

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864100-101, Fax 0172 2864110

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Smt. Varinder Kaur Dhanoa,
H.No. 490, Urban Estate Phase 1,
Jalandhar 9501456703

.....Appellant

Vs

Public Information Officer
Sub Registrar-II,
Amritsar

First Appellate Authority
o/o Deputy Commissioner,
Amritsar.

..... Respondents.

Appeal Case No. 1829 of 2019

Present:- Ms. Varinder Kaur Dhanoa, appellant in person.
Shri Amarinder Singh, Reader to Tehsildar, Amritsar-1 on behalf of the Respondents

ORDER

This order may be read with reference to the previous order dated 04.02.2020 vide which the respondents were directed to file an affidavit mentioning that concerned file in which documents on the basis of which marriage registration certificate No.2705 was issued, is not traceable before the next date of hearing and the case was adjourned for today.,

2. In compliance to the previous order, the representative of the respondents submits an affidavit of Shri Manjit Singh, Tehsildar, Amritsar-1 stating that the marriage certificate issued on the basis of fake decree has been declared null and void vide their order dated 3.2.2020. He further states that information sought by the appellant is not traceable in their record. It is also mentioned that the delay occurred in supplying the information because of the appellant has made Sub Registrar Marriages, Amritsar-1 which does not exist. In Amritsar, the post of Registrar of Marriages, Amritsar-1 exists and for delay in supplying the information, he seeks unconditional apology. The respondent-PIO has also mentioned that they have informed the police regarding missing of file.

3. Original affidavit submitted on behalf of the respondent-PIO is handed over to the appellant and certificate declaring marriage null and void have been handed over to the appellant during the hearing and one photocopy each of these documents have been kept by the Commission for its record. Complete information except which is not available in their record, for which an affidavit has been given to the appellant, has been given to the appellant. As per the provisions of RTI Act, 2005 nothing more can be done in this case. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

sd/-

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated 26.02.2020

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Sh. Manpreet Singh,

Municipal. Bhawan, Plot No. 3, Sector- 35,

Chandigarh.

.....Appellant

Vs

Public Information Officer,

O/o Personnel Department (PCS Branch), Punjab,

Main Secretariat, Chandigarh.

First Appellate Authority,

-cum- Deputy Secretary,

Personnel Department, Punjab,

Main Secretariat, Chandigarh.

.....Respondent

Appeal Case No. 25 of 2020

Present:- Shri Manpreet Singh, appellant, in person.

Shri Ram Ishwar, Superintendent along with Shri Sanjeev Sachdeva, Senior Assistant o/o Personnel Department (IAS Branch), Shri Dinesh Kumar and Shri Manoj Kumar, both Senior Assistants on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 6.2.2020 vide which the appellant was advised to establish larger public interest in seeking the information of Mr. Priyank Bharati, IAS before the next date of hearing.

2. The respondents/Local Self Government, Punjab, Chandigarh has supplied complete information concerning point at Sr. No. 2 to the appellant to his satisfaction.

3. The appellant described the larger public interest involved in seeking the information concerning Mr. Priyank Bharti, IAS, in his application, the extract of which, is as under:-

ਮੈਂ ਵੀ ਸਥਾਨਕ ਸਰਕਾਰ ਵਿਭਾਗ ਵਿਚ ਹੀ ਤੈਨਾਤ ਹਾਂ ਅਤੇ ਇਸ ਵਿਭਾਗ ਦਾ ਰੈਗੂਲਰ ਮੁਲਾਜ਼ਮ ਹਾਂ। ਇਸ ਅਧਿਕਾਰੀ ਦੀ ਕਾਰਜਸ਼ੈਲੀ ਅਤੇ ਫੈਸਲੇ ਲੈਣ ਦੇ ਤੌਰ ਤਰੀਕਿਆਂ ਨਾਲ ਚੰਗੀ ਤਰ੍ਹਾਂ ਵਾਕਫ਼ ਹਾਂ। ਮੈਂ ਇਹ ਵੀ ਧਿਆਨ ਵਿਚ ਲਿਆਉਣਾ ਚਾਹੁੰਦਾ ਹਾਂ ਮੇਰੇ ਕੁਝ ਵਿਭਾਗੀ ਮਸਲਿਆਂ ਵਿਚ ਵੀ ਇਸ ਅਧਿਕਾਰੀ ਵਲੋਂ ਬਤੌਰ ਡਾਇਰੈਕਟਰ ਫੈਸਲੇ ਲੈਣ ਦੇ ਤੌਰ ਤਰੀਕਿਆਂ ਨਾਲ ਚੰਗੀ ਤਰ੍ਹਾਂ ਵਾਕਫ਼ ਹਾਂ। ਮੈਂ ਇਹ ਵੀ ਧਿਆਨ ਵਿਚ ਲਿਆਉਣਾ ਚਾਹੁੰਦਾ ਹਾਂ ਮੇਰੇ ਕੁਝ ਵਿਭਾਗੀ ਮਸਲਿਆਂ ਵਿਚ ਵੀ ਇਸ ਅਧਿਕਾਰੀ ਵਲੋਂ ਬਤੌਰ ਡਾਇਰੈਕਟਰ ਫੈਸਲੇ ਲਏ ਗਏ ਸਨ ਜਿਨ੍ਹਾਂ ਵਿਚ ਗੰਭੀਰ ਲੀਗਲ ਉਣਤਾਈਆਂ ਹਨ ਅਤੇ ਜਿਨ੍ਹਾਂ ਵਿਚ ਕੁਝ ਫੈਸਲੇ ਗਲਤ ਸਿਧ ਵੀ ਹੋ ਚੁੱਕੇ ਹਨ ਜਿਸ ਕਾਰਨ ਵੱਖਰੇ

Contd.....p/2

ਤੌਰ ਤੇ ਉਕਤ ਸਾਰੇ ਮਸਲਿਆਂ ਵਿਚੋਂ ਕੁਝ ਮਸਲਿਆਂ ਵਿਚ ਇਸ ਅਧਿਕਾਰੀ ਅਤੇ ਸੰਬੰਧਤ ਵਿਭਾਗ ਦੇ ਅਧਿਕਾਰੀਆਂ-ਕਰਮਚਾਰੀਆਂ ਵਿਰੁਧ ਲੀਗਲ ਕਾਰਵਾਈ ਅਮਲ ਵਿਚ ਲਿਆਉਣ ਦਾ ਪ੍ਰੋਸੈਸ ਚਲਾਇਆ ਹੋਇਆ ਹੈ ਜੋ ਕਿ ਆਣ ਵਾਲੇ ਕੁਝ ਸਮੇਂ ਵਿਚ ਸਿਰੇ ਚੜ੍ਹ ਜਾਣਾ ਹੈ। ਇਸ ਲਈ ਜੋ ਸ਼ਿਕਾਇਤ ਉਸ ਵਕਤ ਦੇ ਸਥਾਨਕ ਸਰਕਾਰ ਮੰਤਰੀ ਵਲੋਂ (ਜੋ ਕਿ ਇਸ ਅਧਿਕਾਰੀ ਦਾ ਉਸ ਵਕਤ ਸੁਪੀਰੀਅਰ ਸੀ) ਵਲੋਂ ਕਰਨਾ ਅਤੇ ਇਸ ਤੇ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਦੀ ਜਾਣਕਾਰੀ ਪਬਲਿਕ ਹਿਤਾਂ ਵਿਚ ਜ਼ਰੂਰੀ ਹੈ।

4. The appellant filed an application dated nil for seeking information to PIO, which was received in their office on 03.06.2019. In response to this letter, the respondent-PIO wrote a letter dated 10.06.2019 asking the appellant to establish larger public interest in seeking the information as per Govt. of India's instructions dated 14.08.2013. The appellant sent his reply dated 25.06.2019 with the respondent-PIO, in response to their letter dated 10.06.2019 establishing larger public interest. The PIO has sent reply vide their letter dated 9.7.19 stating that the appellant has failed to establish larger public interest, hence the information sought by him could not be supplied. The appellant filed first appeal before the First Appellate Authority on 03.08.2019 against the order of Public Information Officer. The First Appellate Authority passed, after due application of mind, a comprehensive speaking order on 23.09.2012 accepting the plea of PIO in view of instruction of Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training, New Delhi's letter dated 14.08.2013 circulated the Central Information Commission's decision dated 26.06.2013 in Manoj Arya vs. Central Public Information Officer, Department of Personnel and Training, New Delhi vide which the information cannot be supplied regarding the performance of an employee/officer in an organization as it is primarily a matter between the employee and employer.

