

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
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Sh Pardeep Singh,
S/o Sh Kripal Singh,
VPO Uggi, Tehsil Nakodar,
Distt Jalandhar

.....Appellant

Vs

Public Information Officer,
O/o Branch Manager,
Jalandhar Central Cooperative Bank Ltd,
Jalandhar

Regd. Post **Public Information Officer,**
O/o Assistant Registrar,
Nakodar

.....Respondent

CC.No. 13 of 2019

Present: None is present on behalf of the complainant
For the respondent : Sh. Avtar Singh, AM and Sh. SomNath, A.R.

ORDER

This order may be read with reference to the previous order dated 14.02.2019 vide which PIO,o/o A R.,Nakodar was impleaded as respondent no. 2.

2. The complainant is absent today.
3. Sh.Som Nath states that he has transferred to Jalandhar. Hence, Sh.Sukha Singh, D.R ,Nakodar is directed to come present on the next date of hearing, failing which action under Section 20(1) of the RTI Act will be initiated.
4. To come up on **17.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 29.05.2019

(Preety Chawla)
State Information Commissioner

Through registered post

CC: Sh.Sukha Singh, D. R. o/o Assistant Registrar, Nakodar

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Sh. Raminderjit Singh
House No. 741, Sunny Enclave, Kharar
Distt. Mohali

.....Appellant

Vs

Regd.Post **Public Information Officer,**
O/o Accounts Officer cooperative Societies
Room No. 449, Third floor, District Administrative Complex,
Sector 76, SAS Nagar , Mohali

First Appellate Authority –cum
O/o Accounts Officer cooperative Societies
Mohali

Registered post: **Public Information Officer**
o/o SSP, Mohali

.....Respondent

AC.No. 3848 of 2018

Present: (i) Sh.Raminderjit Singh the appellant
 (ii) For the respondent : Sh.Manish Sharma, APIO

ORDER

This order may be read with reference to the previous order dated 08.04.2019 vide which PIO,o/o SSP, Mohali was impleaded as respondent no. 2.

2. Sh.Manish Sharma, APIO,o/o Cooperative Societies has filed an affidavit which is as under:-

ਮੈਂ, ਪਰਮਜੀਤ ਸਿੰਘ ਆਂਡਿਟ ਅਫਸਰ ਸਹਿਕਾਰੀ ਸਭਾਵਾਂ ਮੋਹਾਲੀ ਬਿਆਨ ਕਰਦਾ ਹਾਂ ਕਿ ਕਪਤਾਨ ਪੁਲਿਸ ਇੰਨਵੈਸਟੀਗੇਸ਼ਨ ਜਿਲ੍ਹਾ ਮੋਹਾਲੀ ਨੇ ਪੱਤਰ ਨੰ: 1498 5ਏ ਐਸ.ਪੀ. ਇੰਨਵੈਸਟੀਗੇਸ਼ਨ ਮਿਤੀ 09.08.2017 ਦੇ ਰਾਹੀਂ ਲਿਖਿਆ ਗਿਆ ਸੀ। ਕਿ ਸੰਬੰਧਤ ਕਰਮਚਾਰੀ ਨੂੰ ਸਭਾ ਦੀਆਂ ਆਂਡਿਟ ਰਿਪੋਰਟਾਂ ਸਮੇਤ ਉਨ੍ਹਾਂ ਦੇ ਦਫਤਰ ਭੇਜਿਆ ਜਾਵੇ। ਇਸ ਲਈ ਮੇਰੇ ਵਲੋਂ ਸ੍ਰੀ ਸੰਜੀਵ ਸੇਤੀਆ ਨਰੀਖਕ ਪੜਤਾਲ ਸਹਿਕਾਰੀ ਸਭਾਵਾਂ ਦਾਊ ਮਾਜਰਾ(ਨਰੀਖਕ ਪੜਤਾਲ ਦੀ ਸਾਹਿਬਜ਼ਾਦਾ ਸਹਿਕਾਰੀ ਮਕਾਨ ਉਸਾਰੀ ਸਭਾ) ਨੂੰ ਜੁਬਾਨੀ ਅਦੇਸ਼ ਦਿੱਤੇ ਗਏ ਸਨ ਕਿ ਪੁਲਿਸ ਵਿਭਾਗ ਨਾਲ ਤਾਲਮੇਲ ਕਰਕੇ ਦੀ ਸਾਹਿਬਜ਼ਾਦਾ ਸਹਿਕਾਰੀ ਮਕਾਨ ਉਸਾਰੀ ਸਭਾ ਦੀਆਂ ਆਂਡਿਟ ਰਿਪੋਰਟਾਂ ਸਮੇਤ ਉਨ੍ਹਾਂ ਕੋਲ ਹਾਜ਼ਿਰ

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NOTE

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AC.No. 3848 of 2018

3. Original affidavit is handed over to the appellant. PIO, o/o Cooperative Societies is exempted from further hearings.
4. The perusal of the file shows that during the last hearing PIO, o/o SSP, Mohali was impleaded as respondent no. 2. But today neither the PIO nor his representative is present, which shows that the respondent has no regard for the orders issued by the Commission. This is indeed a serious matter.
5. In view of the above, ***PIO, o/o SSP, Mohali 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 him 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.

