

## PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh  
Ph: 0172-2864111, Email: - [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in) Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)



Sh. Sisir Paul Sharma  
S/o Sh. R. P. Sharma,  
# 264, Purani Sarai, (Old-In) Khanna-141401,  
District – Ludhiana(Punjab)

.....Complainant

Vs

Public Information Officer,  
O/o The Registrar,  
Pb. Nurses Registration Council,  
7<sup>th</sup> Floor, Sikhiya Bhawan, Sector 62,  
Phase – 8, S.A.S. Nagar (Mohali) (Punjab)

.....Respondent

### Complaint Case No. 2337 of 2015

#### ORDER

In this case, the judgment was reserved on 27.07.2016.

I have gone over the documents placed on record alongwith the RTI request and found that in this particular case, the notice of hearing was issued in the name of concerned respondent party, who is Public Information Officer office of Registrar, Nurses Registration Council, Punjab and as part information relates with office of 'Nursing Training Institute and Hospital, Garha, Jalandhar', hence, Public Information Officer of office of 'Nursing Training Institute and Hospital, Garha, Jalandhar' was impleaded as respondent party vide orders dated 20.01.2016 by the then Hon'ble State Information Commissioner, Sh. Harinder Pal Singh Mann.

After examining the complete case-file, it is found that on the hearing, held on 27.07.2016, the applicant stated that has received part information from office of Registrar, Nurses Registration Council, Punjab(whatever information relates with the said office) but not from the respondent institute, which is 'Nursing Training Institute and Hospital, Garha, Jalandhar' (which was impleaded as respondent party vide orders dated 20.01.2016). It is also found that the applicant has also not produced/sent/submitted any document, which shows that the respondent institute, which is 'Nursing Training Institute and Hospital, Garha, Jalandhar', is public authority within the meaning under Section 2 (h) of the RTI Act, 2005.

After examining the documents placed on record, I have not found any document, which shows that 'Nursing Training Institute and Hospital, Garha, Jalandhar' is public authority within the meaning under Section 2 (h) of the RTI Act, 2005.

The applicant is advised to send any document, which shows that 'Nursing Training Institute and Hospital, Garha, Jalandhar' is public authority within the meaning under Section 2 (h) of the RTI Act, 2005, to the respondent institute concerned and the respondent institute, if found public authority within the meaning under Section 2 (h) of the RTI Act, 2005, is directed either to supply the certified copies of the required information to the applicant as per his queries raised by him in his RTI request or send a reply, as a rejoinder against the reply filed by the applicant, through registered post at the residential address of the applicant.

With this, the case is disposed of and closed.

Copies of the order be sent to the parties.

25<sup>th</sup> March, 2019

(A. S. Chanduraian)  
State Information Commissioner

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Sh. Harpreet Singh,  
R/o 355, Jassian Road,  
G. T. Road Side,  
Friends Colony,  
Ludhiana-141 008 (Punjab)

.....Appellant

**Vs**

Public Information Officer,  
O/o The Commissioner,  
Municipal Corporation,  
Ludhiana(Punjab)

First Appellate Authority,  
O/o The Commissioner,  
Municipal Corporation,  
Ludhiana (Punjab)

.....Respondent

**Appeal Case No. 3567 of 2015**

**ORDER**

In this case, the judgment was reserved on 20.04.2016.

After examining the complete case-file alongwith the documents placed on record, it is found that the respondent PIO has sent a reply vide letter no. 471 dated 10.02.2016 signed by Public Information Officer-cum-Tax Supervisor( Non-Technical), Zone- D, Municipal Corporation, Ludhiana, which was received in the Commission vide Diary No. 4679 dated 18.02.2016, showing that a reply has already been given to the applicant, Sh. Harpreet Singh vide letter no. 188 dated 21.08.2015, intimating him that the information sought for by the applicant through RTI request is not in 'public interest' under Section 7 (9) under provisions of the RTI Act. It, alongwith annexure, is placed in the case-file.