4. After hearing both the parties and going through the record available on the case file, it is ascertained that the appellant has failed to establish larger public interest in seeking the information. The information sought by the appellant revolves around the note written by the minister against the officer and any possible action might have been taken by the concerned department. The appellate authority was very right in deciding that the information was qualified as personal information within the meaning of the provisions of Section 8(i)(j) of the RTI Act,. In this connection, it is pertinent to cite the decision of the Hon'ble Apex Court in SLP (Civil) No. 27734 of 2012 titled Girish Ramchandra Deshpande vs. Central Information Commissioner and others has held in para 13 of the judgment that:-

“We are in agreement with the CIC and the courts below that the details called by the petitioner i.e. copies of all memos issued to third respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter

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between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression “ personal information”, the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual.”

In view of the above observations, judgment delivered by the Hon'ble Apex Court as mentioned above and in the absence of establishing any larger public interest by the appellant, the information sought by the appellant cannot be supplied under Section 8(i)(j) of the RTI Act, 2005 as this matter falls under employee and employer relationship. The Commission observes from the nature of information sought by the appellant that he is trying to settle his individual interest rather than any larger public interest. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 26.02.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Parbind Sharma S/o Sh. Late Sh. Shambu Parshad,
Chamber No. 7019, 7th Floor,
New Court Complex Part –II,
District – Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Sub Registrar (East),
Administrative Complex,
Ludhiana.

First Appellate Authority,
O/o Deputy Commissioner,
Administrative Complex, Ludhiana.

.....Respondents

Appeal Case No. 4553 of 2019 **(Video Conference Proceeding)**

Present:- Shri Gursewak Singh on behalf of the appellant.

Shri Shiv Kumar, Reader to Sub Registrar (East), Ludhiana on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.02.2020 vide which the respondents were directed to decide the matter for supply of information concerning third party information after expiry of 10 date of receipt of notice by third party under Section 11 of RTI Act, 2005 and intimate the appellant accordingly.

2. The representative of the appellant states that no information has been received till date.

3. The representative of the respondents states that their office received reply from third party (whose information has been sought) dated 04.02.2020 stating that the information concerning points at Sr. No. 1 and 3 may not be shared with any person, being his personal information. On the basis of the objections received from the appellant, the respondents rejected the case for supply of information to the appellant. The representative of the respondents states that information concerning point at Sr. No.3 is available on the website of the Punjab Government..

4. After hearing both the parties and going through the record available on the case file, it is revealed that the respondent-PIO has rejected the claim of the appellant to supply the information concerning points at Sr. Nos. 1 and 3 being personal information of third party on

Contd.....p/2

-2-

the basis of the objections raised by the appellant, as per his requirement under the provisions of RTI Act, 2005. The Commission accepts the plea taken by respondent-PIO that the information cannot be supplied as there is no public interest involved in seeking the information. The respondents are directed to provide information concerning point at Sr. No. 2 within seven days from today. In case, the appellant does not receive information concerning point at Sr. No. 2, he is free to approach the public authority with a copy to the Commission within one month from today. With these observations, the present case is disposed of and closed. Copies of the order be sent to the party.

Dated: 26.02.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab

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Sh. Inderjeet Singh RTI Activist,
C/o Chamber No. 141-A,
New Courts, Distt.-Jalandhar.

.....Appellant

Vs

Public Information Officer,
O/o Director Rural Development & Panchayat,
Pb, Vikas Bhawan, Sector-62, SAS Nagar.

First Appellate Authority,
O/o Director Rural Development & Panchayat,
Pb, Vikas Bhawan, Sector-62, SAS Nagar..

Shri Avtar Singh Bhullar,
Joint Director (P)-cum-PIO
o/o Directorate of Rural Development and Panchayats, Punjab,
Vikas Bhawan, Sector 62, SAS Nagar .

.....Respondents

Appeal Case No. 3260 of 2019

Present:- Shri Inderjit Singh, appellant..

