

# STATE INFORMATION COMMISSION, PUNJAB

## SCO No. 84-85, SECTOR 17-C, CHANDIGARH

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Sh. Surinder Singh (78372-22313)  
S/o Sh. Santokh Singh  
R/o H.No. 1381, Baba Farid Nagar,  
Village Kala Ghanupur,  
Chheharta, Amritsar

Appellant

Versus

Public Information Officer,  
O/o Executive Engineer (Civil)  
Punjab Mandi Board,  
Tarn Taran

First Appellate Authority,  
O/o Superintending Engineer (Public Health)  
Punjab Mandi Board, Punjab Mandi Bhawan,  
Sector 65-A, S.A.S. Nagar

Respondents

### **APPEAL CASE NO.2548 /2015**

**Present:** None on behalf of the Appellant.  
Sh. Suba Singh, Supdt. o/o XEN, Pb. Mandi Board, Tarn Taran – for Respondents.

#### **ORDER**

Arguments were heard on 06.10.2015. Order was reserved for pronouncement on 26.11.2015.

During arguments on 06.10.2015 Sh. Raman Kumar, PIO submitted that all the documents relating to the inquiry specifically the memos on the basis of which the appellant was charge-sheeted and the inquiry initiated, had been given to the appellant. The appellant was not specific in asking for the document which could be identified and got arranged to be supplied to him.

The respondent reiterates as observed in my order dated 06.11.2015; the appellant is a disgruntled dismissed employee who intends to harass his employer by putting up applications on the issues which has no bearing on the public interest. Till date the Commission has dealt with more than his 36 complaints and has arranged to procure him the information. The information sought hovers on similar issues. This forum had observed in that appeal that the appellant is misusing the RTI Act to settle scores with his employer. Obviously these are vexatious applications and are not being preferred in public interest. Such repeated applications by a disgruntled employee whose conduct has been found to be delinquent, adversely affects the functioning of public authority instead of helping and strengthening it and is contrary to the spirit of the RTI Act.

The instant case is also **dismissed** in the light of above observations.

**Sd/**

26.11.2015

**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Pargat Singh (94782-80997)  
S/o Sh. Harnek Singh  
Village Bhedpuri, P.O. Kulara,  
Tehsil Samana, Dist. Patiala

Appellant

Versus

Public Information Officer,  
O/o District Food & Civil Supplies Controller,  
Patiala

First Appellate Authority,  
O/o Director, Food, Civil Supplies & Consumer Affairs, Punjab  
Jeevendeeep Building, Sector 17, Chandigarh,

Respondents

**APPEAL CASE NO. 2421/2015**

**Present:** None on behalf of the Appellant.  
Ms. Shifali, (98766-07588) DFSO, Nabha – for Respondents.

**Order**

Ms. Shifali states that the information sought relates to the Indane and BPL gas companies. The companies were duly directed to provide the information to the appellant. According to her the aforesaid companies have provided the information timely to the appellant. She has also provided the copies of the information thus provided which have been taken on record.

The appellant has sought adjournment due to his indisposition. His request is granted with the caveat that no more adjournment shall be granted. The matter is adjourned to **31.12.2015 at 11.00 AM** for the confirmation of receipt of information by the appellant.

**Sd/**

26.11.2015

**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Ajaib Singh  
S/o Sh. Bhinder Singh  
Village Bishanpura, P.O. Gajewas,  
Tehsil Samana, Dist. Patiala

Appellant

Versus

Public Information Officer,  
O/o Director, Food & Civil Supplies and  
Consumer Affairs, Punjab,  
Jeevandeep Building, Sector -17, Chandigarh.

