



Sh.Rakesh Jindal,
11, Staff Colony, Govt Polytechnic,
Delhi by Pass, Near GJUS&T,
Hisar.

... Appellant

Versus

Public Information Officer,
O/o EO, MC,
Fazilka.

First Appellate Authority,
O/o Deputy Director,
Local Bodies, Ferozepur.

...Respondent

Appeal Case No. 3379 of 2019

PRESENT: None for the Appellant
Sh.Garuav, Clerk O/o EO-MC Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 28.06.2019 has sought information regarding disconnection of water connection a/c No.H-6/26, sewerage connection a/c No.1-29/408 of property No.1136/7-New (E-2370 Old) situated in Janglian Street, Fazilka and other information concerning the office of EO-MC Fazilka. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.08.2019.

The case was first heard on 07.01.2020. Both the parties were absent. The case was adjourned.

The case was last heard on **10.06.2020** through video conferencing at DAC, **Fazilka**. Both the parties were absent.

Having gone through the file, the Commission observed that the EO-MC Fazilka was absent on 2nd consecutive hearing. The PIO was issued a **show cause under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

Hearing dated 22.09.2020:

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present pleaded that information has been provided to the appellant vide letter dated 08.08.2020 and a copy of the same sent to the Commission. The Commission has received a copy of the same on 10.07.2020 which has been taken on the file of the Commission.

The appellant is continuously absent. The appellant vide email has informed that he has received the information but after the notice of the Commission.

Appeal Case No. 3379 of 2019

The respondent has submitted reply of the PIO to the show cause notice which has been taken on the file of the Commission.

I have gone through the reply and accept the plea of the PIO. The show cause is dropped.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated 22.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Sanjeev Kumar, S/o Sh Varinder Kumar,
R/o Dhani Telupura, Tehsil Abohar,
Distt Fazilka.

.....Appellant

Vs

Public Information Officer,
O/o SSP,
Fazilka.

First Appellate Authority
O/o IGP, Ferozpur Range,
Ferozpur.

....Respondent

Appeal Case .No. 4646 of 2019

PRESENT: Sh.Sanjeev Kumar as the Appellant
Sh.Mohan Lal –APIO O/o SSP HQ Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 16.10.2019 has sought information regarding notification/advertisement published for recruitment of Sh.Balvir Kumar after retirement of Sh.Mani Ram, total number of candidates applied – copy of rule/regulation for appointment of Balbir Kumar – notification/circular etc. and other information concerning the office of SSP Fazilka. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 27.11.2019 which took no decision on the appeal. After filing first appeal, the PIO sent reply vide letter dated 05.12.2019 stating that the information is 3rd party and the 3rd party Sh.Balvir Kumar has not given its consent to disclose the information.

The case was first heard on 10.06.2020 through video conferencing at DAC, Fazilka. The respondent present pleaded that the information is 3rd party and the 3rd party has not given its consent to disclose its information and the reply has been sent to the appellant on 05.12.2019 and again on 23.03.2020. The appellant pleaded that the information i.e. notification/advertisement, list of candidates, rules/regulations etc. is not the personal information of Sh.Balvir Kumar and the PIO has intentionally denied the information.

Hearing both the parties, the following was concluded:

- | | | |
|---------------|---|--------------------|
| - Point-1 | - | To provide |
| - Point-2 | - | To provide |
| - Point-3 | - | To provide |
| - Point-4 | - | To provide |
| - Point-5 & 6 | - | Not to be provided |

Having gone through the record, the Commission further observed that the PIO has not applied his mind while taking exemption under section 11(1) and has blanketly denied the entire information even which did not qualify u/s 11(1). Further there had been an enormous delay of more than 7 months in providing the information.

The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and filed reply on an affidavit as well as** appear before the Commission along with the written replies. The PIO was again directed to provide the information to the appellant within 10 days.

Appeal Case .No. 4646 of 2019

Hearing dated 22.09.2020:

The case has come up for hearing through video conferencing at DAC Fazilka. The appellant claims that the PIO has not provided the information on point-2. The respondent present pleaded that after retirement of Sh.Mani Ram, no notification or advertisement was issued for filling the post of Langri and Sh.Balvir Kumar son of retired Langri Mani Ram was appointed in the e wholetime Grade-4 employee in compliance of the order dated 04.07.2018 of Director General of Police. The respondent has also submitted reply to the show cause notice.

Having gone through the reply of the PIO, the Commission finds that the RTI has been sufficiently replied and the information has been provided to the best possible extent. Hence the show cause is dropped.

No further course of action is required. The case is **disposed off and closed.**

**Chandigarh
Dated 22.09.2020**

**Sd/-
(Khushwant Singh)
State Information Commissioner**



Sh Prem Narayan Vidayarthi,
C/o Arya Samaj Mandir,
Near Dr Navdeep Hospital,
Fazilka.

... Appellant

Versus

Public Information Officer,
O/o DEO (EE),
Fazilka.

First Appellate Authority,
O/o DEO (EE),
Fazilka.

...Respondent

Appeal Case No. 1004 of 2020

PRESENT: Sh.Prem Narayan as the Appellant
Sh.Davinder Kumar, Legal Assistant-cum-APIO for the Respondent

ORDER:

The appellant through RTI application dated 09.12.2019 has sought information regarding action taken by competent authority relating to suspension case of the appellant on the letter ref.No.SKBDV/PF/PN/22 dated 03.05.2019 issued by Principal SKBDV Centenary Sr.Sec.Public School, Fazilka- entry of students in May,2018 – Gate entry register May 2018 – MOD register April-2019 and other information concerning the office of District Education Officer (EE) Fazilka. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 18.12.2019 which disposed off the appellant on 15.01.2020 stating that as per statement of Principal, SKBDV school, the departmental enquiry is pending at the level of head quarter of DAV college Management Committee and the record was handed over to the enquiry officer and that it is exempt u/s 8(h).