Ms. Manju Bala, Senior Assistant on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 08.01.2020 in which it is mentioned that the appellant is not satisfied with the information supplied to him and the respondent-PIO sought time to check up the status in their record again and the case was adjourned to 26.02.2020.

2. The representative of the respondents-Ms. Manju Bala states that they have checked the record again and reiterates that there are only four complaints against Panchayat, Sattowali as already informed to the appellant as well as to the Commission vide their letter dated 27.01.2020 (copies of which have been supplied to the appellant).

3. The appellant is satisfied with the reply given by the representative of the respondents.

4. In view of the statement of the representative of the parties, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 26.02.2020

sd/-

(**Suresh Arora**)

Chief Information Commissioner
Punjab

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Sh. Inderjit Singh RTI Activist,
C/o Chamber No.141-A,
New Court, Jalandhar.

.....Appellant

Vs

Public Information Officer,
O/o Director, Rural Development & Panchayats,
Vikas Bhawan, Phase VIII, Mohali.

First Appellate Authority,
O/o Director, Rural Development & Panchayats, Punjab,
Vikas Bhawan, Phase VIII, Mohali.

Ms. Manjit Kaur, Under Secretary,
o/o Director Rural Development and Panchayats, Punjab,
Vikas Bhawan, Phase VIII, Mohali.

Ms. Kuldeep Kaur,
Block Development and Panchayats Officer,
Adampur, District Jalandhar.

.....Respondents

Appeal Case No. 3284 of 2019
(Video Conference Proceedings)

Present:- Shri Inderjit Singh, appellant, in person.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 30.01.2020 vide which Ms. Kamlesh Rani, Under Secretary was impleaded as a necessary party with the direction to supply the information before the next date of hearing failing which punitive action under the provisions of the RTI Act, 2005 would be initiated against her on the next date of hearing.

2. The appellant states that no information has been received from the respondents till date.

3. The respondents are absent without intimation.

4. The respondents were directed vide this Bench's order dated 21.11.2019 to supply information concerning points at Sr. No. 1 and 5 but the respondents have not complied with this order. It has been brought to the notice of the Commission that Ms. Kamlesh Rani, Under Secretary has been transferred and in her place Ms. Manjit Kaur, Under Secretary, has joined. It has also been brought to the notice of the Commission that this information may be available with BDPO, Adampur (having M.No. 98768-98711). Both Ms. Manjit Kaur, Under Secretary and Ms. Kuldeep Kaur, Block Development and Panchayats Officer, Adampur, District Jalandhar are impleaded as necessary parties with the direction to supply the information concerning points at Sr. No.1 and 5 of RTI application of the appellant before the next date of hearing.

To come up on 18.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar. The appellant is advised to appear through Video Conference Facility at Jalandhar and the representative of the respondents at Chandigarh.

Dated : 26.02.2020

sd/-

(Suresh Arora)

Chief Information Commissioner
Punjab

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Ms. Surinder Kaur,
S/o Sh. Banchit Singh,
Village-Miyawal, Tehsil-Phillaur,
Distt.- Jalandhar.

.....Appellant
Vs

Public Information Officer,
O/o Panchayat Secretary, Gram Panchayat,
Meuwal, Block- Phillaur,
Distt.- Jalandhar.

First Appellate Authority,
O/o Block Development and Panchayat Officer,
Phillaur, District- Jalandhar.

.....Respondents

Appeal Case No. 3252 of 2019
(Through Video Conference)

Present:- Ms. Surinder Kaur, appellant.
Shri Parwinder Singh, Panchayat Secretary (M.No.98762-86201), on behalf of the
respondents.

ORDER

This order may be read with reference to the previous order dated 30.01.2020 vide which the respondent-PIO was directed to send his explanation to the Commission in compliance to the order dated 29.10.2019 for imposing penalty and remove the deficiencies sent by the appellant vide her letter dated 23.01.2020.

2. The appellant states that the respondent-PIO has not removed the deficiencies sent by her on 23.01.2020 but the respondent-PIO states that complete information has been provided to her and nothing has been left, which could be supplied to her as per RTI application for seeking information under the provisions of RTI Act, 2005.

