

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864119, Email: - psic29@punjabmail.gov.in

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Shri Ravinder Pal Singh Chaddha, (M: 98142-28629)

30, Banda Bahadur Nagar,

Jalandhar.



.....Appellant.

Vs

Public Information Officer,
O/ o Municipal Corporation,
Jalandhar.

First Appellate Authority,
O/o Joint Commissioner,
Municipal Corporation,
Jalandhar.

.....Respondent

Appeal Case No. 1641 of 2020

Present:- Shri Ravinder Pal Singh Chaddha, appellant is present.
None present on behalf of the SPIO, O/o Municipal Corporation, Jalandhar.

O R D E R

Shri Ravinder Pal Singh Chaddha, appellant filed RTI application dated 02.12.2019 and sought some information from the SPIO, O/o Municipal Corporation, Jalandhar.

Today the case is heard through CISCO Webex Meetings Software.

The appellant is present today, whereas none has appeared on behalf of the SPIO. The appellant stated that he has received the information, but complete information has not been provided to him by the SPIO.

The Commission has received an e-mail sent by the appellant and it is submitted by him that he has received the information vide Memo No. 3445/MTP dated 28.08.2020 sent by the SPIO, but the copies of notices served to the concerned persons have not been provided to him by the SPIO.

The SPIO though is absent today, but he has sent an e-mail, which is a copy of letter no.3444/MTP dated 28.08.2020.

I have gone through the RTI application dated 02.12.2019 and also gone through the letter sent by the SPIO. The appellant sought information regarding the notices served to the concerned persons through para no.4 of the RTI application and the SPIO replied that no record is available in the office of the Municipal Corporation, Jalandhar regarding para no.4 of the RTI application.

As the SPIO has resolved the matter involved in the RTI application and provided the information to the appellant, which was available in his office, so the present appeal case is **disposed of and closed.**

(Avtar Singh Kaler)

State Information Commissioner, Punjab

Dated: 29.09.2020

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30, Banda Bahadur Nagar,

Jalandhar.

.....Appellant.

Vs

Public Information Officer,

O/ o Municipal Corporation,

Jalandhar.

First Appellate Authority,

O/o Joint Commissioner,

Municipal Corporation,

Jalandhar.

.....Respondent

Appeal Case No. 1643 of 2020

Present:- Shri Ravinder Pal Singh Chaddha, appellant is present.
Shri Jaspal Singh, APIO-cum-Draftsman is present on behalf of Shri Ravinder Kumar, SPIO-cum-Assistant Town Planner, O/o M.C. Jalandhar.

O R D E R

Shri Ravinder Pal Singh Chaddha, appellant filed RTI application dated 02.12.2019 and sought some information from the SPIO, O/o Municipal Corporation, Jalandhar.

Today the case is heard through CISCO Webex Meetings Software.

Both the parties are present today. The respondent APIO stated that specifically para-wise information/reply was sent to the appellant vide letter no.MTP/798 dated 23.09.2020.

The Commission has received an e-mail sent by the SPIO, which is a copy of letter no.MTP/798 dated 23.09.2020 along with copies of information.

The appellant stated that he has received the information, but the information sought through para no.2 of the RTI application regarding the report of changing the roof has not been provided to him by the SPIO.

I have gone through the RTI application dated 02.12.2019 and also gone through letter no.MTP/798 dated 23.09.2020 sent by the SPIO. The appellant sought information regarding the report of changing the roof through para no.2 of the RTI application and the SPIO replied that this information is third party information, hence cannot be provided.

As the SPIO has resolved the matter involved in the RTI application and provided specifically para-wise information/reply to the appellant, so the present appeal case is **disposed of and closed.**

(Avtar Singh Kaler)

Dated: 29.09.2020

State Information Commissioner, Punjab

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Shri Ravinder Pal Singh Chaddha, (M: 98142-28629)
30, Banda Bahadur Nagar,
Jalandhar.

.....Appellant.