Public Information Officer,  
O/o District Food & Civil Supplies Controller (DFSC)  
Patiala

First Appellate Authority,  
O/o Director, Food, Civil Supplies & Consumer Affairs, Punjab,  
Jeevandeep Building, Sector 17, Chandigarh

Respondents

**APPEAL CASE NO. 2480/2015**

**Present:** Sh. Ajaib Singh, Appellant in person.  
Sh. Rahul Mittal, (99882-13505), Food Inspector – for Respondents.

**Order**

The appellant and the respondent are present. The information has been sought on six counts which is being taken up point-wise. The information relating to Point No. 1, 3, 5 and 6 has already been provided to the appellant by the office of the DFSC, Patiala which reportedly has been received by the appellant. The information relating to Point No. 4 has been brought along by the respondent and has been handed over on spot to the appellant. The information relating to Point No. 2 relates to the office of the Director, Food & Civil Supplies, Chandigarh who has also been impeded as a Party in the instant case. It is directed that the information be provided to the appellant within ten working days positively. The application in case has not already been forwarded to the Director, Food & Civil Supplies, Pb., by the DFSC, Patiala, it shall be done forthwith.

To come up on **31.12.2015 at 11.00 AM.**

**Sd/**

26.11.2015

(Yashvir Mahajan)  
State Information Commissioner

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Sh. Arun Garg  
S/o Sh. Sham Lal Garg,  
House No.40-41, Central Town,  
Village Dad, Post Office, Lalton Kalan,  
Distt. Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Senior Medical Officer,  
Incharge, Civil Hospital,  
Ludhiana

First Appellate Authority,  
O/o Civil Surgeon,  
Incharge, Civil Hospital,  
Ludhiana

Respondents

**APPEAL CASE NO. 1811/2015**

**Present:** None on behalf of the Appellant.  
Sh. Victor, Clerk, (98159-49225) Civil Hospital, Ludhiana – for Respondents.

**Order**

The appellant as well as PIO is absent. The PIO is also absent. His proxy Sh. Victor is not aware of the facts of the case. Through a communication dated 14.11.2015, the appellant denies the receipt of the information as directed by the bench on 05.10.2015.

To come up **on 31.12.2015 at 11.00 AM.**

**Sd/**

26.11.2015

**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Jiwan Garg  
S/o Sh. Om Parkash Garg,  
R/o House No. B-1/1473-A, Opp. Old Bombay Palace,  
Jakhal Road, Sunam, Distt. Sangrur -148028

Appellant

Versus

Public Information Officer,  
O/o State Information Commission,  
SCO No.84-85, Sector-17-C, Chandigarh

First Appellate Authority,  
O/o State Information Commission,  
SCO No.84-85, Sector-17-C, Chandigarh

Respondents

**APPEAL CASE NO. 1410/2015**

**Present:** Sh. Jiwan Garg, Appellant in person.  
1. Sh. K.L.Jhamb, P.S. to Secretary, PSIC and  
2. Sh. Romesh Kumar, APIO – cum – Section Officer, PSIC – for Respondents.

**Order**

Sh. Jiwan Garg, Appellant is present. He says that the instant second appeal filed before the Commission against the orders passed in first appeal relates to the complaint against a State Information Commissioner. He further submits that it shall be in the fitness of things in case this case is heard by a full bench rather than the incumbent single bench. He has filed a written statement to the above effect also. The respondents do not contest his contention.

The bench also considers that it may not be proper for it to decide an issue singularly where certain insinuations have been made against an Hon'ble Commissioner. Such being the case D.R. is requested to put up this case before the Hon'ble CIC for taking appropriate action in the matter.

**Sd/**

26.11.2015

**(Yashvir Mahajan)**  
**State Information Commissioner**

CC: D.R. - along with original case file.

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Sh. Makhan Singh (99151-69047)  
S/o Sh. Jagir Singh  
Village Bika, P.O. Khan Khana,  
District S.B.S. Nagar – 144514

Appellant

Versus

Public Information Officer,  
O/o Principal Secretary to Govt of Punjab,  
Department of Home Affairs & Justice,  
Punjab Civil Secretariat-1, Chandigarh

First Appellate Authority,  
O/o Principal Secretary to Govt of Punjab,  
Department of Home Affairs & Justice,  
Punjab Civil Secretariat-1, Chandigarh

Respondents

**APPEAL CASE NO.2525 /2015**

**Present:** Sh. Makhan Singh (99151-69047), Appellant in person.  
1. Sh. Gurmit Singh, ASI, Crime Wing, Sec.9, Chd. and  
2. Ms. Parveen, Sr. Assistant, Home 3 Br., Pb. Civil Sectt. – for Respondents.

