

Jaswant Sarpal S/o Sh. Darbari Lal Sarpal,
H. No. 2220/2, Arian Street,
Inside Mohan Singh Gate,
Amritsar(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Principal Secretary to Govt. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Principal Secretary to Govt. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 3472 of 2021

Present : Sh. Jaswant Sarpal, the appellant in person.
i) Sh. Sukhdev Singh, Superintendent-cum-PIO (LG-I Branch) ;
ii) Sh. Mandeep Singh, Senior Assistant, on behalf of the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 16.04.2021. First appeal is dated 11.06.2021. Second appeal has been received in the Commission on 02.08.2021.

On the last date of hearing, held on 02.02.2022 ;

- i) Sh. Mandeep Kamboj, Senior Assistant-cum-APIO, who stated that complete information was given to the appellant.
- ii) The appellant stated that incomplete information was given to him by the respondent PIO as information at point no. 02 and 03 of RTI request is pending.
- iii) An opportunity was given to the respondent PIO concerned to bring a copy of the information (which was already supplied and copy of remaining information at point no. 02 and 03 of his RTI request) with the relevant official record in the office of State Information Commission, Punjab so that facts of this case could be cleared or the case would be decided on merits.

Sh. Sukhdev Singh, Superintendent-cum-PIO (LG-I Branch), who appeared in person with Sh. Mandeep Singh, Senior Assistant, in today's hearing, states that in compliance to the order dated information at point no. 01 and 02 of the RTI request has been given to the appellant vide letter no. 207 dated 31.01.2022 and information at point no. 03 is 'personal information'. He also states that a reply has also been sent to the Commission vide letter no. 208 dated 31.01.2022, which has been received in the Commission vide Diary No. 3907 dated 24.02.2022.

He (Sh. Sukhdev Singh, Superintendent-cum-PIO) also submits a written-submission dated 25.05.2022 , appended to which is a copy of letter signed by Under Secretary to Government of Punjab, Department of Administrative Reforms vide letter dated 09.08.2021, which shows that through Para 59 of Decision dated 13.11.2019 of the Hon'ble Supreme Court of India has defined 'Personal Information' under RTI Act, 2005 in a Civil Appeal no. 10044 of 2010 titled Central Public Information Officer, Supreme Court of India Vs. Subash Chander Agarwal. Both the above-said replies (dated 31.01.2022 and 25.05.2022) are taken on record.

The relevant operative part of the above-said Judgment is reproduced below ;

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“Reading of the aforesaid judicial precedents, in our opinion, would indicate that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as Personal Information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings etc. are all Personal Information’ . Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, detail of investments, lending and borrowing, etc. are Personal Information’. Such ‘Personal Information’ is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation invasion ‘Larger Public Interest’ is satisfied. This list is indicative and not exhaustive.”

xxx

xxx

xxx

The reply dated 25.05.2022, alongwith annexure(submitted by the respondent) is handed over to the appellant during the hearing in the Commission today

After hearing both the parties and examining the documents placed in the case-file, it is found that information sought by the appellant at point no. 01 and 02 has been supplied and information at point no. 03 through his RTI request is ‘personal information’ in nature, hence, the instant appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Ramandeep Singh Ahluwalia,
Ward Number 18, Street Number 02,
Kartar Nagar, Amloh Road,
Khanna – 141401, District – Ludhiana (Punjab)

.....Appellant

V/s

Public Information Officer
O/o The Executive Officer,
Nagar Council, Amloh Road,
Khanna,
Distt. - Ludhiana (Punjab)

First Appellate Authority
O/o The Regional Deputy Director,
Urban Local Government Punjab,
Ferozepur Road,
Ludhiana(Punjab)

...Respondents

Appeal Case No. 683 of 2019

Present : Sh. Ramandeep Singh Ahluwalia , the appellant in person.
Sh. Varinder Kumar, Assistant Municipal Engineer-cum-APIO, for the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 18.12.2018. First appeal is dated 07.01.2019. Second appeal has been received in the Commission on 20.02.2019.

Sh. Varinder Kumar, Assistant Municipal Engineer-cum-APIO, who appeared on behalf of the respondent PIO in today's hearing, states that complete information has been supplied to the appellant.

The appellant, Sh. Ramandeep Singh Ahluwalia, who appeared in person in today's hearing, states that the information has been received but it is not in a sequence and requested to be provided in a proper manner.

On this, Sh. Varinder Kumar, Assistant Municipal Engineer intimates that information supplied carries large number of pages and if the appellant not find it satisfactory, he can avail the information in a CD Form by providing a CD.

The appellant is advised to submit a CD to the office of the respondent and collect the information in electronic manner.

The respondent PIO concerned is directed to supply the required information to the appellant in electronic form i. e. of CD after collecting the CD from the appellant.

