

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Shri Prem Kumar Rattan, (M: 98722-20039),

H.No. 78/8, Park Road,

Navi Mandi, Dhuri,

Distt. Sangrur.



.....Appellant.

Vs

Public Information Officer,

O/ o Asstt. Reigstrar,

Co-operative Societies, Sunam,

Distt. Sangrur.

First Appellate Authority:

O/o Joint Registrar,

Co-operative Societies,

Patiala.

.....Respondent

Appeal Case No. 1590 of 2020

Present:- Shri Prem Kumar Rattan, appellant is absent.
Shri Sahil Bansal, Inspector is present on behalf of Shri Harjashan Singh Sidhu,
SPIO-cum-A.R. O/o Co-opt. Societies, Sunam.

O R D E R

Shri Prem Kumar Rattan, appellant filed RTI application dated 02.09.2019 and sought some information from the SPIO, O/o Asstt. Reigstrar, Co-operative Societies, Sunam.

Today the case is heard through CISCO WEBEX MEETINGS Software.

The appellant is absent today, whereas the respondent is present on behalf of the SPIO and he stated that the sought for information has been sent to the appellant.

The appellant, Shri Prem Kumar Rattan though is absent today, but he has informed the Commission telephonically that he has received the sought for information in the present case and he is satisfied with the information.

As the appellant has received the sought for information as was admitted by him telephonically and he is satisfied, so the present appeal case is **disposed of and closed.**

Dated: 21.10.2020

**(Avtar Singh Kaler)
State Information Commissioner, Punjab**

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Shri Navneet Singhania,
1609/2, Ram Gali, Katra Ahluwalia,
Amritsar.

..... Appellant

Vs

Public Information Officer,
O/o Manager,
Amritsar Co-operative Bank,
Amritsar.

First Appellate Authority,
O/o Manager,
Amritsar Co-operative Bank,
Amritsar.

.....Respondent

Appeal Case No. 565 of 2020

Present:- Shri Navneet Singhania, appellant is present.
Advocate Gautam Majithia is present on behalf of Amritsar Co-operative Bank,
Amritsar.

O R D E R

Shri Navneet Singhania, appellant filed RTI application dated 04.11.2019 and sought some information from the SPIO, O/o Manager, Amritsar Co-operative Bank, Amritsar.

Today the case is heard through CISCO Webex Meetings Software.

Shri Navneet Singhania, appellant is present and Advocate Gautam Majithia is present on behalf of Amritsar Co-operative Bank.

Shri Navneet Singhania, appellant sought some information from the office of Manager, Amritsar Co-operative Bank, Amritsar through his RTI application dated 04.11.2019. The information was denied by the Bank stating that the Co-operative Bank is not a public authority as per the definition envisaged U/s 2(h) of the RTI Act, 2005 which follows as under:-

“public authority means any authority or body or institution of self-government established or constituted :

- a) By or under the Constitution.*
- b) By any other law made by Parliament.*
- c) By any other law made by State Legislature.*
- d) By notification issued or order made by the appropriate Government, and includes any :-*
 - i) Body owned, controlled or substantially financed;*
 - ii) Non-Government organization substantially financed, directly or indirectly by funds provided by the appropriate Government. “*

Appeal Case No. 565 of 2020

A lot of opportunities have been given to both the parties. Today at the time of hearing Advocate Gautam Majithia, who is present on behalf of the Manager, Amritsar Co-operative Bank, Amritsar, stated that the Co-operative Bank is not a public authority within the definition of RTI Act, 2005.

He further submitted that the writ petition no. 20904 of 2015 was filed by the Punjab State Co-operative Bank against the State Information Commission Punjab on 10.08.2015 vide which the order of the Commission was challenged before the Hon'ble Punjab & Haryana High Court by the Co-operative Bank submitting that the Co-operative Banks are not the public authorities and the next date of hearing before the Hon'ble Punjab and Haryana High Court is 10.12.2020. As the matter is pending before the Hon'ble High Court, so the present matter is sub-judice. He further stated that the burden to show that a body is owned, controlled or substantially financed directly or indirectly by the funds provided by the appropriate Govt. is on the applicant who seeks information.

