

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh. Surjit Singh, S/o Sh. Gokul Singh,
VPO Jarg, Tehsil Payal,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o DPI (EE),
Phase-8, Mohali.

First Appellate Authority,
O/o Secretary, Education Department,
Phase-8, Mohali.

...Respondent

Appeal Case No. 3255 of 2020

PRESENT: None for the Appellant
Sh.Tejbir Singh, Jr Assistant O/o DEO Fatehgarh Sahib

ORDER:

The appellant through RTI application dated 15.07.2020 has sought information regarding memo No.18/127-15m/2(5) dated SAS 22/19 – a copy of file relating to posts lying vacant and filled from 13.04.1991 and other information as enumerated in the RTI application concerning the office of DPI(EE) Mohali. The appellant was not provided the information after which the appellant filed first appeal before the First appellate Authority on 17.08.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Mohali. The respondent has brought the information.

The appellant is absent and vide email has sought exemption. The respondent is directed to send the information to the appellant through registered post with a copy to the commission.

The Commission observes that there has been enormous delay of one year in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO-DEO Fatehgarh Sahib to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

To come up for further hearing on **27.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mohali. The appellant to appear through VC at DAC Ludhiana.

Chandigarh
Dated:28.07.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Jagtar Singh,
2028, Sector-66,
Mohali.

... Appellant

Versus

Public Information Officer,
O/o DEO (EE),
Phase-8, Mohali.

First Appellate Authority,
O/o DPI (EE),
Phase-8, Mohali.

...Respondent

Appeal Case No. 3430 of 2020

PRESENT: Sh.Jagtar Singh as the Appellant
Mrs.Kulwant Kaur, Steno for the Respondent

ORDER:

The appellant through RTI application dated 28.08.2020 has sought information regarding the copy of the complaint on which was enquired in Govt Primary School Manakpur Sharif by Krishan Puri, Smt.Ravinerpal Kaur and Smt.Neena Rani on 06.08.2019 along with enquiry report and statement of witnesses and other information as enumerated in the RTI application concerning the office of DEO(EE) Mohali. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 07.10.2020 which took no decision on the appeal. After filing the first appeal, the PIO sent a reply to the appellant on 28.10.2020 that the enquiry is pending at the level of Committee members, the information cannot be provided.

The case has come up for hearing today through video conferencing at DAC Mohali. The respondent present stated that the enquiry report of the enquiry conducted on 06.08.2020 along with a copy of the statement has been provided to the appellant vide letter dated 12.05.2021.

The appellant claims that the enquiry had already been conducted on 06.08.2019 but the PIO vide letter dated 28.10.2020 sent a misleading reply that the enquiry is pending at the level of Committee members and hence the information cannot be provided.

Hearing both the parties, the PIO is directed to send the status of the case at the time of filing the RTI application. This reply should be filed on an affidavit to the Commission.

The case is adjourned. To come up for further hearing on **27.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated:28.07.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Harbans Singh, S/o Sh. Gurcharan Singh,
Patti Chahalan, VPO Bhawanigarh,
Distt Sangrur.

... Appellant

Versus

Public Information Officer,
O/o DEO (Primary),
Magzine Mohalla, Sangrur.

First Appellate Authority,
O/o DEO (EE),
Magzine Mohalla Sangrur.

...Respondent

Appeal Case No. 3310 of 2020

PRESENT: None for the Appellant
Sh.Din Dayal, Superintendent-cum-PIO for the Respondent

ORDER:

The appellant through RTI application dated 22.07.2020 has sought information regarding the audited balance sheet for 31.03.2016 to 31.03.2020 of Heritage Public School, Rampura and Baba Sahib Das Public School Phaguwala – fee structure for the years 2016-17, 2-17-18, 2018-19, 2019-20, 2020-21 – a copy of affiliation of Kinder Garden classes – a copy of building safety certificate and other information as enumerated in the RTI application concerning the office of DEO(Primary) Sangrur. The appellant was not satisfied with the reply of PIO dated 28.07.2020 after which the appellant filed the first appeal before the First Appellate Authority on 05.08.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Patiala. The respondent present pleaded that the information has already been supplied to the appellant vide letter dated 28.07.2020.

The appellant is not satisfied with the reply of the PIO on all points.

Having gone through the RTI application and the reply of the PIO, the Commission directs the PIO to apprise the commission whether copies of audited balance sheets of private schools are in the custody of the department or not?

Further, the PIO has not replied appropriately regarding the building safety certificate sought in the RTI application. It may be noted that the Commission in its order (472 of 2020) has already directed the Education Department, Punjab to issue necessary instructions to all Govt and Private Schools to suo motto upload/paste building safety certificates on their website/notice board, and the PIOs reply that the information is not with the education department but with the PWD department is a blasphemous lie. Even in the event of the information not being in the DEO's custody, it should have been transferred to the concerned department u/s 6(3) of the RTI Act.