3. Due to disagreement of both the parties in supply/receipt of the information, they are directed to appear before the Commission on 18.03.2020 at 11.00 A.M. with original record pertaining to receipt/supply of information. The respondent-PIO is directed submit his explanation on the next date of hearing.

sd/-

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated 26.02.2020

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Sh. Harvinderpal Singh s/o Sh. Kuldip Singh,
H.No. 210, Sudarshan nagar,
Sultanwind Road, Amritsar 143001

....Appellant

Vs

Public Information Officer,
Tehsildar Amritsar-1
District Administrative Complex, Amritsar.

First Appellate Authority
o/o Sub Divisional Magistrate,
Amritsar-1, Administrative Complex,
Amritsar.

....Respondent

Appeal Case No. 3920 of 2019
(Video Conference Proceedings)

Present:- Shri Hardeep Singh, on behalf of the appellant.
Shri Sukhwinder Singh, Clerk, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 30.01.2020 vide which show cause notice was issued to Shri Manjit Singh, Tehsildar-cum-PIO, Amritsar-1 for imposition of penalty and award of compensation to the appellant for not supplying the information and for non-appearance. Shri Manjit Singh, Tehsildar, Amritsar-1 deputed Shri Harinderpal Singh, APIO to help the appellant in searching old record because the appellant has no exact date of execution for transfer of ownership.

2. Both the parties seek more time to search the record from 1978 to 2018.

3. On the request of both the parties, time is granted. In the order dated 8.1.2020, when Shri Lachhman Singh, Naib Tehsildar, Amritsar-1 appeared on behalf of the respondents stated that it is very difficult to provide information without date of execution for transfer of ownership. Due to non-availability of information being asked for by the appellant without date of execution of transfer of ownership show cause notice issued to Shri Manjit Singh, Tehsildar-cum-PIO, Amritsar-1 for imposition of penalty and award of compensation is withdrawn. However, the respondents are willing to assist the appellant in locating the information. Hence, the respondents are directed to get the record inspected from the appellant since 1975 to 2018 on 2.3.2020 at 11.00 A.M. and supply the information after identification of the documents by the appellant on the spot.

4 To come up on **16.03.2020** at **3.00 P.M.** through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

sd/-

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated 26.02.2020

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Sh. Pritam Singh S/o Sh. Baru Singh,
R/o Vill.- Ghunas, Tehsil Tapa,
District -Barnala. 148108.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block -Sehna, District- Barnala.

.....Respondent

Complaint Case .No. 97 of 2020 (Video Conference Proceeding)

Present:- Shri Priam Singh, complainant.
None on behalf of the respondent-PIO.

ORDER

On the request of the respondent-PIO, this case was adjourned to be heard on 26.02.2020 at 3.00 P.M. through Video Conference Facility available in the office of the Deputy Commissioner, Barnala.

2. The complainant states that he inspected the record of the respondent-Panchayat and identified the documents, copies of which he requires. He further states that the respondent-PIO stated that she will provide the same on 26.02.2020 during the hearing after getting the photocopies prepared. He further states that he has received a phone call from Ms. Sukhpal Kaur, respondent-PIO stating that she cannot appear due to demise of her father.

3. In view of the demise of father of respondent-PIO, the case is adjourned to 16.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Barnala with the advice to supply the information as early as possible.

Dated :26 02.2020

sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Mander Singh S/o Sh. Pritam Singh,
R/o Ghunas,
Tehsil –Tappa,
District –Barnala. 148108

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block – Sehna, District- Barnala.

.....Respondent

Complaint Case .No. 954 of 2019 **(Video Conference Proceeding)**

Present:- Shri Mander Singh, complainant (M.No.75891-36911).

Ms. Sukhpal Kaur, Panchayat Secretary on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 24.02.2020 vide which the complainant was advised to inspect the record on 25.02.2020 and get the copies of the documents after identification on the spot.

2. The complainant states that he inspected the record of the respondents and identified the documents, copies of which he requires. He further states that the respondent-PIO stated on 25.02.2020 that she will provide the same on 26.02.2020 during the hearing after getting the photocopies prepared. He further states that he has received a phone call from Ms. Sukhpal Kaur, respondent-PIO stating that she cannot appear due to demise of her father.

3. In view of the demise of respondent-PIO's father, the case is adjourned to 16.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Barnala.