As no cause of action is left in this case, hence, with the above-announced directions, the instant appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Ramandeep Singh Ahluwalia,
Ward Number 18, Street Number 02,
Kartar Nagar, Amloh Road,
Khanna – 141401, District – Ludhiana (Punjab)

.....Appellant

V/s

Public Information Officer
O/o The Executive Officer,
Nagar Council, Amloh Road,
Khanna, Distt. Ludhiana (Punjab)

First Appellate Authority
O/o The Regional Deputy Director,
Urban Local Government Punjab,
Ferozepur Road, Ludhiana(Punjab)

...Respondents

Appeal Case No. 684 of 2019

Present : Sh. Ramandeep Singh Ahluwalia , the appellant in person.
Sh. Varinder Kumar, Assistant Municipal Engineer-cum-APIO, for the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 18.12.2018. First appeal is dated 07.01.2019. Second appeal has been received in the Commission on 20.02.2019.

Sh. Varinder Kumar, Assistant Municipal Engineer-cum-APIO, who appeared on behalf of the respondent PIO in today's hearing, states that available information has been supplied to the appellant and for rest of the information, which is not found traceable in the official-record, a reply dated 19.10.2021 in an affidavit, has also been given to the appellant..

The appellant, Sh. Ramandeep Singh Ahluwalia, who appeared in person in today's hearing, states that he has not received the above-said reply dated 19.10.2021 till date.

Nevertheless, the respondent PIO concerned is directed to re-submit the reply carrying the same contents, which was already given vide letter dated 19.10.2021, under signature of the concerned PIO or APIO and send the same to the appellant within three days from today as well as to the Commission.

As no cause of action is left in this case, hence, with the above-announced directions, the instant appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab



Ramandeep Singh Ahluwalia,
Ward Number 18, Street Number 02,
Kartar Nagar, Amloh Road,
Khanna – 141401, District – Ludhiana (Punjab)

.....Appellant

V/s

Public Information Officer
O/o The Executive Officer,
Nagar Council, Amloh Road,
Khanna, Distt. Ludhiana (Punjab)

First Appellate Authority
O/o The Regional Deputy Director,
Urban Local Government Punjab,
Ferozepur Road, Ludhiana(Punjab)

...Respondents

Appeal Case No. 2209 of 2018

Present : Sh. Ramandeep Singh Ahluwalia , the appellant in person.
Sh. Varinder Kumar, Assistant Municipal Engineer-cum-APIO, for the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 23.01.2018. First appeal is dated 04.03.2018. Second appeal has been received in the Commission on 03.07.2018.

The appellant, Sh. Ramandeep Singh Ahluwalia, who appeared in person in today's hearing, states that information at point no. 03 of the RTI request is still pending.

Sh. Varinder Kumar, Assistant Municipal Engineer-cum-APIO, who appeared on behalf of the respondent PIO in today's hearing, states that available information has been supplied to the appellant and remaining information, is not found traceable in the official-record.

The respondent PIO concerned is directed to submit a reply in an affidavit under signature of the concerned PIO and send the same to the appellant within three days from today as well as to the Commission.

As no cause of action is left in this case, hence, with the above-announced directions, the instant appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab



(Regd. Post) Rajinder Kumar S/o Sh. Mehar Chand,
Ward No. 02, Supreme Enclave,
Near Vishavkarma Bhawan,
Link Road, Mansa(Punjab)

Encl : reply dated 28.02.2022

....Appellant

V/s

Public Information Officer,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 3782 of 2020

Present : None on behalf of the appellant.
Sh. Amit, Senior Assistant, on behalf of the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 07.09.2020. First appeal is dated 07.10.2020. Second appeal has been received in the Commission on 02.12.2020.

On the last date of hearing, held on 09.02.2022 ;

- i) The respondent PIO concerned was directed to supply the certified copies of the complete information to the appellant with a copy to the Commission.
- ii) An opportunity was given to the appellant to confirm whether he received the information and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

Sh. Amit, Senior Assistant, who appeared on behalf of the respondent PIO in today's hearing, states that the remaining information at point no. 03 has already been supplied to the appellant vide letter no. 8365 dated 28.02.2022 through registered post and a reply has also been sent to the Commission, which has been received in the Commission vide Diary No. 4473 dated 04.03.2022. It, alongwith annexure, is taken on record.

The appellant, Sh. Rajinder Kumar, is not present in today's hearing and through a letter dated 24.05.2022, which has been received in the Commission through an e-mail, has intimated the Commission that incomplete information has been given to him by the respondent PIO, appended to which is a 'Medical Certificate' intimating that he is unable to attend today's hearing. It is taken on record.

After going over the queries raised by the appellant through his RTI request and the response given by the respondent PIO concerned and finding it satisfactory, no cause of action is left in this case, hence, the show-cause issued to the concerned respondent PIO vide orders dated 22.03.2021 and the case is announced as disposed of and closed.