Appeal Case No. 3310 of 2020

The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time as well as for inappropriate reply and willful blocking the information.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies. The DEO(EE) Sangrur to appear personally on the next date of hearing.

To come up for further hearing on **23.08.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Sangrur.

Chandigarh
Dated:28.07.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Jaspal Singh S/o Sh Surji tSingh,
H No-157, Street NO-8-A,
Manjit Nagar, Bhadson Road,
Patiala.

... Appellant

Versus

Public Information Officer,
O/o DC,
Patiala.

First Appellate Authority,
O/o DC,
Patiala.

...Respondent

Appeal Case No. 3447 of 2020

PRESENT: Sh.Jaspal Singh as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 27.07.2020 has sought information regarding forms A,B,C,D deposited by unaided school u/s 3(2) of Punjab Regulation of fee of unaided educational Institutions Act 2016 and other information as enumerated in the RTI application concerning the office of DC Patiala. The appellant was not satisfied with the reply of PIO dated 24.08.2020 after which the appellant filed the first appeal before the First Appellate Authority on 31.08.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Patiala. The appellant claims that the PIO has not supplied the information.

The respondent is absent without intimation.

Having gone through the RTI application, the PIO is directed to provide whatever information is available in the record relating to points-2 to point-6. The decision on point-1 will be taken on the next date of hearing.

To come up for further hearing on **28.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated: 28.07.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Yogesh Mahajan, S/o Sh. Kuldeep Raj Mahajan,
Opposite Water Tank, Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o XEN,
Water Supply and Sanitation Division-1,
Patiala.

First Appellate Authority,
O/o SE,
Water Supply and Sanitation Circle,
Patiala.

...Respondent

Appeal Case No. 3468 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 01.08.2020 has sought information regarding comparative statements approved by competent authority for works under e-tendering from 01.08.2019 to 01.08/2020 and by tender works – sanction letter for work of CSR to all SDE and other information as enumerated in the RTI application concerning the office of Xen Water Supply and Sanitation Division No.1, Patiala. The appellant was not provided with the information after the appellant filed the first appeal before the First Appellate Authority on 10.09.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Patiala. Both the parties are absent.

The case is adjourned. The appellant is directed to appear personally at the VC site for the pursuance of this case.

To come up for further hearing on **28.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Patiala. The appellant to appear through VC at DAC Pathankot.

Chandigarh
Dated: 28.07.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Jagjit Singh,
R/o # B-32/E-13/216-A, Aman Nagar,
Street NO-3, Backside Green Land School,
Near Jalandhar Bye Pass, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o DPI (EE),
Phase-8, Mohali.

First Appellate Authority,
O/o DPI (EE),
Phase-8, Mohali.

...Respondent

Appeal Case No. 2656 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through the RTI application dated 30.12.2019 has sought information regarding NOC provided to Green Land Kindergarten School(elementary) Jalandhar bye-pass Ludhiana for taking CBSE board application and complete file of the same from the office of Director Public Instruction Elementary Education Punjab, Mohali. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 13.02.2020 which took no decision on the appeal.

The case came up for hearing first on 24.02.2021 through video conferencing at DAC Mohali. The respondent present from the office of DEO(EE) Ludhiana informed that they only provide approval to schools from first to eighth class and not to pre-primary class schools. Further, the approval/NOC to private schools is being granted by DEO(SE).

Since there was no clarity that which authority provides a NOC to Kindergarten schools. Sh.Kuldeep Singh, Dy. DEO(EE) (present today) was directed to check which is the competent authority to provide NOC to Kindergarten Schools and transfer the RTI application to them u/s 6(3) of the RTI Act to provide information.

Hearing dated 28.07.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. Both the parties are absent.

The Commission has received a copy of a letter dated 15.04.2021 through email from the PIO vide which the PIO-DEO(EE)Ludhiana has transferred the RTI application to the District Programme Officer, Department of Social Security and Women & Child Development, Ludhiana. The PIO has also sent a copy of the reply dated 17.05.2021 of the District Programme Officer to PIO-cum-DEO(EE) Ludhiana stating that they have not received any instructions from their head office regarding play way schools.

Appeal Case No. 2656 of 2020

The appellant is absent and vide email has informed that the PIO has not provided the information.

The PIO- District Programme Officer, Department of Social Security and Women & Child Development, Ludhiana is impleaded in the case and directed to appear before the Commission on the next date of hearing and file an appropriate reply.

To come up for further hearing on **27.09.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO-DPI(E) to appear through VC at DAC Mohali.

Chandigarh
Dated:28.07.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : PIO- District Programme Officer,
Department of Social Security and
Women & Child Development,
Ludhiana