Dated :26 02.2020

sd/-

(**Suresh Arora**)

Chief Information Commissioner
Punjab

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Sh. Tarsem Lal S/o Sh. Karam Chand,
R/o House No.482, Street No. 5,
Vishnu Nagar, Rahon Road,
Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Administrative Complex,
Ludhiana.

First Appellate Authority,
O/o Commissioner,
Patiala Division,
Patiala.

.....Respondents

Appeal Case No. 4635 of 2019

(Video Conference Proceeding)

Present:- Shri Tarsem Lal, appellant.

Ms. Rajni Bala, Senior Assistant alongwith Shri Shri Ranjit Singh, NSK-1 o/o
Sadar Kanugo, Ludhaina on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.02.2020 vide which PIO/Municipal Corporation, Ludhiana was made necessary party for supplying the information relating to point at Sr. No.2 of his RTI application for seeking information under the provisions of RTI Act, 2005.

2. The appellant states that no information has been provided to him till date by the respondents.

3. The representatives of the respondents state that they have informed the Commission vide their letter dated 20.02.2020, in which it is mentioned that they have issued letters to the appellant on 9.9.2019 and 27.09.2019 to appear before Tehsildar, Ludhiana (East) with original record concerning his complaint but no person appeared on behalf of the appellant. It is further mentioned in that letter that in compliance to the previous order dated 03.02.2020, they tried various times to contact the appellant on his given mobile number, but he has not picked up.

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4. The respondent-PIO office of the Municipal Corporation is absent without intimation.

5. Both the PIOs/Tehsildar, Ludhiana (East) and Municipal Corporation, Ludhiana are directed to take appropriate action on the complaint and intimate the appellant about action taken on his complaint before the next date of hearing failing which punitive proceedings will be initiated on the next date of hearing.

5 To come up on 17.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 26.02.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ www.infocommpunjab.com, Email: pcic20@punjabmail.gov.in



Sh. Ajay Nand alias Ajay kumar Mehta,
R/o C -118, East, Mohan Nagar, (98146-46309)
Chamrang Nagar, Amritsar.

.....Appellant

Vs

Public Information Officer,
O/o Tehsildar,
Amritsar- 1,

First Appellate Authority,
O/o Deputy Commissioner,
Administrative Complex, Amritsar.

.....Respondents

Appeal Case No. 4587 of 2019
(Video Conference Proceeding)

Present:- Shri Ajay Nand, appellant.
Shri Phuman Singh, Kanugo, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.02.2020 vide which the appellant was advised to send citation of the order passed by Central Information Commission regarding supply of personal information of third party but till date no citation has been received from him. Last opportunity is afforded to the appellant to send citation for supply of personal information of third party before the next date of hearing failing which the case will be decided on the merits of the case. After receipt of citation from the appellant, the respondents are directed to take action and intimate the appellant regarding action taken with a copy to the Commission.

2. To come up on 16.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

Dated: 26.02.2020.

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Sh. Mahant Amardeep Singh S/o Sh. Chanan Singh,
R/o # 1529/12, (73071-65600)
Street Karam Singh,
Chowk Karori, Amritsar- I,
District –Amritsar.

.....Complainant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Administrative Complex,
District- Amritsar.

.....Respondent

Complaint Case .No. 1011 of 2019
(Video Conference Proceeding)

Present:- Mahant Amardeep Singh complainant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.02.2020 vide which the respondent-PIO was directed to take appropriate action in public interest under the provisions of RTI Act before the next date of hearing.

2. The complainant states that no information has been provided to him till date by the respondent-PIO.

3. The respondent-PIO is absent without intimation.

4. Last opportunity is afforded to the respondent-PIO to take appropriate action and intimate the complainant regarding action taken to the Complainant under intimation to the Commissioner otherwise punitive action under the relevant provisions of RTI Act, 2005 will be initiated on the next date of hearing.

5. To come up on 16.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

Dated :26. 02.2020

sd/-

(**Suresh Arora**)

Chief Information Commissioner
Punjab

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Madhya Marg, Sector 16, Chandigarh.

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Sh. Sohan Lal Astd. Engineer(Retd.),
R/o House No. 677, MIG, (98144-01531)
Phase –I, Urban Estate, Patiala.