I have gone over the contents of the response given by the respondent PIO concerned and the queries raised by the applicant through his RTI request and also other documents placed on record, I found that the information sought for by the applicant is personal information in nature, moreover, the applicant has also not produced/sent/submitted any document, which shows that public interest is involved in the disclosure of information, which has been sought for by him through his RTI request.

In view of all the above, the instant appeal case is **disposed of and closed.**

Copies of the order be sent to the parties.

**25<sup>th</sup> March, 2019**

**(A. S. Chanduraian)  
State Information Commissioner**

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Rajinder Singh Litt,  
New Abadi Akalgarh,  
S. B. S. Nagar, Post Office – Halwara A. D.,  
District – Ludhiana - 141106 (Punjab)

.... Appellant

Vs

Public Information Officer,  
O/o The Deputy Commissioner,  
Ludhiana (Punjab)

First Appellate Authority,  
O/o The Deputy Commissioner,  
Ludhiana (Punjab)

.....Respondents

**Appeal Case No. 3608 of 2017**

**ORDER**

This case was last heard on 11.12.2018 and the applicant, Sh. Rajinder Singh Litt, appeared in person and Sh. Jaskiranpreet Singh, Reader to Tehsildar, Raikot, appeared on behalf of the respondent PIO and judgment in this case was reserved.

After examining the case-file, it emerges that the RTI request of the applicant is dated 29.06.2017, first appeal is dated 08.08.2017 and Second appeal has been received in the Commission on 08.12.2017. The notice of hearing has been issued and the case was fixed for hearing for 21.02.2018 and was adjourned for 28.03.2018.

On the hearing, held on 28.03.2018, the requisite information was handed over to the applicant during the hearing in the Commission and an opportunity was given to the applicant to point out deficiencies in the information supplied to him, in writing, to the respondent PIO and the respondent was directed to remove the same. Moreover, an interim compensation of Rs. 10,000/- was also awarded to the applicant and the case was adjourned for 17.04.2018.

On the hearing, held on 17.04.2018, the case was adjourned for 09.05.2018 with an opportunity to the respondent PIO to remove the deficiencies, pointed out by the applicant and also to comply with the orders dated 28.03.2018 passed by the Commission by paying compensation of Rs. 10,000/- (Rupees Ten Thousand only) to the applicant.

On the hearing, held on 09.05.2018, Sh. Gurdev Singh, Tehsildar, Raikot, appeared in person and stated that in response to the RTI request, available information has already been supplied to the applicant, Sh. Rajinder Singh Litt and also submitted a point-wise reply vide letter no. 159 dated 07.05.2018 signed by himself and also handed over a copy of the same to the applicant during the hearing in the Commission. It is placed in the case-file. On that day, the respondent-PIO was also directed to file a reply in an affidavit stating that whatever information is available in the official record, has been supplied to the applicant and no other information apart from the

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information supplied, is available in the official record as far as the queries raised by information seeker in his RTI request is concerned. Sh. Gurdev Singh, Tehsildar, Raikot, had also submitted a written submission dated 07.05.2018 with the request to set aside the order dated 28.03.2018, through which compensation of Rs. 10,000/- was awarded to the applicant as delay caused by the respondent PIO concerned in the instant appeal case in supplying the information to the applicant, was not due to malafide intention. It was taken on record with the fact that a decision on the written submission, regarding set aside the order dated 28.03.2018, would be taken later on and the case was adjourned for 05.06.2018.

On the hearing, held on 05.06.2018, the applicant, Sh. Rajinder Singh Litt, had expressed his dissatisfaction over the information supplied to him, claiming that information supplied is not as per his queries raised by him through his RTI request and the case was adjourned for 19.06.2018 with the directions to the respondent-PIO to supply the certified copies of the required information to the applicant as per his queries raised by him in his RTI request and as per official record.

On the hearing, held on 19.06.2018, the applicant, Sh. Rajinder Singh Litt, submitted a written-submission, through which he has pointed out certain deficiencies in the information supplied to him and handed over the same to the representative of the respondent during the hearing and the case was adjourned for 24.07.2018 with the directions to the respondent-PIO to remove the deficiencies, pointed out by the applicant.