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. He may note that in case he does not file his submission and does not avail himself 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 him ex-parte.

6. To come up on **17.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 29.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Hari Singh,
S/o Harbans Singh,
Village-Vah Tara Singh,
Kaji Kot Road, Near Pool Rohi,
Tehsil-Patti, Distt-Tarn Taran

.....Complainant.

Vs

Public Information Officer,
O/o District Food Supply and controller,
TarnTaran
First Appellate Authority,
O/o Director,
Food Civil Supplies and Consumer Affairs,Pb,
Anaj Bhawan, Sector-39C, Chandigarh

.....Respondent

AC .No. 3964 of 2018

Present: Sh. Hari Singh the appellant
For the respondent : Sh. Mukesh Kumar, AFSO

ORDER

This order may be read with reference to the previous order dated 13.02.2019 vide which the respondent was directed to provide legible copy of the information to the appellant.

2. Respondent states that he has brought legible copy of information today in the Commission, which is handed over to the appellant. The appellant Sh. Hari Singh has gone through the same and states that incomplete information has been given to him.

3. After hearing both the parties and examining the information , it is ascertained that the information provided by the respondent is not complete. Hence the respondent is directed to provide complete and legible information to the appellant within 2-3 days, failing which action under Section 20 (1) of the RTI Act 2005 will be initiated.

4. To come up on **17.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 29.05.2019

(Preety Chawla)
State Information Commissioner

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Smt. Poonam Jeirath, w/o Shri Sukumar Jeirath
house No. 660, Sector 4, Panchkula

.....Complainant

Vs

Public Information Officer,
o/o Markfed, Punjab
Sector 35, Chandigarh
Registered post :- (ii) **Public Information Officer**
O/o Cooperation Department, Pb
Sector-9, Mini Sectt, Chandigarh

.....Respondent

CC. No. 1225 of 2018

Present: Sh. Sukumar Jerath on behalf of the complainant
Smt. Kamaldeep Kaur, Inspector RCS, Sh. Davinder Pal Singh, Smt.
Kamali Devi, Sh. Baldev and Smt. Sukhraj Kaur,

ORDER

This order may be read with reference to the previous order dated 29.05.2019.

2. The complainant states that no information has been given to him so far. The respondent has sought some time.

3. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

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CC. No. 1225 of 2018

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

4. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

5. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Sd/-

Chandigarh
Dated: 29.05.2019

(Preety Chawla)
State Information Commissioner

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Sh Harkeerat Singh,
#74, Punjab Judges and Officers Enclave,
Sector-77, Mohali (M-8360614527)

.....Complainant.

Vs

Public Information Officer,
O/o Registrar Societies, Punjab
Sector 17-D, Chandigarh
First Appellate Authority,
O/o Secretary,
Co-operative, Punjab
Sector 17-D, Chandigarh

.....Respondent

AC .No. 584 of 2019

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Sh.Davinder Pal Singh, Sr. Assistant and Sh.
Jasvinder Singh, ARCS, Mohali

ORDER

This order may be read with reference to the previous order dated 01.04.2019 vide which the respondent was directed to bring point wise specific reply.

2. Today the appellant is absent.
3. Respondent has failed to file point-wise reply.
4. Last opportunity is given to the respondent to file his point wise reply on the next date of hearing.
5. To come up on **17.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 29.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Rajinder Kumar,
S/o Sh Raj Kumar,
Ward No.18/22, Karo Road,
Mandi Harji Ram, Malout,
Distt Sri Mukatsar Sahib

.....Complainant.

Vs

Public Information Officer,
O/o District Food Supply and controller,
TarnTaran
First Appellate Authority,
O/o Director,
Food Civil Supplies and Consumer Affairs, Pb,
Anaj Bhawan, Sector-39C, Chandigarh .

AC No. 3981 of 2018

Present: (i) None is present on behalf of the appellant
(ii) For the respondent:- Sh. Amit Kumar, Inspector

ORDER

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

2. The appellant is not present. The Respondent states that the required information has already been given to the appellant and has shown the acknowledgment given by the appellant in token of having received the information.

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

Sd/-

Chandigarh
Dated: 29.05.2019

(Preety Chawla)
State Information Commissioner

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Smt Kamaljeet Kaur,
W/o Sh Pritpal Singh,
Village Barsal, Distt Ludhiana

.....Complainant.

Vs

Public Information Officer,
O/o District Social Security Officer,
Ludhiana
First Appellate Authority-cum-
Deputy Director, Social Security Women.
And Child Department, Pb, Chd

.....Respondent

AC .No. 3869 of 2018

Present: None for the parties.

ORDER

This order may be read with reference to the previous order dated 20.03.2019 vide which the respondent was absent.