**ORDER**

The appellant states that he is a dismissed police official whose services were dispensed with for having taken part in an agitation. He further submits that he was reinstated on the order of the Hon'ble Supreme Court of India dated 02.08.1983. However, he has not been able to produce a copy of such order.

Ms. Parveen submits that no such record is available in their office. The appellant has been asked to bring along a copy of the order on the next date of hearing so that the matter can be got pursued in the right perspective.

As far as information on Point No. 5 of the same application which relates to the Orbit Bus Company of the Deputy Chief Minister is concerned, neither it is in the control of the public authority nor it relates to the Institutions working under its control. The appellant is advised to file the application for this information with the Transport Department of the State Government.

To come up on **31.12.2015 at 11.00 AM.**

**Sd/**

26.11.2015

**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Makhan Singh (99151-69047)  
S/o Sh. Jagir Singh  
Village Bika, P.O. Khan Khana,  
District S.B.S. Nagar – 144514

Appellant

Versus

Public Information Officer,  
O/o Principal Secretary to Govt of Punjab,  
Department of Home Affairs & Justice, (Judicial-II Branch),  
Punjab Civil Secretariat-1, Chandigarh

First Appellate Authority,  
O/o Principal Secretary to Govt of Punjab,  
Department of Home Affairs & Justice,  
Punjab Civil Secretariat-1, Chandigarh

Respondents

**APPEAL CASE NO.2526/2015**

**Present:** Sh. Makhan Singh (99151-69047), Appellant in person.  
1. Sh. Gurmit Singh, ASI, Crime Wing, Sec.9, Chd.,  
2. Ms. Parveen, Sr. Assistant, Home 3 Br., Pb. Civil Sectt. and  
3. Sh. Balwinder Kumar, ASI, RTI Cell, Jalandhar – for Respondents.

**ORDER**

Vide my earlier order dated 06.10.2015 the appellant was desired to go through the documents provided to him by the respondent and come up with his observations, if any. Having gone through the same he says that the date of filing his VISA application with the Embassy and consequential details about the rejection of his VISA application has not been intimated to him.

Sh. Balwinder Kumar appearing on behalf of the respondent states that this inquiry has been conducted by Ms. Alka Meena, IPS, Additional Deputy Commissioner of Police and all the documents relating to the inquiry have been handed over to the appellant. The details being asked by the appellant according to him do not figure in the inquiry report. According to him, no information whatsoever has been withheld.

Thus being the case this bench considers that in case the appellant is not satisfied with the outcome or the manner in which the inquiry has been conducted he can take up matter with the higher authorities or can approach the Court. The non-existing information can't be provided to him. In the face of the fact that the respondent having parted with the entire information, no further action is required. The case, accordingly, is **disposed**.

**Sd/**



26.11.2015

(Yashvir Mahajan)  
State Information Commissioner

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Sh. Shyam Singh, Advocate (81980-00590)  
183/9, Jaimal Colony, Near Dulladi Gate,  
Nabha, District Patiala

Appellant

Versus

Public Information Officer,  
O/o Secretary, Market Committee,  
Grain market, Malerkotla Road,  
Nabha, Dist. Patiala

First Appellate Authority,  
O/o Secretary, Market Committee,  
Grain market, Malerkotla Road,  
Nabha, Dist. Patiala

Respondents

### **APPEAL CASE NO.2541 /2015**

**Present:** Sh. Shyam Singh, Advocate (81980-00590), Appellant in person.  
Sh. Paramjit Singh, Secretary, Market Committee, Nabha – for  
Respondents.

#### **ORDER**

This may be read in continuation of my order dated 06.10.2015. Sh. Shyam Singh, appellant states that information with regard to Point Nos. 2, 3, 6 and 7 has been received by him and he is satisfied on that score. As far as Point Nos. 8, 9, 12, 13 and 14 are concerned, partial information relating to them has been supplied.