Vs

Public Information Officer,
O/ o Municipal Corporation,
Jalandhar.

First Appellate Authority,
O/o Joint Commissioner,
Municipal Corporation,
Jalandhar.

.....Respondent

Appeal Case No. 1644 of 2020

Present:- Shri Ravinder Pal Singh Chaddha, appellant is present.
Shri Narinder Kumar, Clerk is present on behalf of the SPIO, O/o Municipal Corporation, Jalandhar.

O R D E R

Shri Ravinder Pal Singh Chaddha, appellant filed RTI application dated 04.12.2019 and sought some information from the SPIO, O/o Municipal Corporation, Jalandhar.

Today the case is heard through CISCO Webex Meetings Software.

Both the parties are present today. The respondent stated that specifically para-wise information/reply was sent to the appellant vide letter no.1533/P.Tax/RTI dated 22.09.2020.

The Commission has received a mail sent by the SPIO on 25.09.2020, diarized vide no.12833, which is a copy of letter no. 1533/P.Tax/RTI dated 22.09.2020 along with attested copies of information. I have gone through the said letter and copies of information.

The appellant stated that he has received the information sent by the SPIO, but the information regarding para no.1 of the RTI application is incomplete as complete copies of receipts has not been sent to him by the SPIO.

The present appeal case is **disposed of and closed** with a direction to the SPIO that the attested copies of complete information regarding para no.1 of the RTI application be sent to the appellant through registered post within 5 days and compliance be sent back to the Commission.

Dated: 29.09.2020

**(Avtar Singh Kaler)
State Information Commissioner, Punjab**

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Shri Ravinder Pal Singh Chaddha, (M: 98142-28629)

30, Banda Bahadur Nagar,

Jalandhar.



.....Appellant.

Vs

Public Information Officer,

O/ o Municipal Corporation,

Jalandhar.

First Appellate Authority,

O/o Joint Commissioner,

Municipal Corporation, Jalandhar.

.....Respondent

Appeal Case No. 1645 of 2020

Present:-

Shri Ravinder Pal Singh Chaddha, appellant is present.

Shri Bal Krishan, APIO-cum-Inspector is present on behalf of the SPIO, O/o Municipal Corporation, Jalandhar.

O R D E R

Shri Ravinder Pal Singh Chaddha, appellant filed RTI application dated 17.12.2019 and sought some information from the SPIO, O/o Municipal Corporation, Jalandhar.

Today the case is heard through CISCO Webex Meetings Software.

Both the parties are present today. The respondent APIO stated that specifically para-wise information/reply was sent to the appellant vide letter no.1528/P.Tax dated 18.09.2020.

The Commission has received a mail sent by the SPIO on 21.09.2020, diarized vide no.12477, which is a copy of letter no. 1528/P.Tax dated 18.09.2020 along with attested copies of information. I have gone through the said letter and copies of information.

The appellant, Shri Ravinder Pal Singh Chaddha stated that he has received the information/reply sent by the SPIO and he is satisfied with the same.

As the SPIO has resolved the matter involved in the RTI application and sent the sought for information/reply to the appellant and the appellant is satisfied with the information/reply, so the present appeal case is **disposed of and closed**.

Dated: 29.09.2020

**(Avtar Singh Kaler)
State Information Commissioner, Punjab**

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Dr. Jasbir Singh Aulakh, (M: 98728-44163),
S/o Shri Modan Singh,
Street No.1, Guru Teg Bahadur Nagar,
Handiaya Road, Barnala.

..... Appellant

Vs

Public Information Officer,
O/o Director,
Health Services, Punjab,
Sector 34, Chandigarh.

First Appellate Authority,
O/o Director,
Health Services, Punjab,
Sector 34, Chandigarh.

.....Respondent

Appeal Case No. 1375 of 2020

Present:- Dr. Jasbir Singh Aulakh, appellant is absent.
Shri Vikram Batish, Sr. Asstt is present on behalf of the SPIO, O/o Director,
Health Services, Pb., Chd.