On the hearing, held on 24.07.2018, the respondent PIO had sent a reply vide letter no. 530 dated 23.07.2018 signed by Tehsildar-cum-PIO, Raikot, which was received in the Commission vide Diary No. 25129 dated 04.02.2018, stating that the requisite information has already been supplied to the applicant vide letter no. 28 dated 12.07.2018 and on that day, the applicant, Sh. Rajinder Singh Litt, again had expressed his dissatisfaction over the information supplied to him and the case was adjourned for 04.09.2018, with the directions to the respondent-PIO to file a point wise reply to the queries raised by the applicant in his RTI request as per official record.

On the hearing, held on 04.09.2018, the respondent PIO had sent a reply vide letter no. 756 dated 31.08.2018 signed by Tehsildar-cum-PIO, Raikot, which was received in the Commission through an e-mail, stating that the requisite information has already been supplied to the applicant, Sh. Rajinder Singh Litt vide letter no. 28 dated 12.07.2018. On that day, Sh. Baldev Singh appeared on behalf of the applicant and stated that no information has been received by the applicant so far and the case was adjourned for 24.09.2018 with an opportunity to the respondent-PIO to submit a copy of the letter no. 28 dated 12.07.2018 through which information has been given to the applicant with the directions to send the requisite information to the applicant through registered post/in person at his residential address and produce a copy of the postal/acknowledgement receipt in the Commission.

On the hearing, held on 24.09.2018, the applicant, Sh. Rajinder Singh Litt, again had expressed his dissatisfaction over the information supplied to him and the case was adjourned for

22.10.2018, with the directions to the respondent-PIO to file a point wise reply to the queries raised by the applicant in his RTI request as per official record.

On the hearing, held on 22.10.2018, Sh. Rajinder Singh Litt, had expressed that information supplied is not as per his queries raised by him through his RTI request and Tehsildar, Raikot was directed to represent this case in person to explain the facts of this case and the case was adjourned for 19.11.2018 with an opportunity to the respondent PIO to comply with the orders dated 28.03.2018 passed by the Commission.

On the hearing, held on 19.11.2018, a copy of reply vide letter no. 40 dated 08.10.2018 signed by Tehsildar-cum-PIO, Raikot, was submitted, showing that in response to the RTI request, a point-wise reply has been supplied to the applicant, Sh. Rajinder Singh Litt vide letter no. 39 dated 08.10.2018. The applicant, Sh. Rajinder Singh Litt, through a letter dated 13.11.2018, which was received in the Commission vide Diary No. 23190 dated 16.11.2018, has requested for an adjournment in this case and the case was adjourned for 11.12.2018.

After examining the case-file, it emerges that the respondent PIO concerned has given the required information to the applicant time and again with an intimation to the Commission by filing written submissions/replies and the applicant had expressed his dissatisfaction over the information supplied to him several times.

After going through the submissions (oral submissions/written submissions/ written replies) made by respondent PIO/representatives of the respondent, on the various hearings, held in the Commission before the Bench of the undersigned, it reflects that the respondent PIO concerned has put several efforts time and again to supply certified copies of the available/required information to the applicant as per official record, which shows that there is no malafide on the part of the respondent PIO in supplying the requisite information to the information seeker. I have also reconsidered the written submission made by the respondent PIO concerned, which was submitted vide letter dated 07.05.2018 with the request to set aside the order dated 28.03.2018, through which compensation of Rs. 10,000/- was awarded to the applicant as delay caused by the respondent PIO concerned in the instant appeal case in supplying the information to the applicant, was not due to malafide intention, I am of the considered view that in this particular case grave injustice will be done with the respondent PIO concerned if compensation awarded to the applicant is not waived off.

Hence, in view of all the aspects of this case and taking a lenient view in this particular case, the order dated 28.03.2018, through which interim compensation amount of Rs. 10,000/- was awarded to the applicant, is withdrawn.

In view of all the above, as no cause of action is left in this case, the case is announced as disposed of and closed.

Copies of the order be sent to the parties.

25<sup>th</sup> March, 2019

(A. S. Chanduraian)  
State Information Commissioner