On the other hand the appellant has also sent an e-mail to the Commission and submitted that the five Judge Bench of Shri Arun Mishra, Smt. Indira Banerjee, Shri Vineet Saran, Shri Shah and Smt. Aniruddha Boss, JJ has held that "Banking relating to cooperatives can be included within the purview of entry 45 of list (i) and it cannot be said to be over inclusion to cover provisions of recovery by Co-operative Banks in the SARFAESI Act".

As the order passed by the Punjab State Information Commission was challenged by the Co-operative Banks, Punjab before the Hon'ble Punjab & Haryana High Court and is still pending and the next date of hearing is 10.12.2020 and the matter is sub-judice. So, I dispose of the present appeal case and in case the Hon'ble High Court declares the Co-operative Banks as Public Authorities within the meaning as defined U/s 2(h) of the RTI Act, 2005, then the appellant will be at liberty to file a fresh RTI application.

So, the present appeal case is **disposed of and closed.**

Dated: 21.10.2020

**(Avtar Singh Kaler)
State Information Commissioner, Punjab.**

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Shri Gurpreet Singh,
S/o Shri Gurdev Singh alias Hardev Singh,
R/o Village Gosian, Tehsil Samrala,
Distt. Ludhiana.

..... Complainant

Vs

Public Information Officer,
O/o SSP, Khanna,
Distt. Ludhiana.

.....Respondent

Complaint Case No. 538 of 2020

Present:- Shri Gurpreet Singh, complainant/applicant is absent.
None present on behalf of the SPIO, O/o SSP, Khanna.

O R D E R

Shri Gurpreet Singh, complainant/applicant filed RTI application dated 07.07.2019 and sought some information from the SPIO, O/o SSP, Khanna, Distt., Ludhiana. When no information was provided to him by the SPIO then he filed complaint against the SPIO before the Punjab State Information Commission on 17.08.2020. The case was registered and allocated to the Bench. The Notice of hearing was issued to both the parties for today **through Video Conference facility available at the office of the Deputy Commissioner, Ludhiana.**

Both the parties are absent today.

The SPIO though is absent today, but he has sent a mail to the Commission on 11.09.2020, diarized vide no.11835, which is a copy of letter no.1016 dated 08.09.2020 along with a duly signed receipt dated 08.09.2020 executed by Shri Gurpreet Singh, complainant/applicant.

I have gone through the above said letter and it is submitted by the SPIO that the sought for information was provided to the complainant/applicant on 08.09.2020 and he was satisfied with the information. I have also gone through the duly signed receipt dated 08.09.2020 executed by Shri Gurpreet Singh, complainant/applicant and he submitted that he has received the sought for information by hand from the SPIO.

As the sought for information was provided to the complainant/applicant by the SPIO on 08.09.2020 and he has executed a duly signed receipt dated 08.09.2020 after receiving the information, so the present complaint case is **disposed of and closed.**

Dated: 21.10.2020

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Jasbir Singh,
Village Bolapur, Jhabewal,
Post Office Ramgarh,
Distt. Ludhiana.

..... Appellant

Vs

Public Information Officer,
O/o SHO, Police Station
Sahnewal, Distt. Ludhiana.

First Appellate Authority,
O/o Commissioner of Police,
Ludhiana.

.....Respondent

Appeal Case No. 2198 of 2020

Present:- Shri Jasbir Singh, appellant is absent.
ASI Deep Chand is present on behalf of the SPIO-cum-SHO, Police Station,
Sahnewal, Distt. Ludhiana.