A copy of this order, alongwith reply given vide letter no. 8365 dated 28.02.2022 alongwith enclosure, be sent to the appellant through registered post
Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Encl : Reply dated 28.02.2022

(Regd. Post) Rajinder Kumar S/o Sh. Mehar Chand,
Ward No. 02, Supreme Enclave,
Near Vishavkarma Bhawan,
Link Road, Mansa(Punjab)

Encl : reply dated 28.02.2022

....Appellant

V/s

Public Information Officer,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 3783 of 2020

Present : None on behalf of the appellant.
Sh. Amit, Senior Assistant, on behalf of the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 03.09.2020. First appeal is dated 05.10.2020. Second appeal has been received in the Commission on 02.12.2020.

On the last date of hearing, held on 09.02.2022 ;

- i) The respondent PIO concerned was directed to supply the certified copies of the complete information to the appellant with a copy to the Commission.
- iii) An opportunity was given to the appellant to confirm whether he received the information and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

Sh. Amit, Senior Assistant, who appeared on behalf of the respondent PIO in today's hearing, states that the remaining information at point no. 01 has already been supplied to the appellant vide letter no. 8367 dated 28.02.2022 through registered post and a reply has also been sent to the Commission, which has been received in the Commission vide Diary No. 4474 dated 04.03.2022. It, alongwith annexure, is taken on record.

The appellant, Sh. Rajinder Kumar, is not present in today's hearing and through a letter dated 24.05.2022, which has been received in the Commission through an e-mail, has intimated the Commission that incomplete information has been given to him by the respondent PIO, appended to which is a 'Medical Certificate' intimating that he is unable to attend today's hearing. It is taken on record.

After going over the queries raised by the appellant through his RTI request and the response given by the respondent PIO concerned and finding it satisfactory, no cause of action is left in this case, hence, the show-cause issued to the concerned respondent PIO vide orders dated 22.03.2021 and the case is announced as disposed of and closed.

A copy of this order, alongwith reply given vide letter no. 8365 dated 28.02.2022 alongwith enclosure, be sent to the appellant through registered post
Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Encl : Reply dated 28.02.2022



Parveen Kumar Sayal,
"Sayal & Company",
Octroi Contractor,
Sirhind,
Distt. – Fatehgarh Sahib - 140406(Punjab)

....Appellant

V/s

- i) Public Information Officer,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh
- ii) Public Information Officer,
O/o The Director,
Deptt. of Local Government, Punjab,
Establishment Branch,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 3780 of 2020

Present : None on behalf of the appellant.
i) Sh. Kapil, Senior Assistant (Establishment Branch) ;
ii) Ms. Sandeep Kaur, Senior Assistant (LG – III Branch) ; on behalf of the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 06.09.2020. First appeal is dated 06.10.2020. Second appeal has been received in the Commission on 02.12.2020.

Sh. Kapil, Senior Assistant (Establishment Branch) and Ms. Sandeep Kaur, Senior Assistant, LG – III Branch, who appeared on behalf of the respondent PIO in today's hearing, state that complete information has already been supplied to the appellant time and again.

The appellant, Sh. Parveen Kumar Sayal, is not present in today's hearing and through a letter dated 15.05.2022, received in the Commission vide Diary no. 10580 dated 19.05.2022, has intimated the Commission that incomplete information has been given to him by the respondent PIO, appended to which is a 'medical prescription' dated 30.04.2022 (which is in the name of Narinder Kumar). It is taken on record.

After examining the replies filed by the respondent PIOs of various branches, which are placed in the case-file, it emerges that complete information has been supplied by the respondent PIO and finding all the replies satisfactory, no cause of action is left in this case, hence, the show-cause issued, to the concerned respondent PIO office of Director, Local Government, Punjab, Chandigarh, vide orders dated 22.03.2021 and respondent PIO office of Establishment Branch, vide orders dated 22.11.2021 are dropped and the case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab



Parveen Kumar Sayal,
"Sayal & Company",
Octroi Contractor,
Sirhind,
Distt. – Fatehgarh Sahib - 140406(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 3779 of 2020

Present : None on behalf of the appellant.

- i) Sh. Kapil, Senior Assistant (Establishment Branch) ;
- ii) Ms. Sandeep Kaur, Senior Assistant (LG – III Branch) ; on behalf of the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 13.01.2020. First appeal is dated 06.10.2020. Second appeal has been received in the Commission on 02.12.2020.

Sh. Kapil, Senior Assistant (Establishment Branch) and Ms. Sandeep Kaur, Senior Assistant, LG – III Branch, who appeared on behalf of the respondent PIO in today's hearing, state that complete information has already been supplied to the appellant time and again.

The appellant, Sh. Parveen Kumar Sayal, is not present in today's hearing and through a letter dated 15.05.2022, received in the Commission vide Diary no. 10580 dated 19.05.2022, has intimated the Commission that incomplete information has been given to him by the respondent PIO, appended to which is a 'medical prescription' dated 30.04.2022 (which is in the name of Narinder Kumar). It is taken on record.