2. Today the appellant is absent She has informed on phone that she is unable to attend today's hearing, as she is not well today.
3. Respondent is also absent.
4. The perusal of the file shows that the respondent was absent for the second consecutive hearing. This shows that the respondent has no regard for the orders issued by the Commission. 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 will be initiated.
5. To come up on **17.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 29.05.2019

(Preety Chawla)
State Information Commissioner

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Sh Raju Ambedkar, #311, Lotus Tower,
Near BMC Chowk, Jalandhar

.... Appellant

Versus

1.Public Information Officer,
O/o Punjab State Commission for Scheduled Castes,
4th Floor, Room No.8,Pb Civil Sectt, Chandigarh

First Appellate Authority-cum-
Chairman, Punjab State Commission for
Scheduled Castes, 4th Floor, Room No.8,
Pb Civil Sectt, Chandigarh

2.Public Information Officer
O/o Director Investigation Bureau
Punjab Police Headquarter, Sector 9
Chandigarh

Regd Post: 3. Public Information Officer
o/o Social Justice empowerment and Minority Department,
SCO 128-129, Sector 34A, Chandigarh

....Respondent

AC No. 2216 of 2018

Present: (i) None for the Appellant.
(ii) For the Respondent: Sh Suresh Masih, Supdt.

ORDER

This order may be read with reference to the previous order dated 13.02.2019.

2. The Appellant is not present today.

3. Sh Suresh Masih O/o Respondent no.3 is appearing today. He states that the complete information has been sent to the Appellant. He has also given in writing that the complete information has been provided to the Appellant and that there is nothing pending in this regard.

4. Since the complete information has been provided to the Appellant, no further cause of action is left. Therefore, the Appeal case filed by the Appellant is disposed off and closed. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 29.05.2019

(Preety Chawla)
State Information Commissioner

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Sh.Surjit Singh, House No. 2990/76
Street No.4, Guru Gobind Singh Nagar
Near Mair Di Chowki,PO Daba, Ludhiana

.....Appellant

Vs

Public Information Officer,
o/o Commissioner, MC, Ludhiana
First Appellate Authority
o/o Commissioner, MC, Ludhiana

.....Respondent

AC No.4109 of 2018

Present: (i) None for the Appellant.

(ii) For the Respondent: Sh Inderjit Singh, HDM

ORDER

This order may be read with reference to the previous order dated 20.03.2019.

2. The Appellant is not present today.

3. The Respondent states that the complete information has been sent to the Appellant. He has also given in writing that the complete information has been provided to the Appellant and that there is nothing pending in this regard.

4. In view of the foregoing, no further cause of action is left. Therefore, the Appeal case filed by the Appellant is disposed off and closed. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 29.05.2019

(Preety Chawla)
State Information Commissioner

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Sh. Sohan Lal, S/o Shri Laxman Ram
VPO Jagatpura, Block Mukandpur
Distt. SBS Nagar- 144507

.....Appellant

Vs

Public Information Officer,
o/o Food commissioner Punjab
Punjab Laboratory, Sector 11, Chandigarh
First Appellate Authority
o/o Secretary Health and Family Welfare Department Punjab
Mini Sectt, Sector 9, Chandigarh
2. **Public Information Officer,**
O/o Civil Surgeon, Ludhiana
3. **Public Information Officer,**
O/o Family health and welfare Deptt, Pb
Branch Health-I, Mini Sectt,
Sector-9, Chandigarh

.....Respondent

AC No.4060. of 2018

Present: (i) None for the Appellant.

(ii) For the Respondent: Sh Yogesh Goyal, PIO and Sh Vijay, Clerk

ORDER

This order may be read with reference to the previous order dated 20.03.2019.

2. The Appellant is not present today.

3. The Respondent O/o civil surgeon, Ludhiana and Respondent O/o Family Health and Welfare Deptt, Pb are appearing today. The Respondent states that the complete information has been sent to the Appellant. He has also given in writing that the complete information has been provided to the Appellant and that there is nothing pending in this regard.

4. Hence the respondent has given in writing, no further cause of action is left. Therefore, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 29.05.2019

(Preety Chawla)
State Information Commissioner

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Sh Vijay Hans, Advocate
House no-31, Satya Niwas,,
Silver City, Zirakpur-140603

.....Complainant.

Vs

Public Information Officer,
O/o Supdt. Food Branch-1,
Food and Civil Supplies Department, Pb, Chd
First Appellate Authority-cum-
Principal Secretary,
Food Civil Supply and Consumer Affairs,
Pb, Chandigarh
Punjab Civil Secretariate-II,
Sector-9, Chandigarh

.....Respondent

AC .No. 3919 of 2018

Present : (i) Sh Vijay Hans, the Appellant.
(ii) For the respondent : Smt Baljinder Kaur, Supdt. And Sh Naib Chand,
Sr Asstt.

ORDER

This order may be read with reference to the previous order dated 29.05.2019.

2. The Respondent states that the information sought by the Appellant is third-party information and that the so-called third-party has also given his consent that not to provide his information to the Appellant. The Respondent has also filed their reply in this regard. Copy of the same is handed over to the Appellant.

3. In the aforementioned circumstances, no further cause of action is left. Therefore, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 29.05.2019

(Preety Chawla)
State Information Commissioner