O R D E R

Shri Jasbir Singh, appellant filed RTI application dated 03.02.2020 before the SPIO, O/o Commissioner of Police, Ludhiana. The RTI application was transferred U/s 6(3) of the RTI Act, 2005 to the SPIO-cum-SHO, Police Station Sahnewal, Distt. Ludhiana vide letter no. 490 dated 08.02.2020. When no information was provided to the appellant by the SPIO, then he filed First Appeal before the First Appellate Authority on 30.04.2020 and then Second Appeal before the Punjab State Information Commission on 17.08.2020. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today **through Video Conference facility available at the office of the Deputy Commissioner, Ludhiana.**

The appellant is absent today, whereas the respondent has come present on behalf of the SPIO.

The respondent stated that the sought for information has been sent to the appellant through registered post on 21.10.2020 and regarding this an e-mail has also been sent to the Commission.

I have gone through the e-mail sent by the SPIO, which is a copy of report dated 19.10.2020 along with the photo copy of postal receipt dated 21.10.2020 through which the sought for information was sent to the appellant.

As the sought for information has been sent to the appellant through registered post on 21.10.2020, so the present appeal case is **disposed of and closed.**

Dated: 21.10.2020

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Jasbir Singh,
Village Bolapur, Jhabewal,
Post Office Ramgarh,
Distt. Ludhiana.

..... Appellant

Vs

Public Information Officer,
O/o SHO, Police Station
Payal, Distt. Ludhiana.

First Appellate Authority,
O/o Commissioner of Police,
Ludhiana.

.....Respondent

Appeal Case No. 2184 of 2020

Present:- Shri Jasbir Singh, appellant is absent.
None present on behalf of the SPIO-cum-SHO, Police Station, Payal, Distt. Ludhiana.

O R D E R

Shri Jasbir Singh, appellant filed RTI application dated 18.05.2020 and sought some information from the SPIO-cum-SHO, Police Station Payal, Distt. Ludhiana. When no information was provided to him by the SPIO then he filed First Appeal before the First Appellate Authority on 29.06.2020 and then Second Appeal before the Punjab State Information Commission on 14.08.2020. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today **through Video Conference facility available at the office of the Deputy Commissioner, Ludhiana.**

Both the parties are absent today.

The SPIO though is absent today, but he has sent a mail to the Commission on 19.10.2020, diarized vide no. 14165, which is a copy of letter no. 1047 dated 14.10.2020 along with a copy of letter no. 1045 dated 13.10.2020 and a copy of duly signed receipt dated 09.09.2020 executed by Shri Jasbir Singh, appellant.

I have gone through the above said documents and it is submitted by the SPIO that the sought for information has been provided to the appellant on 09.09.2020 and the appellant has executed a duly signed receipt after receiving the information.

I have also gone through the duly signed receipt dated 09.09.2020 executed by Shri Jasbir Singh, appellant and he submitted that he has received the information and he is satisfied and also requested to dispose of his appeal case.

As the sought for information has been provided to the appellant by the SPIO and the appellant is satisfied, so the present appeal case is **disposed of and closed.**

(Avtar Singh Kaler)

State Information Commissioner, Punjab.

Dated: 21.10.2020

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Shri Jagshir Singh,
S/o Shri Gian Singh,
H.No. 9/20, Mandi Mullanpur,
Distt.Ludhiana.

..... Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner of Police,
Ludhiana.

First Appellate Authority,
O/o Commissioner of Police,
Ludhiana.

.....Respondent

Appeal Case No. 2169 of 2020

Present:- Shri Jagshir Singh, appellant is present.
ASI Ramesh Kumar is present on behalf of the SPIO, O/o Deputy Commissioner of Police, Ludhiana.

O R D E R

Shri Jagshir Singh, appellant filed RTI application dated 09.03.2020 and sought some information from the SPIO, O/o Deputy Commissioner of Police, Ludhiana. When no information was provided to him by the SPIO then he filed First Appeal before the First Appellate Authority on 19.06.2020 and then Second Appeal before the Punjab State Information Commission on 14.08.2020. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today **through Video Conference facility available at the office of the Deputy Commissioner, Ludhiana.**

Both the parties are present today.