The respondent submits that details of the budget relating to Point No. 1 shall be handed over to the appellant within ten working days from today. The information concerning Point Nos. 8, 9, 12, 13 and 14, according to the respondent, relate to the headquarter. He was required to forward this application to the headquarter under Section 6(3) of the RTI Act which has not been done by him. Obviously it is a serious lapse. He is directed to arrange to procure the information immediately and inform the appellant without further delay. The Respondent shall intimate in writing a date fixed for inspection of record to the appellant so that the same can be clinched without further delay.

The appellant also apprehends physical harm during the course of inspection. It shall be the responsibility of the respondent to ensure safety of the appellant on visit to his office. Any undesirable treatment of the appellant during the course of inspection shall invite serious view of the Commission.

To come up on **31.12.2015 at 11.00 AM.**

**Sd/**

26.11.2015

**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Balwinder Singh (98155-70282)  
S/o Sh. Kuldeep Singh  
Village Badowal,  
Tehsil & District Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Punjab Wakf Board,  
Civil lines, Opp. Old Courts,  
Ludhiana

First Appellate Authority,  
O/o Punjab Wakf Board,  
SCO 1062-63, Sector 22-B,  
Chandigarh

Respondents

**APPEAL CASE NO.2559 /2015**

**Present:** None on behalf of the Appellant.  
Sh. Danishwar Ali, Additional Law Officer – cum – PIO – for Respondents.

**ORDER**

Sh. Danishwar Ali, PIO – cum – ALO is present who submits that the information asked for, has already been given to the appellant. He has submitted a copy of the information thus provided with the acknowledgement of the appellant. No further action is called for. The matter is **closed.**

**Sd/**

26.11.2015

**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Sanjeev Kumar (94176-05360),  
S/o late Sh. Jasmer Singh,  
H. No.360-A, Vill. Maloya,  
Chandigarh. (UT)

Appellant

Versus

Public Information Officer,  
O/o Director, Industries & Commerce, Pb.,  
Udyog Bhawan, Sector – 17, Chandigarh.

First Appellate Authority,  
O/o Director, Industries & Commerce, Pb.,  
Udyog Bhawan, Sector – 17,  
Chandigarh.

Respondents

**APPEAL CASE NOS.2163 AND 2164 OF 2015**

**Present :** Sh. Sanjeev Kumar (94176-05360), Appellant in person.  
1. Smt. Neelam Dewivedi, APIO and  
2. Smt. Parminder Kaur, Sr. Assistant– for Respondents.

**ORDER**

Since the parties and the issues are similar, single order shall dispose of both the appeals. This may be read in continuation of my order dated 06.10.2015.

The issue came up for hearing. The respondents are clueless about the facts and the status of the case. They are afforded last opportunity to provide the information within seven working days from today. The PIO shall file an affidavit with the Commission describing the reasons of inordinate delay in providing the information to the appellant failing which penal proceedings as envisaged under Section 20(1) of the RTI Act shall be initiated.

To come up on **31.12.2015 at 11.00 AM.**

**Sd/**

Chandigarh  
26.11.2015

**(Yashvir Mahajan)**  
State Information Commissioner

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Sh. Kawaldeep Singh  
H.No. 501/2, Dooma Wali Gali,  
Patiala – 147001

Complainant

Versus

Public Information Officer,  
O/o President, Shiromani Gurdwara Parbhadak Committee (SGPC)  
Amritsar

Respondent

**COMPLAINT CASE NO.1871 /2015**

**Present :** None on behalf of the Complainant.  
Sh. Simarjit Singh, (88720-27273), PIO, SGPC, Amritsar – for Respondent.

**ORDER**

Sh. Simarjit Singh, PIO has come along with an information which could not be passed on to the complainant on account of his absence. The respondent is directed to send it to the complainant under a registered cover. The respondent further contends that the complainant is seeking it in a proforma devised by him and since this information relates to more than a 100 of institutions, it is taking sometime to collect.

The Commission observes that it is not the obligation of the public authority to collate the information to provide it to the information seeker. The applicant cannot devise its own proforma and dictate the public authority to provide the information according to it. The public authority is duty bound to provide it to an applicant in the form it is.

With this observation the public authority is again advised to provide the information available with it before the next date of hearing positively.

To come up on **05.01.2016 at 11.00 AM.**

26.11.2015

**(Yashvir Mahajan)**  
**State Information Commissioner**