O R D E R

Dr. Jasbir Singh Aulakh, appellant filed RTI application dated 11.03.2020 and sought some information from the SPIO, O/o Director, Health Services, Punjab, Chandigarh.

Today the case is heard through CISCO Webex Meetings Software.

The appellant is absent today, whereas the respondent has appeared on behalf of the SPIO.

The Commission has received an e-mail sent by the SPIO-cum-Suptd., O/o Directorate, Health and Family Welfare, Punjab (Estb. Branch-3), which is a copy of letter no.4091-92 dated 08.09.2020. I have gone through the said letter.

The appellant, Dr. Jasbir Singh Aulakh, though is absent today, but he has informed telephonically that he has received the sought for information and he is satisfied with the information.

As the SPIO has resolved the matter involved in the RTI application and sent the sought for information to the appellant and the appellant is satisfied with the information, so the present appeal case is **disposed of and closed**.

Dated: 29.09.2020

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Rakesh Kumar Gupta, Advocate, (M: 98149-24851),
R/o 8/237, Jagroan Road,
Mandi Mullanpur,
Distt. Ludhiana.

.....Appellant.

Vs

Public Information Officer,
O/ o DGP, H.Q., Punjab,
Sector-9, Chandigarh.

First Appellate Authority:
O/o DGP, H.Q., Punjab,
Sector-9, Chandigarh.

.....Respondent

Appeal Case No. 4706 of 2019

Present:- Shri Rakesh Kumar Gupta (Advocate), appellant is absent.
None present on behalf of the SPIO, O/o DGP, H.Q., Punjab, Chandigarh.

ORDER

Shri Rakesh Kumar Gupta (Advocate), appellant filed RTI application dated 10.12.2019 and sought some information from the SPIO, O/o DGP, H.Q. Punjab, Sector-9, Chandigarh.

Today the case is heard through CISCO Webex Meetings Software.

Both the parties are absent today.

Shri Rakesh Kumar Gupta (Advocate), appellant filed RTI application dated 10.12.2019 and sought information from the SPIO, O/o DGP, H.Q. Punjab, Sector-9, Chandigarh regarding the service matters related to DSP Gurbans Singh Bains. The information sought by the appellant through his RTI application is as follows :

1. Certified details of records of dismissal of DSP Gurbans Singh Bains (Now posted as DSP Dakha in Ludhiana Rural police) including petitions filed, replies filed, statements of witnesses and records submitted in the trial of courts.
2. Certified details of records of Inquiry cases against DSP Bains including complaints and representations filed, replies filed, statements of witnesses and records submitted in the Inquiry offices.
3. Certified details of records of representations/applications filed by DSP Bains and his family members or other with police department, in Inquiry cases and court cases against DSP Bains, replies filed by police department, officials or other persons, statements of witnesses and records submitted.

4. Certified details of records of case properties. Its present status and records of delivering back the case properties.
5. Certified copies of FIRs registered against DSP Bains during his service in police forces.
6. Certified copies of departmental inquiries and actions against DSP Bains during the service in police forces.
7. Since the information pertains to attack on RTI Activist and Journalist (complainant), the complaint is facing threat of life and liberty from the accused and the police itself, the same be provided within 48 hours from the receipt of this application as prescribed U/s 7(1) that states "where the information sought for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request."
8. In case part of the information sought by the applicant pertains to some other PIO, the application be transferred to him U/s 6(3) of the RTI Act, 2005.

The RTI application dated 10.12.2019 was received in the office of the SPIO and the SPIO sent the reply to the appellant, Shri Rakesh Kumar Gupta vide letter no.304 dated 11.02.2020 that the information sought by the appellant is personal information and is exempted U/s 8(1)(j) of the RTI Act, 2005 and the SPIO also mentioned the Order of the Hon'ble Supreme Court of India in SLP No. 27734 of 2012 titled Girish Ramchandra Deshpande Versus Central Information Commissioner and others in support of his contention.