I have gone through the RTI application dated 09.03.2020 and also discussed about the sought for information with both the parties. The appellant sought information regarding all the employees working in all the courts. The RTI application filed by the appellant is not specific, rather, it is vague as he has not mentioned the name of any person for whom he is seeking the information.

As the RTI application filed by the appellant is not specific rather it is vague, so the present appeal case is disposed of and closed with a direction to the appellant that in case he wants to get the information then he should file a fresh RTI application by mentioning the specific name of the person. So, the present appeal case is **disposed of and closed.**

Dated: 21.10.2020

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Jagshir Singh,
S/o Shri Gian Singh,
H.No. 9/20, Mandi Mullanpur,
Distt.Ludhiana.

..... Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner of Police,
Ludhiana.

First Appellate Authority,
O/o Commissioner of Police,
Ludhiana.

.....Respondent

Appeal Case No. 2167 of 2020

Present:- Shri Jagshir Singh, appellant is absent.
ASI Ramesh Kumar is present on behalf of the SPIO, O/o Deputy Commissioner of Police, Ludhiana.

O R D E R

Shri Jagshir Singh, appellant filed RTI application dated 17.02.2020 and sought some information from the SPIO, O/o Deputy Commissioner of Police, Ludhiana. When no information was provided to him by the SPIO then he filed First Appeal before the First Appellate Authority on 18.03.2020 and then Second Appeal before the Punjab State Information Commission on 14.08.2020. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today **through Video Conference facility available at the office of the Deputy Commissioner, Ludhiana.**

Both the parties are present today.

I have gone through the RTI application dated 17.02.2020 and also discussed about the sought for information with both the parties. The appellant sought information regarding all the readers working in the offices under the Police Commissionerate. The RTI application filed by the appellant is not specific, rather, it is vague as he has not mentioned the name of any person for whom he is seeking the information.

As the RTI application filed by the appellant is not specific rather it is vague, so the present appeal case is disposed of and closed with a direction to the appellant that in case he wants to get the information then he should file a fresh RTI application by mentioning the specific name of the person. So, the present appeal case is **disposed of and closed.**

Dated: 21.10.2020

**(Avtar Singh Kaler)
State Information Commissioner, Punjab.**

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Er. Nitin Kumar Tayal, Director, GATS India Ltd.,
2-B, Swami Vivekanand Vridhasharam Market,
B-Block, Model Town Extension,
Ludhiana.

..... Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner of Police,
Ludhiana.

First Appellate Authority,
O/o DGP, Punjab, Chandigarh.

.....Respondent

Appeal Case No. 2174 of 2020

Present:- Er. Nitin Kumar Tayal, appellant is absent.
ASI Ramesh Kumar is present on behalf of the SPIO, O/o Deputy Commissioner
of Police, Ludhiana.

O R D E R

Er. Nitin Kumar Tayal, appellant filed RTI application dated 22.05.2020 before the SPO, O/o DGP, PB. The RTI application was transferred U/s 6(3) of the RTI Act, 2005 to the SPIO, O/o Deputy Commissioner of Police, Ludhiana vide letter no. 881 dated 04.06.2020. When no information was provided to the appellant by the SPIO, then he filed First Appeal before the First Appellate Authority on 27.06.2020 and then Second Appeal before the Punjab State Information Commission on 14.08.2020. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today **through Video Conference facility available at the office of the Deputy Commissioner, Ludhiana.**

The appellant is absent today, whereas the respondent is present on behalf of the SPIO and he stated that the sought for information/reply has been sent to the appellant vide letter no. 175 dated 27.07.2020 and a copy of the same has also been sent to the Commission.

I have gone through the above said letter and it is submitted by the SPIO that that the inquiry regarding the information sought by the appellant related with application no. 1778390 dated 15.04.2020 is still under investigation and cannot be provided to the appellant U/s 8(1)(h) of the RTI Act, 2005. It is further submitted by the SPIO that application no. 1764888 dated 06.03.2020 is not available in record of the public authority.