The case has come up for hearing today through video conferencing at DAC FAzilka The respondent present pleaded that the information is not available in their record, however, the information supplied by the school principal vide letter dated 30.01.2020 (total 33 pages) has been provided to the appellant. The respondent further informed that since the SKBDV school is a private school and directly not under the authority of this office, it does not come under the purview of the RTI Act.

Having gone through the record and hearing both the parties, the Commission finds that since the appellant has asked for information of a private school which does not come under the purview of the RTI Act and the information is not in the custody of the office of DEO, the appeal case is rejected.

The case is **disposed off and closed.**

Chandigarh
Dated 22.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Yogesh Mahajan S/o Sh. Kuldeep Raj Mahajan,
Opposite Water Tank, Municipal Market,
Mission Road, Pathankot .
Appellant

Versus

Public Information Officer,
O/o XEN,
Water Supply and Sanitation,
Division No-1, Jalandhar.

First Appellate Authority,
O/o SE, Water Supply and Sanitation Circle,
Jalandhar.

...
...Respondent

Appeal Case No. 1474of 2020

PRESENT: None for the Appellant
Sh.Aalok Arora, SDE for the Respondent

ORDER:

The appellant through RTI application dated 01.02.2020 has sought information regarding works undertaken during the period 01.02.2019 to 01.02.2020 in Sub Division No.1, & 7 Jalandhar, sub division Phillaur – copy of order book 06.01.2019 to 06.01.2020 – tender called and other information concerning the office of Xen, Water Supply & Sanitation Division No.1, Jalandhar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.03.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Jalandhar. The respondent present at Chandigarh and informed that the information has been supplied to the appellant and a copy of the same submitted to the Commission. The appellant is absent and vide email has informed that he has received the information.

Since the information has been provided, no further course of action is required. The case **is disposed off and closed.**

Chandigarh
Dated 22.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Yogesh Mahajan S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank,
Municipal Market, Mission Road,
Pathankot.

Appellant

Public Information Officer,
O/o XEN,
Water Supply and Sanitation,
Division No-1, Jalandhar.

First Appellate Authority,
O/o SE,
Water Supply and Sanitation Circle,
Jalandhar.

...Respondent

Appeal Case No. 1483 of 2020

PRESENT: None for the Appellant
Sh.Aalok Arora, SDE for the Respondent

ORDER:

The appellant through RTI application dated 01.02.2020 has sought information regarding grants received/utilized in the division from 01.02.2019 to 01.02.2020 – comparative statements for works by E-Tendering/online – sanction letter issued for work of CSR to all SDE and other information concerning the office of Xen, Water Supply & Sanitation Division No.1, Jalandhar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.03.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Jalandhar. The respondent present at Chandigarh and informed that the information has been supplied to the appellant and a copy of the same submitted to the Commission. The appellant is absent and vide email has informed that he has received the information.

Since the information has been provided, no further course of action is required. The case **is disposed off and closed.**

Chandigarh
Dated 22.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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



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Sh. Subhash Chander, s/o Sh Dalip Kumar,
R/o village Panjkosi, Tehsil Abohar,
Distt Fazilka .

... Appellant

Versus

Public Information Officer,
O/o Tehsildar,
Abohar, Distt
Fazilka.

First Appellate Authority,
O/o SDM, Abohar,
Distt Fazilka

... Respondent

t

Appeal Case No. 3364 of 2019

PRESENT: None for the Appellant

Sh.J.S.Brar, Tehsildar Abohar for the Respondent

ORDER:

The appellant through RTI application dated 20.06.2019 has sought information regarding joining of Sh.Jaspal Singh Brar, Tehsildar Abohar alongwith educational certificates and other information concerning the office of Tehsildar Abohar. The appellant was not satisfied with the reply of the PIO dated 08.07.2019 whereby the PIO denied the information stating that the information is personal after which the appellant filed first appeal before the First Appellate Authority on 13.07.2019 which disposed off the same on 02.09.2019 upholding the PIO's view.

The case was first heard on 06.01.2020. The respondent was absent. The case was adjourned.

The case was last heard on **17.03.2020**. The appellant claimed that the PIO has not provided the information. The respondent was absent and vide email sought exemption on the plea that their all staff was on field duty as per order of the Deputy Commissioner Fazilka.

Having gone through the file, the Commission observed that there is nothing on record which establishes that there was a larger public interest involved in disclosure of the information. The appellant was directed to bring on record that there is a larger public interest in revealing this information.

Hearing dated 22.09.2020:

The case has come up for hearing today through video conferencing at DAC Fazilka. The appellant is absent, nor has submitted any document which establishes that there is a larger public interest involved in disclosure of the information that he is seeking.

The appellant had been asked to do the same after the commission observed that the RTI application smacked more of a personal vendetta against an officer, rather as an effort to bring out information for a public cause.

Appeal Case No. 3364 of 2019

Even though the appellant has failed to convince the commission that disclosure of the information that he seeks will lead to a larger public interest by absenting himself, I allow disclosure of information , which is part of public record and not personal.

- Point -2, the PIO to provide all places of posting of Jaspal Singh Brar, Tehildar Abohar along with period of posting
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- Point-3, the PIO to provide information relating to all additional charges that the named official has held.
- Regarding point-4, the PIO to provide copy of rule/notification if any available in the record

Since service record/educational qualification and rest of the information being sought is personal information of an officer, and the appellant has failed to avail the opportunity offered to him to establish a larger public interest involved in disclosure of the information, I see no further course of action in this case.

With the above order, the case is **disposed off and closed**.

Chandigarh
Dated 22.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner