**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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Sh Jai Gopal Dhiman,

P.O No-10, Head Post Office,

Hoshiarpur. Appellant.

Versus

**Public Information Officer,**

Executive Engineer,

Kandi Canal Hoshiarpur.

**First Appellate Authority**

Superintendent Engineer,(Circle),

Kandi Canal, Hoshiarpur. ...Respondent

**Appeal Case No. 55 of 2018**

Present : None for the parties.

**ORDER**

 This order may be read with reference to the previous order dated 01.02.2018 vide which the respondent was absent.

2. Today again the respondent is not present. The appellant is also absent today.

3. Last opportunity is given to the respondent to appear before the Commission and state his case, failing which action under Section 20 (1) of the RTI Act 2005 will be initiated.

4. To come up on **20.03.2018 at 11.00 AM**. Copy of the order be sent to the parties **through registered post.**

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh Baljeet Singh,S/o Sh Bachan Singh,

R/o Village Suneet B.R.S Nagar,

Ludhiana. Appellant.

Versus

**Public Information Officer,**

Registrar,

Firm and Societies,

17 Bays Building, Sector-17-C,

Chandigarh.

**First Appellate Authority**

Department of Industries,

17 Bays Building, Sector-17-C,

Chandigarh. ...Respondent

**Appeal Case No. 50 of 2018**

Present : (i) Sh. Baljeet Singh the appellant

 (ii) None is present on behalf of the respondent

**ORDER**

 This order may be read with reference to the previous order dated 01.02.2018 vide which the appellant was absent and one more opportunity was given to him to appear before the Commission.

2. Today, the appellant states that no information has been given to him so far.

3. Respondent is absent today.

4. A perusal of the file shows that the information is lying in the Commission's file, which is handed over to the appellant today in the Commission. The appellant has gone through the same and states that he is satisfied with the information provided.

5. In view of the foregoing, no cause of action is left. The appeal filed by the appellant is, therefore, **disposed of and closed**. Copy of the order be sent to the parties.

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh Pawan Kumar Sharma. S/o Lt Sh Bhagwant Kishore,

H No-585, Phase-2, Mohali. Complainant.

Versus

**Public Information Officer,**

RTI Cell. O/o Directorate,

Industries & Commerce Department,

(Industries Branch), Pb, Chd ...Respondent

**Complaint Case No. 09 of 2018**

Present : (i) Sh. Pawan Kumar the complainant

(ii) For the respondent : Smt. Sunita Kumari, Supdt.-cum-APIO, Smt. Nachhater Kaur, Sr. Assistant and Parminder Kaur, Sr. Assistant

**ORDER**

 This order may be read with reference to the previous order dated 01.02.2018 vide which the respondent was absent.

2. As directed during the last hearing, PIO, o/o Udyog Branch has brought information today in the Commission to deliver it to the complainant, which is handed over to the complainant. The complainant has gone through the same and states that he is satisfied with the information. Therefore, PIO, o/o Udyog Branch is exempted from further hearings.

3. PIO, o/o Directorate Industries has also brought information today in the Commission, which is handed over to the Complainant. Respondent states that some record is not traceable as the record is very old. The respondent is directed either to furnish the necessary information to the complainant or furnish an affidavit saying that the record is not available and has been destroyed. If the record is missing departmental proceeding needs to held and if it has been intentionally misplaced then any criminal action is to be taken on merits of the case for the loss of record. The respondent is also directed to conduct departmental inquiry against the erring officer/official who is responsible for the loss of record and file an affidavit in this regard on the next date of hearing.

**Complaint Case No. 09 of 2018**

4. To come up on **03.04.2018 at 11.00 AM**. Copy of the order be sent to the parties **through registered post.**

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh. Naresh Ghumber,

# B-1864, Street No-4-E, Kailash Nagar,

Tehsil & Distt Fazilka. Complainant.

Versus

**Public Information Officer,**

D.G.S.E,

Phase-8, Mohali..

**Public Information Officer**

O/o DPI(SE),

Punjab School Education Board Complex,

Phase -8, SAS Nagar

 Respondent

 **Complaint Case No. 35 of 2018**

Present : (i) None is present on behalf of the complainant

 (ii) For the respondent: Smt. Veena Verma, Nodal Officer

**ORDER**

 This order may be read with reference to the previous order dated 01.02.2018 vide which the complainant was absent.

2. The complainant is again absent today. He has sent copy of deficiencies to the Commission.

3. Respondent states that the information has already been sent to the Complainant. She further states that some information is lying with DPI(SE), Mohali.

4. Since, some information is to be provided by the PIO, O/o DPI(SE), Mohali. I, therefore, order that PIO, O/o DPI(SE), Mohali be impleaded as Respondent No.2. I further direct that PIO, O/o DPI(SE), Mohali should supply the information to the Complainant before the next date of hearing. **Copy of the RTI be sent to DPI (SE) alongiwth these orders.**

5. Copy of the deficiencies as sent by the appellant is handed over to the respondent o/o DGSE, Punjab with these directions that whatever deficiencies remain in the matter of information demanded by the Applicant should be made good before the next date of hearing.

**Complaint Case No. 35 of 2018**

6. To come up on **03.04.2018 at 11.00 AM**. Copy of the order be sent to the parties through registered post.

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

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Sh Arvinder Singh,

Village Haveli, P.O Mahilpur, Tehsil Garhshankar,

Hoshiarpur. Appellant

'

Versus

**Public Information Officer,**

Director General (School Education)-

-cum-State Project Director, E-Block,

5th Floor, Education Bhawan, Phase-8, Mohali.

**First Appellate Authority,**

Director General (School Education),

Sarv Shiksha Abhiyan, Pb, chd.

**Public Information Officer**,

o/o Secretary, Education, Branch 7,

Mini Sectt., Sector 9, Chandigarh ...Respondent

**Appeal Case No. 41 of 2018**

Present: (i) Sh. Arvinder Singh, the appellant

 (ii) For the respondent: Smt. Veena Verma, Nodal Officer

**ORDER**

This order may be read with reference to the previous order dated 01.02.2018 vide which PIO, o/o Secretary, Education, Branch 7, Mini Sectt., Sector 9, Chandigarh was impleaded as respondent no. 2.

2. The appellant states that no information has been given to him so far.

3. A perusal of the file shows that during the last hearing, PIO, o/o Secretary Education was impleaded respondent no. 2. But today neither the PIO nor his representative is present. Moreover there was conversation on the telephone with Madam Kamla Devi who does not seem to respond properly, which shows that the respondent has no regard for the orders issued by the Commission. This is indeed a serious matter. Therefore, , ***PIO- Smt. Sharandeep Kaur, Supdt-cum-PIO, Education-7, Mini Sectt., Chandigarh*** *is directed*to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon her for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the appellant under Section 19 (8)(b) of the Act for detriment suffered.

**Appeal Case No. 41 of 2018**

 In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. She may note that in case she does not file her submission and does not avail herself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against her ex-parte.

4. PIO, o/o DGSE, Mohali is again directed to file an affidavit mentioning therein that there is no other information which is pending in the office record of the respondent and there is nothing left to be furnished to him.

5. To come up on **03.04.2018 at 11.00 AM**. Copy of the order be sent to the parties **through registered post.**

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

***Through registered post***

CC: *Smt. Sharandeep Kaur, Supdt-cum-PIO, Education-7, Mini Sectt., Chandigarh* **PUNJAB, STATE INFORMATION COMMISSION**

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Sh. Arun Kumar, S/o Sh Ramersh Chander Dutta,

Ward No-8, Near Durga mandir, Balachaur,

SBS Nagar. Appellant.

Versus

**Public Information Officer,**

DPI (S),

Phase-8, Mohali.

**First Appellate Authority**

DPI (S),

Phase-8, Mohali . ...Respondent

**Appeal Case No. 109 of 2018**

Present : (i) Sh. Arun Kumar the appellant

 (ii) for the respondent : Sh. Amandeep Singh, Sr. Assistant

**ORDER**

This order may be read with reference to the previous order dated 01.02.2018

2. The appellant states that he is satisfied with the information pertaining to point no. 3. He further states that he has received complete information except point no. 2.

3. Respondent states that the information pertaining to point no. 2 is lying with Secretary Education, Education -5 Branch, Mini Sectt., Sector 9, Chandigarh .

4. Respondent o/o DPI(SE) is exempted from further hearings. PIO, o/o Secretary Education, Education -5 Branch, Mini Sectt., Sector 9, Chandigarh is directed to come present on the next date of hearing alongwith the information pertaining to point no. 2. ***Copy of the RTI be sent to the Secretary Education, Education -5 Branch, Mini Sectt., Sector 9, Chandigarh alongwith these orders.***

**5.** To come up on 12.03.2018 at 11.00 AM. Copy of the order be sent to the parties through registered post.

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

***Through registered post***

CC: Secretary Education, Education -5 Branch, Mini Sectt., Sector 9, Chandigarh **PUNJAB, STATE INFORMATION COMMISSION**

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E-mail Id- psic27@punjabmal.gov.in.