The SPIO again sent reply through letter no.603 dated 09.03.2020 by mentioning Section 8(1)(j) of the RTI Act, 2005 along with the same Order of the Hon'ble Supreme Court of India that the information sought by the appellant is the personal information of third party related to service career of an employee and is exempted U/s 8(1)(j) of the RTI Act, 2005.

Section 8(1)(j) of the RTI Act, 2005 is as follows :-

" Exemption from disclosure of information : - Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen : Information which relates to personal information the disclosure of which has not relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information."

The appellant filed Second Appeal before the Punjab State Information Commission and the case was allocated to the present Bench. Notice of hearing was issued to both the parties for 12.02.2020 and was heard by the Bench.

I have heard the appellant and the respondent on the last dates of hearings and also gone through the reply submitted by the SPIO through letter no. 304 dated 11.02.2020 and letter no.603 dated 09.03.2020 and also gone through the judgement passed by the Hon'ble Supreme Court of India.

The appellant was given the opportunity to file reply and the appellant also filed his reply/representation and he submitted that the information qualifies to be provided to the appellant as larger public interest is involved in the present case.

I had heard both the parties and gone through the RTI application and also perused the case file. The information sought by the appellant is regarding the third party's personal matters pertaining to his service career and regarding his liabilities, assets, movable and immovable.

I have gone through the reply/representation submitted by the appellant and has not been able to convince the Commission that the disclosure of information is in larger public interest.

The information sought by the appellant is not specific regarding the date, month and year, rather it is vague. The information sought is related with the service career and regarding the records of inquiry and the records of proceedings etc.

As per the judgement passed by the Hon'ble Supreme Court of India in SLP No. 27734 of 2012, the information related to the service career and promotions and properties is the personal information of the concerned employee and is exempted U/s 8(1)(j) of the RTI Act, 2005.

The appellant failed to satisfy the Commission that a larger public interest justifies the disclosure of information sought in the present appeal case.

So, the present appeal case has no merits and is **dismissed pronounced**.

Dated: 29.09.2020

**(Avtar Singh Kaler)
State Information Commissioner, Punjab**

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Shri Bhupinder Punj, (M: 99152-35055),

R/o 186, Village Luhara,

Distt. Ludhiana.



.....Appellant.

Vs

Public Information Officer,

O/ o Secretary,

Regional Transport Authority,

Bathinda.

First Appellate Authority:

O/o State Transport Commissioner, Punjab,

SCO 172-73, Sector 17-C,

Chandigarh.

.....Respondent

Appeal Case No. 3780 of 2019

Present:- Shri Bhupinder Punj, appellant is present.
Shri Baljit Singh, SPIO-cum-Section Officer, O/o Secretary, RTA, Bathinda is present.

O R D E R

Shri Bhupinder Punj, appellant filed RTI application dated 25.06.2019 and sought some information from the SPIO, O/o Secretary, RTA, Bathinda.

Today the case is heard through CISCO Webex Meetings Software.

Both the parties are present today.

The appellant stated that in compliance to the Order dated 27.08.2020 passed by the Commission, he has brought the list of deficiencies to the notice of the SPIO on 31.08.2019.

The SPIO stated that in response to the deficiencies sent by the appellant, reply/information was sent to the appellant vide letter no.6280/RTA/BTI dated 08.09.2020.

The Commission has received an e-mail sent by the SPIO, which is a copy of letter no. 6280/RTA/BTI dated 08.09.2020 along with a copy of letter no.5564 dated 26.06.2020 and copy of letter no.6179 dated 20.08.2020. I have gone through all the letters sent by the SPIO.

The SPIO has sent the reply/information to the appellant regarding the deficiencies put up by him vide letter no. 6280/RTA/BTI dated 08.09.2020.

So, the SPIO has resolved the matter involved in the present RTI application and provided the sought for information to the appellant, hence the present appeal case is **disposed of and closed.**

(Avtar Singh Kaler)

Dated: 29.09.2020

State Information Commissioner, Punjab