After examining the replies filed by the respondent PIOs of various branches, which are placed in the case-file, it emerges that complete information has been supplied by the respondent PIO and finding all the replies satisfactory, no cause of action is left in this case, hence, the show-cause issued, to the concerned respondent PIO office of Director, Local Government, Punjab, Chandigarh, vide orders dated 22.03.2021 and respondent PIO office of Establishment Branch, vide orders dated 22.11.2021 are dropped and the case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

P. D. Bansal,
94, City Homes Colony,
Near Spring Dale School,
Khanna (Punjab)

.... Complainant

V/s

- i) Public Information Officer,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh
 - ii) Public Information Officer,
O/o The Superintendent
O/o The Director, Local Government, Punjab,
LG – III Branch, Municipal Bhawan,
Sector 35 - A, Plot No. 03, Chandigarh
 - iii) Public Information Officer,
O/o The Superintendent
O/o The Director, Local Government, Punjab,
Establishment Branch, Municipal Bhawan,
Sector 35 - A, Plot No. 03, Chandigarh
- ...Respondents

Complaint Case No. 411 of 2021

Present : Sh. P. D. Bansal, the complainant in person.
i) Ms. Sandeep Kaur, Senior Assistant (LG-III Branch) ;
ii) Sh. Rajeev Kumar, Building Inspector(Town Planning Wing) ;
iii) Sh. Dalbir Singh, Junior Engineer O/o Improvement Trust, Khanna, on
behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 20.07.2020. The complaint has been received in the
Commission on 05.04.2021.

On the last date of hearing, held on 02.03.2022 ;

- i) The respondent PIO office of Superintendent (LG-III Branch) was directed to supply the certified copies of the complete information to the appellant with a copy to the Commission.
- ii) An opportunity was given to the appellant to confirm whether he received the information and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

Ms. Sandeep Kaur, Senior Assistant (LG-III Branch) ; Sh. Rajeev Kumar, Building Inspector(Town Planning Wing) ;and Sh. Dalbir Singh, Junior Engineer office of Improvement Trust, Khanna, state that the requisite information has already been supplied to the complainant vide letter no.; 819 dated 13.04.2022 and a copy of the same has also been sent to the Commission vide letter no. 820-821 dated 13.04.2022. It, alongwith annexure, is taken on record.

The complainant, Sh. P. D. Bansal, who appeared in person in today's hearing, expresses his dis-satisfaction over the supplied information.

After going over the contents of the reply submitted by the respondent and finding it satisfactory, no cause of action is left in this case.

Moreover, according to para 30 and 31 of the judgment passed by the Hon'ble Supreme Court of India in Civil Appeal no. 10787 to 10788 of 2011 in a case ; Chief Information Commissioner & another V/s State of Manipur and another before Ld. Judges - Sh. Asok Kumar Ganguly and Gyan Sudha Misra, the Commission could not allow to information seeker(complainant) to have access of the information under Section 18 of the RTI Act, 2005 ;

Accordingly, the Commission could not allow access to the information to the information seeker in a complaint case, hence, the show-cause issued to the concerned respondent PIO vide orders dated 29.09.2021 is dropped and the instant complaint-case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Gurmeet Singh
S/o Late Sh. Darshan Singh,
Village – Badal, Tehsil – Malout
Distt. – SriMuktsar SahibPunjab)

.... Complainant

V/s

Public Information Officer,
O/o The Director,
Technical Education and
Industrial Training Department, Pb.,
Sector 36-A, Plot Number 1,
Chandigarh.

...Respondents

Complaint Case No. 1008 of 2021

Present : Sh. Gurmeet Singh, the complainant in person.
i) Sh. Rupinder Singh, Deputy Director(I. T. Wing), in person ;
ii) Sh. Sanjeev Kumar, Senior Assistant ;
iii) Ms. Shelly Gupta, Senior Assistant, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.
The RTI request is dated 27.09.2019. The complaint has been received in the
Commission on 25.11.2019.

- On the last date of hearing, held on 02.03.2022 ;
- i) The respondent PIO concerned was directed to supply the certified copies of the complete information or send a reply in an affidavit to the appellant with a copy to the Commission.
 - ii) The representatives of PIO had intimated the Commission that the requisite information was supplied to the appellant through registered post / an e-mail.
 - iii) An opportunity was given to the appellant to confirm whether he received the information and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

The complainant, Sh. Gurmeet Singh, who appeared in person in today's hearing, states that incomplete information has been given to him by the respondent PIO and information at point no. 04 is still pending.

Sh. Rupinder Singh, Deputy Director(I. T. Wing), who appeared in person with Sh. Sanjeev Kumar, Senior Assistant and Ms. Shelly Gupta, Senior Assistant , in today's hearing, states that available information has already been supplied to the complainant and no other information is in his possession other than provided. He also submits a reply dated 25.05.2022 to the Commission and also handed over the same in original to the appellant during the hearing in the Commission today. A copy of the same is taken on record.