.....Appellant

Vs

Public Information Officer,
O/o Chief Engineer,
Panchayati Raj, Public Work,
Vikas Bhawan, Sector- 62,
SAS Nagar.

First Appellate Authority,
O/o Financial Commissioner,
Rural Development & Panchayat, Pb,
Vikas Bhawan, Sector- 62,
SAS Nagar.

.....Respondents

Appeal Case No. 4490 of 2019

Present:- Shri Sohan Lal Sharma, appellant in person.

Shri Sanjay Kumar Ghai, SDO (Electrical) alongwith Shri Jagjit Singh, Senior Assistant, on behalf of the respondents.

ORDER

2. This order may be read with reference to the previous order dated 28.01.2020 vide which Shri Sanjay Kumar Ghai, SDO (Electrical) was issued show cause notice for award of compensation for not supplying the information within the stipulated period under the provisions of RTI Act, 2005.

2. The appellant states that no information has been supplied to him and he requests that respondents be penalized for not supplying the information within stipulated period under the RTI Act, 2005. On this, the respondents stated that they asked the appellant to deposit Rs.486/-, if he wants to get the information but the appellant failed to deposit the requisite fee, hence, no information has been supplied to him. They further state that they have also informed the appellant that the information sought by him relates to more than one PIOs of the Department and as per DOPT's instructions, it is not the duty of PIO to transfer application for seeking information to more than one PIOs. They are supplying information concerning point at Sr. No. 4, 6, 8 and 9 of his RTI application comprising 24 pages to the satisfaction of the appellant.

Contd.....p/2

3. After hearing both the parties and going through the record available on the case file, it is revealed that the appellant failed to deposit Rs.486/- demanded by the respondents for supply of information and due to this reason, the respondents have not supplied the information. Moreover, the information sought by the appellant relates to various PIOs of the Department. It is the information-seeker to seek information from the concerned PIO, who is the custodian of the record and as per the instructions of DOPT, the PIO is not duty bound to transfer application of the information-seeker to more than one PIOs. Information relating to his office has been supplied to the appellant concerning points at Sr. No.4, 6,8 and 9 of his RTI application comprising of 24 pages. Show cause notice issued to Shri Sanjay Kumar Ghai, PIO-cum-Sub Divisonal Officer (E), Directorate of Rural Development and Panchayats, Punjab, Vikas Bhawan, Mohali is withdrawn. The appellant is advised to seek information from the concerned PIOs, who are the custodian of the record. With these observations, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 26.02.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Mrs. Jarnail Kaur

w/o Shri Jagmail Kaur,

r/o Hargobind Nagar (Mini Chapar),

Tehsil and District Ludhiana.

.....Appellant

Vs

Public Information Officer,

O/o Block Development & Panchayat Officer,

Pakhawal Block, District Ludhiana.

First Appellate Authority

o/o Deputy Commissioner,

District Administrative Complex,

Ludhiana.

..... Respondents

Appeal Case No. 4211 of 2019

(Video Conference Proceeding)

Present:- Shri Jaininder Singh on behalf of the complainant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 28.01.2020 vide which the appellant stated that she has received information on 28.01.2020 and sought some time to peruse the same. In view of the request of the appellant, the present case was adjourned for today with the advice to her to revert back to the authorities in case of deficiencies in the information provided to her.

2. The representative of the appellant states that he could not open the link given by the respondents on the previous date of hearing. He requests that information provided to the information-seeker is not attested.

3. After hearing the representative of the appellant and going through the record available on the case file, it is revealed that information supplied to her is unattested. The respondents are directed to attest the same and help the appellant to open the concerned site/link, so that he can download the information required by him, before the next date of hearing.

5. To come up on 17.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 26.02.2020.

sd/-

(Suresh Arora),

Chief Information Commissioner,
Punjab.

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Sh. Hargunpreet Singh S/o Sh. Harnek Singh,
R/o Village –Gagewal, (97817-67340)
Block –Mahil Kalan,
District – Barnala.

.....Appellant
Vs

Public Information Officer,
O/o Panchayat Secretary, Gagewal,
C/o Block Development & Panchayat Officer,
Block –Mahil Kalan,
District – Barnala.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, Barnala.