Sh Robin Garg, S/o Sh Ram Lal,

H No-100, Mohalla Jora Basti, Jakhal Road,

P.O Patran, Distt Patiala Complainant.

Versus

**Public Information Officer,**

District Institute of Education and Training,

Nabha, Distt Patiala.

**First Appellate Authority,**

District Primary Instructions (S),

Phase-8, Mohali. ...Respondent

**Complaint Case No. 4 of 2018**

Present : (i) Sh. Robin Garg the complainant

 (ii) For the respondent: Smt. Archana, PIO

**ORDER**

This order may be read with reference to the previous order dated 01.02.2018.

2. As directed during the last hearing, the complainant is handed over postal order to the respondent today in the Commission.

3. Smt. Archana, PIO has brought original record today in the Commission. She needs some time to provide the same to the complainant.

4. She is directed to bring complete attested, information on the next date of hearing, failing which action under Section 20 (1) of the RTI Act 2005 will be initiated.

5. To come up on **14.03.2018 at 11.00 AM**. Copy of the order be sent to the parties **through registered post.**

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh. Gagandeep Singh Janjua,

Village Turan, Post Office Kumbh,

Tehsil Amloh, District Fatehgarh Sahib-147301

 Appellant

Versus

**Public Information Officer,**

O/o Additional Civil Judge

Sr. Division, Phagwara

Distt. Kapurthala

**First Appellate Authority**

O/o Additional Civil Judge

Sr. Division, Phagwara

Distt. Kapurthala .

..Respondent

**Appeal Case No. 3510 of 2017**

Present : (i) None is present on behalf of the appellant

 (ii) For the respondent : Smt. Amrit Kaur, Reader-PIO

**ORDER**

This order may be read with reference to the previous order dated 25.01.2018 vide which neither the appellant nor the respondent was present.

2. The appellant is absent today. He is not present even on the last date of hearing.

3. Smt. Amrit Kaur the respondent files her reply which is taken on record. Copy of the same be sent to the appellant alongwith the orders. Respondent is directed to file an affidavit on the next date of hearing.

4. It is made clear that in case the appellant does not appear on the next date of hearing , appropriate order in his absence shall be passed.

5. To come up on **14.03.2018 at 11.00 AM**. Copy of the order be sent to the parties.

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh. Harjinder Singh, S/o Shri Kapur Singh

Village Gobindgarh, PO Jugiana

Distt. Ludhiana

 Appellant

Versus

**Public Information Officer,**

O/o DEO(S), Ludhiana

**First Appellate Authority**

O/o DEO(S), Ludhiana .

..Respondent

**Appeal Case No. 3492 of 2017**

Present : (i) None is present on behalf of the appellant

 (ii) For the respondent: Sh. Dilshad Singh, Clerk

**ORDER**

 This order may be read with reference to the previous order dated 25.01.2018 vide which neither the appellant nor the respondent was present.

2. A letter has been received from the appellant vide Commission diary no. 2612 dated 06.02.2018 mentioning therein that he has received the information and is satisfied.

3. In view of the foregoing, no cause of action is left. The appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Red Cross Building, Sector-16, Chandigarh**

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E-mail Id- psic27@punjabmal.gov.in.

Sh. Vivek Baghla, S/o Shri Rakesh Kumar

Baghla, House No, B2857, Bank Colony

Badha Road, Fazilka - 152123

 Appellant

Versus

**Public Information Officer**

O/o District Education Officer (SE)

Fazilka

**First Appellate Authority**

o/o DPI(SE), PSEB, Mohali

 .

.Respondent

**Appeal Case No. 3613 of 2017**

Present : None for the parties.

**ORDER**

This order may be read with reference to the previous order dated 30.01.2018 vide which the appellant was absent.

2. Today neither the appellant nor the respondent is present.

3. One last opportunity is given to the appellant to appear before the Commission **through video conference in the office Deputy Commissioner office , Fazilka**. The respondent should appear before the Commission at Red Cross Building, Sector 16, Chandigarh on **19.03.2018 at 11.00 AM.** Copy of the order be sent to the parties **through registered post.**

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh. Gurcharan Singh, S/o Shri Gurdial Singh

W No. 6, Court Road, Gagowal,

Street # 374, Mansa- 151505 Appellant

Versus

**Public Information Officer**

O/o XEN, Mansa Division,

I.B., Jawaharke

**First Appellate Authority**

o/o SE, Patiala Circle, IB,

Patiala Respondent

**Appeal Case No. 3583 of 2017**

Present : (i) Sh. Gurcharan Singh the appellant

 (ii) For the respondent Sh. Kartar Chand, PIO

**ORDER**

 This order may be read with reference to the previous order dated 30.01.2018 vide which Sh. Kartar Chand, PIO wasdirected to come present.