After receiving the above-said reply during the hearing, the appellant gave his consent to close the case.

Since complete information has been supplied by the respondent PIO and the appellant has also given his consent to close the case, hence, no cause of action is left in this case, hence, the case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Jatinder Kumar
C/o Sh. Sachkhand Mishthan Bhandar,
Nehru Gate, NawanShaher (Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Municipal Council,
NawanShaher (Punjab)

First Appellate Authority,
O/o The Regional Deputy Director,
Urban Local Bodies, Pb.,
Jalandhar (Punjab)

...Respondents

Appeal Case No. 2225 of 2019

Present : Sh. Jatinder Kumar, the appellant in person.
Sh. Rajeev Sareen, Executive officer-cum-PIO, in person.

ORDER

Heard in the Commission.

The RTI request is dated 05.03.2019. First appeal is dated 10.04.2019. Second appeal has been received in the Commission on 24.06.2019.

On the last date of hearing, held on 07.03.2022 ;

- i) The appellant stated that a letter dated 07.12.2021 was received from the respondent office, through which he was called to visit the office on 13.12.2021 instead of 07.12.2021 to inspect the relevant record to identify the remaining information.
- ii) Neither the respondent PIO nor any of his representative was present.
- iii) A Bailable Warrant in the name of Public Information Officer of office of Executive Officer, Municipal Council, Nawanshaher, issued through Senior Superintendent of Police, Nawanshaher to present him before the Commission on the fixed dated i. e. today (25th May, 2022).
- iv) Last and final opportunity was given to the respondent PIO concerned to supply the remaining information, to him by registered post with a copy to the Commission.

The appellant, Sh. Jatinder Kumar, who appeared in person in today's hearing, states that part information i. e. copy of cheque through which payment has been made, is still pending and also not found in the official record inspected by him on 20.05.2022.

Sh. Rajeev Sareen, Executive officer-cum-PIO, who appeared in person in today's hearing, states that he has joined recently in the office and available information as per official-record has already been supplied to the appellant and no other information is in his possession other than provided. He also states that a reply vide letter no. 678 dated 20.05.2022 has also been given to the appellant. On that reply, appellant has put his signatures on 20.05.2022 as an acknowledgement of having received the same. A copy of the same has also been sent to the Commission through an e-mail, which is taken on record.

Since available information as per official-record has been supplied to the appellant by the respondent PIO and no cause of action is left in this case, hence, the case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Inderjeet
S/o Sh. Kundan Lal,
Street No. 5/1,
Post Office Wali Gali,
Raama – 151301,
Distt. - Bathinda(Punjab)

.... Complainant

V/s

Public Information Officer,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

The Chief Vigilance Officer,
O/o The Director,
Deptt. of Local Government, Punjab,
(General Branch),
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Complaint Case No. 259 of 2021

Present : Sh. Inderjeet , the complainant in person.
Sh. Amit, Senior Assistant (General Branch) , on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.
The RTI request is dated 23.12.2020. The complaint has been received in the

Commission on 02.03.2021.

On the last date of hearing, held on 18.04.2022 ;

- i) Sh. Rajeev Saggat, Superintendent-cum-APIO, stated that the information demanded through RTI request is regarding action taken report on complaints dated 04.01.2020, 17.02.2020, 18.02.2020 pending in Vigilance Cell for enquiry regarding material used for construction of streets and a reply was given to the appellant vide letter no. 106 dated 12.01.2021 and again vide letter no. 4043-44 dated 25.10.2021, intimating him that no action was taken on the above-said complaints and accurate information can be availed from the General Branch.
- ii) As the information demanded through RTI request relates with office of General Branch, hence, PIO office of General Branch was impleaded as necessary party with the directions to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request.
- iii) An opportunity was given to the respondent PIO concerned to bring a copy of the information (which would be supplied to the complainant) with the relevant official record in the office of State Information Commission, Punjab so that facts of this case could be cleared.
- iv) An opportunity was given to the appellant to confirm whether he received the information or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

The complainant, Sh. Inderjeet ,who appeared in person in today's hearing, states that information has not been given to him by the respondent PIO till.

Sh. Amit, Senior Assistant (General Branch) , who appeared on behalf of the respondent PIO in today's hearing, states that a reply has already been given by the Vigilance Cell to the complainant vide letter no. 1484 dated 11.04.2022 intimating him that no action has been taken on his complaint (on which action-taken report is demanded through RTI request) and a reply has also been sent to the Commission vide letter no. 1485 dated 11.04.2022 , which has been received in the Commission vide Diary No. 10235 dated 16.05.2022. It is taken on record.

After going over the contents of the reply dated 11.04.2022, already placed in the case-file and finding it satisfactory, no cause of action is left in this case.