As the inquiry regarding application no.1778390 dated 15.04.2020 is still under investigation and the application no. 1764888 dated 06.03.2020 is not available in record of the public authority, so the present appeal case is **disposed of and closed** with the direction to the SPIO that whenever the investigation will be completed the attested copies of sought for information be sent to the appellant through registered post within 10 days.

Dated: 21.10.2020

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Baljeet Singh Bal,
S/o Late Shri Satnam Singh Bal,
R/o H.No. 18, Rajguru Nagar,
Ludhiana.

..... Appellant

Vs

Public Information Officer,
O/o Commissioner of Police,
Ludhiana.

First Appellate Authority,
O/o Commissioner of Police,
Ludhiana.

.....Respondent

Appeal Case No. 2193 of 2020

Present:- Shri Baljeet Singh Bal, appellant is absent.
ASI Ramesh Kumar is present on behalf of the SPIO, O/o Deputy Commissioner of Police, Ludhiana.

O R D E R

Shri Baljeet Singh Bal, appellant filed RTI application dated 11.02.2020 and sought some information from the SPIO, O/o Deputy Commissioner of Police, Ludhiana. When no information was provided to him by the SPIO then he filed First Appeal before the First Appellate Authority and then Second Appeal before the Punjab State Information Commission on 17.08.2020. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today **through Video Conference facility available at the office of the Deputy Commissioner, Ludhiana.**

The appellant is absent today, whereas the respondent is present on behalf of the SPIO and he stated that the sought for information/reply has been sent to the appellant vide letter no. 164-FA dated 24.06.2020 and then again vide letter no.565 dated 09.10.2020 and the copies of the same have also been sent to the Commission through e-mail.

I have gone through the above said letters and it is submitted by the SPIO that that the inquiry regarding the information sought by the appellant is still under investigation and cannot be provided to the appellant U/s 8(1)(h) of the RTI Act, 2005.

As the inquiry regarding sought for information is still under investigation and hence cannot be provided U/s 8(1)(h), so the present appeal case is **disposed of and closed** with the direction to the SPIO that whenever the investigation will be completed the attested copies of sought for information be sent to the appellant through registered post within 10 days.

(Avtar Singh Kaler)

State Information Commissioner, Punjab.

Dated: 21.10.2020

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Smt. Kiran Sharma,
W/o Late Shri Jagdish Sharma,
R/o Street No. 42, Preet Vihar,
Shimlapuri, Ludhiana.

..... Complainant

Vs

Public Information Officer,
O/o Police Commissioner,
Ludhiana.

.....Respondent

Complaint Case No. 543 of 2020

Present:- Smt. Kiran Sharma, complainant/applicant is present.
ASI Ramesh Kumar is present on behalf of the SPIO, O/o Police commissioner,
Ludhiana.

O R D E R

Smt. Kiran Sharma, complainant/applicant filed RTI application dated 16.04.2019 and sought some information from the SPIO, O/o Police commissioner, Ludhiana. When no information was provided to her by the SPIO then she filed complaint against the SPIO before the Punjab State Information Commission on 18.08.2020. The case was registered and allocated to the Bench. The Notice of hearing was issued to both the parties for today **through Video Conference facility available at the office of the Deputy Commissioner, Ludhiana.**

Both the parties are present today.

I have gone through the RTI application dated 16.04.2019 filed by the applicant and also discussed about the sought for information with both the parties.

The respondent stated that the investigation in the present case has been completed and he has come present along with the attested copies of sought for information.

The respondent has handed over the attested copies of sought for information to the complainant-applicant today during the course of hearing. The applicant has received the attested copies of information.

As the attested copies of sought for information has been given to the complainant-applicant, so the present complaint case is **disposed of and closed.**

Dated: 21.10.2020

(Avtar Singh Kaler)
State Information Commissioner, Punjab.