2. Today, the appellant states that he has received the information except point no. 2. He further states that he has not been provided the information within the time as prescribed under the RTI Act 2005. He has, therefore, suffered mental harassment and financial loss in attending the hearings in the Commission. For this the appellant demands that the Respondent be penalized and he be compensated for the detriment suffered.

3. I have gone through the point no. 2 and found that the appellant has raised query pertaining to point no. 2, for which no information can be supplied, as the information which only exist in the record can be supplied, and the queries are not to be replied.

4. After hearing both the parties, it is observed that appropriate mechanism has not been provided to keep the record properly by the public authority due to which the information / request under RTI Act, 2005 are not being served properly. Therefore, Respondent PIO is warned to be more careful in future while dealing with the matters pertaining to the RTI Act, 2005 and act swiftly.

**Appeal Case No. 3583 of 2017**

5. Since, the information has been provided to the appellant, no cause of action is left. The appeal filed by the appellant is, therefore **disposed of and closed.** Copy of the order be sent to the parties.

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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E-mail Id- psic27@punjabmal.gov.in.

Sh. Trilochan Singh

R/o Prince Electronics Shop no. 29

Sherpur Main Market, Ludhiana

 Complainant

Versus

**Public Information Officer**

O/o Principal , GMT Public School

Jalandhar Bye Pass, Ludhiana

 .

..Respondent

**Complaint Case No. 1336 of 2017**

Present : (i) None is present on behalf of the complainant

 (ii) For the respondent : Sh. Sumit Tiwari, TGT Teacher.

**ORDER**

 This order may be read with reference to the previous order dated 30.01.2018 vide which neither the complainant nor the respondent was present.

2. The complainant is absent today.

3. Respondent files his reply which is as under:-

 "*As desired by you, I hereby intimate that private institutions such as Schools, Hospitals Clubs etc. do not fall within the purview of the Right to Information Act, 2005 and the private institution being run by individuals in personal capacity are not bound to supply any information to any person or any private institution on the application if moved under RTI Act."*

4. Principal, GMT Public School , Jalandhar Byepass, Ludhiana is directed to come present alongwith an affidavit stating that their school i.e. G.M.T. Public School, Jalandhar Byepass, Ludhiana is not covered under the RTI Act on the next date of hearing.

5. To come up on **14.03.2018 at 11.00 AM.** Copy of the order be sent to the parties **through registered post.**

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh. Ajay Sharma, S/o Shri Mangat Ram Sharma

C/o Bhavik Bhardwaj, Advocate

Chamber No. 1004, Lawyers Chamber Complex

Part-II, Ludhiana Appellant

Versus

**Public Information Officer**

O/o PSEB,

Block E, Phase VIII, 5th Floor,

SAS Nagar

**First Appellate Authority**

O/o PSEB,

Block E, Phase VIII, 5th Floor,

SAS Nagar .Respondent

**Appeal Case No. 3589 of 2017**

Present : (i) None is present on behalf of the appellant

(ii) For the respondent : Sh. Satwant Singh, Sr. Assistant , Smt. Karan Jagdish Kaur, PIO and Smt. Rajwinder Kaur, Supdt.

**ORDER**

This order may be read with reference to the previous order dated 30.01.2018

2. The appellant is absent today. He has informed on telephone that he is unable to appear before the Commission and is not satisfied with the information provided by the respondent.

3. Respondents states that the information, as exists, in the record has already been sent to the appellant through registered post. Smt. Karan Jagdish Kaur, PIO has also given in writing that complete information has already been sent to the appellant. She further adds that the appellant can also inspect the record on any working day.

4. After hearing the respondent, it is ascertained that information, as exists, in the record has been sent to the appellant. Respondent has also given in writing that there is no other information which is pending in the office record of the respondent and there is nothing left to be furnished to him. **Copy of the same be sent to the appellant alongwith the orders.**

5. In view of the foregoing, no cause of action is left. The appeal filed by the appellant is, therefore, **disposed of and closed**. Copy of the order be sent to the parties.

**Chandigarh (Preety Chawla)**

**Dated: 26.02.2018 State Information Commissioner**