Moreover, according to para 30 and 31 of the judgment passed by the Hon'ble Supreme Court of India in Civil Appeal no. 10787 to 10788 of 2011 in a case ; Chief Information Commissioner & another V/s State of Manipur and another before Ld. Judges - Sh. Asok Kumar Ganguly and Gyan Sudha Misra, the Commission could not allow to information seeker(complainant) to have access of the information under Section 18 of the RTI Act, 2005 ;

Accordingly, the Commission could not allow access to the information to the Information seeker in a complaint case.

With this, the case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Sewa Singh S/o Sh. Bakhtaur Singh,
V.P.O. – Gige Majra,
Teh. & Distt. Mohali - 140307(Punjab)

....Appellant

V/s

i) Public Information Officer,
O/o The Executive Engineer,
Water Supply & Sanitation,
Division – 3, S. A. S. Nagar (Punjab)

ii) Public Information Officer
O/o The Chairman,
Gram Panchayat Water Supply
and Sanitation Committee,
Gige Majra,
S. A. S. Nagar (Punjab)

First Appellate Authority,
O/o The Executive Engineer,
Water Supply & Sanitation,
Division – 3, S. A. S. Nagar (Punjab)

...Respondents

Appeal Case No. 1203 of 2021

Present : Sh. Sewa Singh , the appellant in person.

- i) Ms. Simran Kaur, Sub Divisional Engineer O/o Water Supply & Sanitation
Division No. - 3, S. A. S. Nagar ;
ii) Sh. Tarsem Singh, Chairman of Gram Panchayat, Water Supply and
Sanitation Committee, Gige Majra , for the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 07.09.2017. First appeal is dated 15.02.2018. Second
appeal has been received in the Commission on 03.03.2021.

On the last date of hearing, held on 18.04.2022 ;

- i) The appellant stated that information at point no. 06, 07 and 08 is still pending. Ms. Simran Kaur, Sub Divisional Engineer office of Water Supply & Sanitation Division no. - 3, S. A. S. Nagar, stated that the requisite information has already been supplied to the appellant and information at point no. 06, 07 and 08 relates with office of Chairman, Gram Panchayat Water Supply Committee Gige Majra, S. A. S. Nagar.
- ii) The respondent PIO has sent a point-wise reply (for remaining information) through a letter dated Nil, signed by Chairman, Gram Panchayat Water Supply and Sanitation Committee, Gige Majra and a copy of the same was handed over to the appellant during the proceeding of the instant appeal-case.
- iii) As the respondent sent the above-mentioned reply to the Commission not to the appellant, hence, directions were given to PIO office of Chairman, Gram Panchayat Water Supply and Sanitation Committee, Gige Majra to send the above-said reply under his signature to the appellant through registered post with a copy to the Commission.
- iv) An opportunity was given to the appellant to confirm whether he received the information/reply or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

The appellant, Sh. Sewa Singh , who appeared in person in today's hearing, states that information at point no. 06, 07 and 08 of the RTI request is still pending to be received from office of Chairman, Gram Panchayat Water Supply Committee Gige Majra, .

Ms. Simran Kaur, Sub Divisional Engineer office of Water Supply & Sanitation Division No. - 3, S. A. S. Nagar, who appeared in person in today's hearing, states that the requisite information, relating to Division No. – 3, has already been supplied to the appellant.

Sh. Tarsem Singh, Chairman of Gram Panchayat, Water Supply and Sanitation Committee, Gige Majra, who appeared on behalf of the respondent PIO in today's hearing, states that in compliance to the order dated 18.04.2022, he has brought a point-wise reply, dated 25.05.2022 signed by himself, to query no. 06, 07 and 08 in the Commission so that the same could be handed over to the appellant during the hearing in the Commission. He also stated that at query no. 08, the information before 01.01.20219 has not been handed over by the earlier Committee members, hence could not supplied to the appellant and information afterwards 01.01.2019 as per official record would be supplied to the appellant positively. He also handed over the point-wise reply dated 25.05.2022 in original to the appellant during the hearing in the Commission today. A copy of the same is taken on record.

After going over the queries raised by the appellant through his RTI request and the replies given by the respondent PIOs concerned and finding it satisfactory, no cause of action is left in this case, hence, the case is announced as disposed of and closed with the directions to the respondent PIO office of Water Supply and Sanitation Committee, Gige Majra to supply the available information at point no. 08 (as stated above) to the appellant by 10.06.2022 under intimation to the Commission.