.....Respondents

Appeal Case No. 4362 of 2019
(Video Conference Proceeding)

Present:- Shri Hargunpreet Singh appellant.
Shri Sanjeev Kumar, District Development and Panchayats Officer, Barnala alongwith
Shri Bhushan Kumar, Village Development Officer, Block Mahilkalan on behalf of the
respondents.

ORDER

This order may be read with reference to the previous order dated 4.2.2020 vide which the respondents were directed to provide complete information failing which punitive action will be initiated against the respondents.

2. The appellant states that no information has been received in compliance to the previous order dated 4.2.2020. On the other hand the respondents state that they went to the appellant's residence to hand over the information consisting of 61 pages, which he refused to accept. Today in the morning, the respondents sent the complete information to the appellant through registered post. One more copy of work register and estimates is being handed over to the appellant during the hearing.

3. After hearing the parties and going through the record available on the case file, it is revealed that complete information has been provided to the appellant and nothing has been left, which could be supplied to him as per his RTI application under the provisions of RTI Act, 2005. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties. If he has any problem with execution of development work and amount spent on these works, he is at liberty to approach the higher authorities/ Vigilance Department for taking necessary action for conduct of inquiry.

Dated :26 02.2020

sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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Madhya Marg, Sector 16, Chandigarh.

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Sh. Jagdeep Singh S/o Sh. Dilbag Singh,
R/o # 139, Street No. 2, (98141-07139)
Upkar Nagar, Civil Lines, 141001
Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Executive Officer,
Panchayat Samiti,
Dorangla, 143520
District – Gurdaspur.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, Gurdaspur.

.....Respondents

Appeal Case No. 4477 of 2019
(Video Conference Proceedings)

Present:- None on behalf of the appellant..
None on behalf of the respondents (98141-07139).

ORDER

This order may be read with reference to the previous order dated 30.01.2020 in which it is mentioned that the case was adjourned due to absence of the appellant and the respondents were also directed not to appear and the respondents were directed to supply complete information.

2. The appellant is absent but he has sent in writing on 25.02.2020 through e-mail stating that he has received complete information to his satisfaction and requested to file the instant case. In view of the request of the appellant, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 26.02.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Madhya Marg, Sector 16, Chandigarh.

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Sh. Kulwant Singh,
S/o Sh. Phula Singh,
r/o Kharora, Tehsil and District Fatehgarh Sahib.....Appellant

Vs

Public Information Officer-cum-
Panchayat Secretary
o/o Block Development and Panchayats Officer,\
Sirhind, District Fatehgarh Sahib.

First Appellate Authority,
O/o District Development and Panchayats Officer,
Fatehgarh Sahib.

Shri Tejinder Singh, Panchayats Secretary
o/o Block Development and Panchayats Officer,
Sirhind, District Fatehgarh Sahib. Respondents

Appeal Case No. 3330 of 2019

Present:- Shri Kulwant Singh, appellant, in person.
Shri Rajinder Singh alongwith Shri Tejinder Singh, both Panchayats Secretary
and Shri Manpreet Singh, GRS, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 16.12.2019 vide which Shri Tejinder Singh, Panchayats Secretary, was impleaded as a necessary party with the direction to submit a copy of the charge report and BDPO, Sirhind was directed to take necessary steps to provide the complete record to Shri Rajinder Singh, the present Panchayats Secretary. Shri Tejinder Singh, Panchayats Secretary was given show cause notice for imposition of penalty and award of compensation to the appellant for his absence on 15.01.2020 and for not handing over charge to the present Panchayats Secretary-Shri Rajinder Singh.

2. The respondents state that complete information has been provided to the appellant but the appellant states that partial information has been provided to him. Commission discusses point-wise information provided to the appellant one by one with both the parties. After detailed deliberations, it is found that complete information has been provided by the respondents and nothing has been left which could be supplied to him. Hence, the present case is disposed of and closed.

Contd.....p/2

-2-

3. Regarding handing over the charge to the present secretary, Shri Tejinder Singh states that he handed over complete record to one lady Panchayats Secretary, who remains on maternity leave for six month. On her return from maternity leave, she handed over complete record to Shri Rajinder Singh, the present Panchayats Secretary. Accordingly show cause notice issued to Shri Tejinder Singh, former Panchayats Secretary, is dropped.

Dated: 26.02.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.