up on 29 April 2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated:20.4.2022

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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

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

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189



Sh. Mangal Singh, S/o Sh. Khandara Singh,
R/o Village Bhangala, Tehsil Patti,
Distt. Tarn Taran.

.....Appellant

Vs.

Public Information Officer
O/o Sarpanch, Gram Panchayat,
Panchayat Bhangala, Tehsil Patti,
Distt. Tarn Taran.

First Appellate Authority
O/o Distt. Development and Panchayat Officer,
Tarn Taran.

.....Respondents

Appeal Case No. 5289 of 2021.

(Video Conference/Cisco Webex/Telephone Proceedings)

Present: Sh. Mangal Singh, appellant.

Sh. Kulwinderpal Singh, Panchayat Secretary-cum-Public Information Officer, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.03.2022.

2. The appellant submits that the respondent has not supplied the copy of utilisation certificates. He further submits that the respondent has supplied the information without marking page number on the photo copies and it appears to be incomplete information. He further submits that he also would like to inspect the original record pertaining to the sought information. It is a fact on record that the appellant has filed the RTI application on 30 June 2021 and till date incomplete information is being supplied to the appellant. It seems that Public Authority is not tuned up to perform its duties enshrined under the RTI Act, 2005. It is also clear that the appellant has been harassed in getting the information. Therefore, ends of the justice would be met to award compensation in this case to the appellant. **Accordingly an amount of Rs.5000 is awarded as compensation to the appellant in this case.** Hence, the respondent Public Information Officer is directed to pay the compensation amount out of the state exchequer before the next date of hearing to the applicant failing which the penalty provision will also be invoked. Regarding information he is also directed to supply the utilisation certificate to the appellant and in case, the same is not available in the official record then specific undertaking be filed in this regard with a copy to the appellant. He is also directed that a copy of the information be supplied to the appellant complete in all respect duly certified and having page numbers before the next date of hearing.

3. To come up on 12 May 2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Tarn Taran.

sd

Dated:20.4.2022

(Suresh Arora)

Chief Information Commissioner, Punjab.

PUNJAB STATE INFORMATION COMMISSION

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

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

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189



Sh. Daljit Singh, S/o Sh. Jarnail Singh,
House No. 6-E, Khalsa College Colony,
Patiala-147001, M: 9501026319.

.....Appellant

Vs.

Public Information Officer
O/o DPI (SE), PB, Mohali.

First Appellate Authority
O/o DPI (SE), PB, Mohali.

.....Respondents

Appeal Case No. 617 of 2022.

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- None on behalf of the appellant.
None on behalf of the respondent.

ORDER

The RTI Application is dated 13.09.2021 vide which the appellant has sought information as enumerated in his RTI Application. First appeal was filed with the First Appellant Authority (hereinafter called FAA) on 22.11.2021 and second appeal was filed in the Commission on 27.01.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to parties for today.

2. The written request has been received from the respondent to adjourn the case. Accordingly the request of the respondent is accepted as the appellant is also not present.

3. To come up on 30.5.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala/Mohali.

sd

Dated:20.4.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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. S.P. Verma, R/o 143, NMS Colony,
Tripuri, Patiala – 147004,
M: 7589328784.

.....Appellant

Vs.

Public Information Officer
O/o DEO (SE), Patiala.

First Appellate Authority
O/o DEO (SE), Patiala.

Public Information Officer
o/o the Principal,
Guru Teg Bahadur Public School,
Patiala

.....Respondents

Appeal Case No. 563 of 2022.

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Sh. SP Verma, appellant.

Ms Gurmeet Kaur, Supdt 9988210507 and Sh. Avtar Singh Sr. Asstt o/o
Principal GTB, Public School, Patiala on behalf of the respondents

ORDER

The RTI Application is dated 28.10.2021 vide which the appellant has sought information as enumerated in his RTI Application. First appeal was filed with the First Appellant Authority (hereinafter called FAA) on 06.12.2021 and second appeal was filed in the Commission on 25.01.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to parties for today.

2. The appellant submits that the respondents may be directed to supply the complete information in this case. However, no satisfactory reply has been given by the respondent-Public Information Officer o/o District Education Officer (SE), Patiala except that the RTI application of the appellant has already been transferred to the concerned school under Section 6(3) of the RTI Act, 2005. Accordingly, the Public Information Officer o/o the Principal, Guru Teg Bahadur Public School, Patiala is impleaded as necessary party in this case.

3. After point wise deliberations with both the parties, it has ascertained that the information pertaining to Point No. 1 & 2 of the RTI application has to be supplied by the District Education Officer (SE), Patiala and the information regarding Point No. 3 to 5 of the RTI application, has to be supplied by the concerned school i.e. GTB Public School, Patiala.

4. Also, the appellant requests that he would like to inspect the relevant record after the receipt of the information i.e. Point No. 6 of the RTI application. Regarding the compliance of Point No. 6 of the RTI application, photography, videography and scanning after the inspection is not being allowed to the appellant, as the record may also contain personal information relating to third parties.

Contd..p/2

PUNJAB STATE INFORMATION COMMISSION

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

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

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189



Appeal Case No. 563 of 2022.

-2-

5. It is also a fact on record that Smt. Harinder Kaur, D.E.O.(SE)-cum-First Appellate Authority has not passed any order in this case and the RTI application of the appellant is dated 28.10.2021. Also as per the provisions of the RTI Act, 2005 no punitive action can be taken against the First Appellate Authority but in the interest of natural justice, the first appeal filed before the First Appellate Authority should have been decided. But in this case neither the information has been supplied to the appellant nor the First Appellate Authority has passed any order in this case. It is, thus apparent from the response of the respondent-PIO that there has been delay in providing the information. Appellant has been harassed and was put to mental agony as he is seeking information relating to his daughter only. There are systemic deficiencies in the manner of receiving and disposing of applications. The department still does not appear to be properly tuned to the performance of its obligations enshrined under the RTI Act.

6. I am, therefore, of the view that ends of justice would be met by awarding a sum of Rs. 10,000/- (Rupees ten thousands only) by way of compensation to the Appellant by the office of the District Education Officer (SE), Patiala. This amount shall be payable from the State Exchequer before the next date of hearing.

7. To come up on 9.6.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

sd

Dated:20.4.2022

(Suresh Arora)

Chief Information Commissioner,
Punjab.

CC

Smt. Harinder Kaur,

D.E.O.(SE),

Patiala.