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Appeal Case No. 4037 of 2020

Ajit Singh Talwandi,
Village – Nikku Chakk,
P. O. – Hajipur, Tehsil – Mukerian,
Distt. – Hoshiarpur – 144221 (Punjab)

....Appellant

V/s

(Regd. Post)

Public Information Officer,
O/o The Director,
Public Instructions (Elem.) Pb.,
P.S.E.B. Complex, Sector 68,
S.A.S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 4038 of 2020

Ajit Singh Talwandi,
Village – Nikku Chakk,
P. O. – Hajipur, Tehsil – Mukerian,
Distt. – Hoshiarpur – 144221 (Punjab)

....Appellant

V/s

(Regd. Post)

Public Information Officer,
O/o The District Edu. Officer (Elem.) Pb.,
Hoshiarpur (Punjab)

...Respondents

Appeal Case No. 4069 of 2020

Ajit Singh Talwandi,
Village – Nikku Chakk,
P. O. – Hajipur, Tehsil – Mukerian,
Distt. – Hoshiarpur – 144221 (Punjab)

....Appellant

V/s

(Regd. Post)

Public Information Officer,
O/o The Director,
Public Instructions (Elem.) Pb.,
P.S.E.B. Complex, Sector 68,
S.A.S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Director,
Public Instructions (Elem.) Pb.,
P.S.E.B. Complex, Sector 68,
S.A.S. Nagar (Mohali) (Punjab)

...Respondents

- i) **Appeal Case No. 4037 of 2020**
- ii) **Appeal Case No. 4038 of 2020**
- iii) **Appeal Case No. 4069 of 2020**

Present : Sh. Ajit Singh Talwandi, the appellant in person.
Sh. Satish Kumar, Superintendent-cum-PIO O/o D. E. O., Hoshiarpur, on behalf of
the respondent and none appeared from office of Director, Public Instructions
(Elem.) Pb., S.A.S. Nagar.

ORDER

Heard in the Commission.

On the last date of hearing, held on 25.04.2022 ;

- i) None came present from office of Director, Public Instructions (Elem.) Pb., S.A.S. Nagar.
- ii) Sh. Satish Kumar, Superintendent-cum-PIO office of District Edu. Officer (Elem.), Hoshiarpur, stated that the requisite information was supplied to the appellant time and again through letters dated 14.06.2020, 06.01.2021, 04.03.2021, moreover, a fresh enquiry was also made and report dated 07.06.2021 was sent to the appellant vide letters dated 08.06.2021, 21.06.2021 and 01.09.2021.

- iii) The appellant stated that incomplete information was given to him by the respondent PIO and whatever information was given to him is not legible.
- iv) As in Cases i. e. A. C. 4037 and A. C. 4069 of 2020 (as above) the RTI requests are addressed to PIO office of Director, Public Instructions (Elem.) Pb., S.A.S. Nagar, hence, a copy of this order was sent to him through registered post with the directions to ensure presence of the concerned PIO to clear the facts of this case.
- v) The concerned parties i. e. i) the appellant and PIOs of office of (ii) District Edu. Officer (Elem.), Hoshiarpur and iii) Director, Public Instructions (Elem.) Pb., S.A.S. Nagar, are directed to be present with the information (already supplied in the instant appeal-case) during the proceedings of the instant appeal-case in the office of State Information Commission, Punjab so that facts of this case could be cleared.

None came present from office of Director, Public Instructions (Elem.) Pb., S.A.S. Nagar.

Sh. Satish Kumar, Superintendent-cum-PIO office of District Edu. Officer (Elem.), Hoshiarpur, who appeared in person in today's hearing, states that the requisite information has already been supplied to the appellant time and again through letters dated 14.06.2020, 06.01.2021, 04.03.2021, moreover, a fresh enquiry was also made and report dated 07.06.2021 was sent to the appellant vide letters dated 08.06.2021, 21.06.2021 and 01.09.2021.

The appellant, Sh. Ajit Singh Talwandi, who appeared in person in today's hearing, states that incomplete information has been given to him by the respondent PIO and whatever information has been given to him is not legible.

On this, Sh. Satish Kumar, Superintendent-cum-PIO, orally states that he has brought the requisite information with relevant office-record in the Commission so that the same could be handed over to the appellant during the hearing.

But during the proceeding of the hearing, the appellant, Sh. Ajit Singh Talwandi refused to take the same and insisting that action be taken against the concerned PIO.

After going over the queries raised by the appellant through his RTI request and the replies given by the respondent PIO concerned and finding it satisfactory, no cause of action is left in this case, hence, the show-cause issued to the concerned respondent PIO vide orders dated 22.03.2021 and the case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Parmod Kumar
S/o Sh. Late Sh. Hem Raj,
H. No. 2650, Watd - 12,
Near Dussehrha Ground,
Kharar, Distt. - Mohali(Punjab)

.... Complainant

V/s

Public Information Officer,
O/o The Labour Commissioner, Punjab,
Labour Bhawan, Model Welfare Centre,
Phase -10, Sector 64,
S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Complaint Case No. 477 of 2020

Present : Sh. Parmod Kumar, the complainant in person.
i) Sh. Harpreet Singh Assistant Labour Commissioner ;
ii) Sh. Jagroop Singh, Clerk, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.
The RTI request is dated 13.03.2020. The complaint has been received in the
Commission on 28.07.2020.

On the last date of hearing, held on 12.01.2022 ;

- i) Sh. Chanchaldeep Singh, Labour Enforcement Officer, S. A. S. Nagar and Ms. Kulwant Kaur, Superintendent-cum-APIO, stated that the requisite information was supplied to the complainant time and again.
- ii) The complainant, Sh. Parmod Kumar, stated that Information at point no. 08 of the RTI request is still pending.
- iii) In the instant complaint-case, to decide the issue (regarding report on letter dated 29.01.2020 filed by the complainant and action taken report on the above-said letter), both the parties i. e. the appellant and the respondent PIO are directed to be present before the bench of the undersigned so that facts of this case could be cleared.

Sh. Harpreet Singh Assistant Labour Commissioner, who appeared in person with Sh. Jagroop Singh, Clerk, in today's hearing, states that the requisite information has already been supplied to the complainant time and again.

The complainant, Sh. Parmod Kumar, who appeared in person in today's hearing, expresses his dis-satisfaction over the supplied information.

After going over the contents of the replies, already placed in the case-file and finding it satisfactory, no cause of action is left in this case.

Moreover, according to para 30 and 31 of the judgment passed by the Hon'ble Supreme Court of India in Civil Appeal no. 10787 to 10788 of 2011 in a case ; Chief Information Commissioner & another V/s State of Manipur and another before Ld. Judges - Sh. Asok Kumar Ganguly and Gyan Sudha Misra, the Commission could not allow to information seeker(complainant) to have access of the information under Section 18 of the RTI Act, 2005 ;

Accordingly, the Commission could not allow access to the information to the information seeker in a complaint case, hence, the instant complaint-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Gurbagh Singh
S/o Sh. Mohinder Singh,
V. P. O. – Jindwari,
Tehsil – Nangal,
Distt. – Roopnagar - 140133(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Executive Engineer,
Punjab Water Supply And Sanitation,
SriAnandpur Sahib (Punjab)

First Appellate Authority,
O/o The Superintending Engineer,
Punjab Water Supply and Sanitation Deptt.,
Chandigarh

...Respondents

Appeal Case No. 3897 of 2021

Present : Sh. Gurbagh Singh, the appellant in person with Sh. Jagdeep Singh Minhas, Advocate.
i) Sh. Harjit Pal Singh, Executive Engineer , in person ;
ii) Sh. Narain Dass, Senior Assistant, for the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 18.05.2021. First appeal is dated 19.07.2021. Second appeal has been received in the Commission on 31.08.2021.

On the last date of hearing, held on 16.05.2022 ;

- i) Sh. Gurbagh Singh, the appellant, who appeared in person with Sh. Jagdeep Singh Minhas, Advocate, stated that incomplete information was given to him by the respondent PIO and through a letter dated 13.05.2022, he has pointed out deficiencies in the supplied information .
- ii) Sh. Harjit Pal Singh, Executive Engineer , stated that available information as per official-record was supplied to the appellant and the appellant is demanding demanded copy of complaints, verbally submitted to office of Deputy Commissioner by local residents against the appellant (Sh. Gurbagh Singh), on the bases of which Sh. Gurbagh Singh was terminated.
- iii) Both the parties i. e. the appellant and the respondent PIO were directed to represent this case in person or through their representative alongwith the information (already supplied in the instant appeal-case) during the proceedings of the instant appeal-case in the office of State Information Commission, Punjab so that facts of this case could be cleared.

The appellant, Sh. Gurbagh Singh, who appeared in person with Sh. Jagdeep Singh Minhas, Advocate, in today's hearing, states that incomplete information has been given to him by the respondent PIO and through a letter dated 13.05.2022, he has pointed out deficiencies in the supplied information and a copy of the same has also been sent to the Commission through an e-mail. It is placed in the case-file.

Sh. Harjit Pal Singh, Executive Engineer , who appeared in person with Sh. Narain Dass, Senior Assistant, in today's hearing, states that available information as per official-record has already been supplied to the appellant and the appellant is demanding demanded copy of complaints, verbally submitted to office of Deputy Commissioner by local residents against the appellant (Sh. Gurbagh Singh), on the bases of which Sh. Gurbagh Singh was terminated. He also intimates the Commission that a reply dated 16.03.2022 as declaration has also been sent to the Commission , which was received in the Commission vide Diary No. 5620 dated 17.03.2022. It is placed in the case-file.

He (Sh. Harjit Pal Singh, Executive Engineer) also handed over a reply dated 25.05.2022 in original to the appellant during the hearing in the Commission today. A copy of the same is taken on record.

After receiving the above-said reply during the hearing, the appellant gave his consent to close the case.

Since complete information has been supplied by the respondent PIO and the appellant has also given his consent to close the case, hence, no cause of action is left in this case, hence, the case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab