**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh Rohit Sharma,

Chamber No-320, Lawyer Chamber,

2nd Floor, District Courts, Bathinda. Complainant

Versus

**Public Information Officer,**

O/o Principal,

Govt Sr Sec School, Village Jeeda,

Distt Bathinda. ...Respondent

**Complaint Case No. 1111 of 2017**

Present : (i) none is present on behalf of the complainant

(ii) For the respondent :

**ORDER**

1. The RTI application is dated 31.08.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 13.10.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 29.11.2017 in the Commission.
3. The complainant is absent. He has informed on phone that he is unable to attend the hearing. He states that no information has been given to him so far.
4. Respondent files his reply stating that the information demanded by the complainant is third party information and it has no connection with the larger public interest, therefore information cannot be provided to the complainant.
5. This is the first date of hearing and the complainant is absent, therefore, one more opportunity is given to the complainant to appear before the Commission and state their case.
6. To come up on **05.12.2017 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh Amrik Singh Dhillon,

# 3271, Nai Abadi, Ward No-12,

Sirhind Mandi, Distt Fatehgarh Sahib. Complainant

Versus

**Public Information Officer,**

O/o Principal,

Govt Sr Sec School, Sirhind Mandi,

Distt Fatehgarh Sahib. ...Respondent

**Complaint Case No. 1115 of 2017**

Present : (i) Sh. Amrik Singh the complainant

(ii) For the respondent : Sh. Tejinder Singh, Principal

**ORDER**

The RTI application is dated 11.08.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 13.10.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 29.11.2017 in the Commission.

3. Complainant states that he is not satisfied with the information provided by the respondent.

4. Respondent states that the information, as exists, in their record has been provided to the complainant. He further states that he has also brought original record in the Commission office. The complainant may go through the same.

5. Sh. Amrik Singh- the complainant has gone through the same and is satisfied. Sh. Tejinder Singh- the respondent has also given in writing that no more information is available in their office record. Original copy is handed over to the complainant.

6. In view of the foregoing, no cause of action is left. The complaint filed by the complainant is, therefore, **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh Surjit Singh, S/o Sh Surian Singh,

Bahmniwala,. Tehsil Jalabad,

Distt Fazilka. Complainant

Versus

**Public Information Officer,**

O/o Principal,

Chief conservator, Punjab Forest Bhawan,

Sector-68, Mohali. ...Respondent

**Complaint Case No. 1178 of 2017**

Present : (i) Sh. Surjit Singh the complainant

(ii) For the respondent :Sh. Karnail Singh, Sr. Assistant

**ORDER**

The RTI application is dated 10.03.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 25.10.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 29.11.2017 in the Commission.

3. Sh. Karnail Singh the complainant states that he has received the information on 27.11.2017.

4. In view of the foregoing, no cause of action is left. The complaint filed by the complainant is, therefore, **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh Bhola Singh S/o Sh Johinder Singh,

Village Nagla, Tehsil Lehra Gaga,

Distt Sangrur. Complainant

Versus

**Public Information Officer,**

O/o Chief Conservator of Forests,

Forest Complex, Sector-68 ,Mohali. ...Respondent

**Complaint Case No. 1127 of 2017**

Present : (i) Sh. Bhola Singh the complainant

(ii) For the respondent :Sh. Harish Kumar, FRO, Lehragaga

**ORDER**

The RTI application is dated 15.10.2015 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 16.10.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 29.11.2017 in the Commission.

3. Complainant states that no information has been given to him by the respondents.

4. Respondent states that the complainant has given in writing that his information should not be provided to any other person.

5. After hearing both the parties, it is clear the complainant has demanded his own information, therefore, he has right to get the same. In so far as information demanded by the Complainant, I see no reason why it should be denied. In view of the foregoing, I, accordingly, overrule the objection of the Respondent and direct that the information demanded by the Complainant.

6. Smt. Monika Devi Yadav, DFO, Sangrur is directed to come present on the next date of hearing. To come up on **02.01.2018 at 11.00 AM**. Copy of the order be sent to the parties. Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

***Through registered post***

CC: Smt. Monika Devi Yadav, DFO, Sangrur

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh Sadhu Ram Kusla, S/o Sh Ram Chand Bansal,

SIDK Forum (People for People), Indra lodge,

# 138, Veer Colony, Bathinda Complainant

Versus

**Public Information Officer,**

O/o Superintendent Engineer,

Drainage Cell, Gidderbaha,

Distt Shri Mukatsar Sahib. ...Respondent

**Complaint Case No. 1140 of 2017**

Present : (i) None is present on behalf of the complainant

(ii) For the respondent : Sh. Gurjeet Singh, PIO

**ORDER**

The RTI application is dated 28.09.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 17.10.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 29.11.2017 in the Commission.

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

4. In view of the foregoing, no cause of action is left. The complaint filed by the complainant is, therefore, **disposed of and closed.** Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh Gurmeet Singh,

H No-75, Phase-7,

Mohali. Complainant

Versus

**Public Information Officer,**

O/o Divisional Engineer,

Lining Division No-2,

PWRM&DC, Ltd, Gali No-2,

Sh Guru Arjun Dev Nagar,

Mansa. ...Respondent

**Complaint Case No. 1147 of 2017**

Present : (i) None is present on behalf of the complainant

(ii) For the respondent : Sh. Ashok Kumar, SDE

**ORDER**

The RTI application is dated 30.06.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 23.10.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 29.11.2017 in the Commission.

3. The complainant is absent. He has not informed about their absence for today’s hearing.

4. Respondent states that the information, as exists, in their record has been sent to the complainant. He further states that he has also brought copy of information today in the Commission to deliver it to the complainant.

5. Copy of the information is taken on record. The complainant can collect the same from the Commission office on any working day.

6. Since, the information has been provided by the respondent, no cause of action is left. The complaint filed by the complainant is , therefore, **disposed of and closed.** Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Mrs Isha Kamboj, W/o Sh Gopal Rathi,

R/o E-3417, jain Street No-3, Near kothi,

Sagar Mill, Fazilka.

. Complainant

Versus

**Public Information Officer,**

O/o District Education Officer (S),

New DC Complex,

Fazilka. ...Respondent

**Complaint Case No. 1148 of 2017**

Present : (i) None is present on behalf of the complainant

(ii) For the respondent : Sh. Parmod Kumar, Principal, GSSS Baghe Ke Uttar, Fazilka, Sh. Jaswinder Singh

**ORDER**

The RTI application is dated 02.08.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 23.10.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 29.11.2017 in the Commission.

3. The complainant is absent today. Respondent states that complete information has been sent to the complainant. This is the first date of hearing therefore one more opportunity is given to the complainant to appear before the Commission and state their case.

4. To come up on **18.01.2018 at 11.00 AM.** Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

STATE INFORMATION COMMISSION, PUNJAB

Red Cross Building, Sector-16, Chandigarh

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh Jang Singh, S/o Sh Rania Ram,

R/o Village Badshahpur Kalike,

Tehsil and Distt Patiala.. Complainant

Versus

**Public Information Officer,**

O/o Assistant Labor Commissioner,

Patiala. ...Respondent

**Complaint Case No. 1156 of 2017**

Present : (i) Sh. Jang Singh the complainant

(ii) For the respondent : Sh. Jatinder Pal singh, ALC, Patiala

**ORDER**

The RTI application is dated 08.06.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 24.10.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 29.11.2017 in the Commission.

3. Respondent states that he has brought information today in the Commission to deliver it to the complainant, which is handed over to him. Complainant has gone through the same and states that he is satisfied with the information provided.

4. In view of the foregoing, no cause of action is left. The complaint filed by the complainant is, therefore, **disposed of and closed.** Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh Jaskaran Singh, S/o Sh Piyara lal,

R/o # 311/2, Kulla Road Patti,

Tehsil Patti, Distt Tarn Tararn Complainant

Versus

**Public Information Officer,**

O/o Tehsildar, Patti,

Distt Tarn Taran. ...Respondent

**Complaint Case No. 1157 of 2017**

Present : None for the parties

**ORDER**

The RTI application is dated 07.08.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 24.10.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 29.11.2017 in the Commission.

3. Today neither the complainant nor the respondent is present. This is the first date of hearing therefore one more opportunity is given to both the parties to appear before the Commission and state their case.

4. To come up on **02.01.2018 at 11.00 AM.** Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh. Tejinder Singh

r/o Village Bholapur

PO Ramgarh, Chandigarh Road

Ludhiana .... Appellant

vs

**Public Information Officer**

o/o Superintendent Advertisement

Zone D, Municipal Corporation, Ludhiana

**First Appellate Authority**

o/o Additional Commissioner

Municipal Corporation, Ludhiana

.....Respondent

**Appeal Case No. 2952 of 2016**

Present : (i) Sh. Tejinder Singh , the appellant

(ii) For the respondent : Sh. Jasdev Singh Sekhon, Supdt-cum-PIO, Sh. H.S. Dhilla, Supdt.-cum-PIO, Sh. R.Bhardwaj, Supdt.-cum-PIO and Sh. Sanjeev Uppal, Supdt-cum-PIO

**ORDER**

This order may be read with reference to the previous order dated 30.10.2017.

2. The appellant states that neither he has received the information nor he has received compensation amount so far.

3. Respondent has promised that complete information and compensation amount will be provided to the appellant before the next date of hearing.

4. Last opportunity is given to the respondent to provide complete information to the appellant. He is also directed to provide compensation amount to the appellant before the next date of hearing. During the last hearing, a show cause notice was issued to **Sh. Sanjeev Uppal, Supdt-cum-PIO(present), o/o Teh Bazari, Zone D, Sh. Rajeev Bhardwaj, PIO, Non Technical, Zone D, Sh. Harwinder Singh Dhilla (Headquarter), Zone D,**  but they have failed to submit their affidavit. They are again directed to file their affidavit on the next date of hearing. Sh. Jasdev Singh Sekhon is also directed to file his reply in response to the show cause issued to him on 10.11.2016.

**Appeal Case No. 2952 of 2016**

5. To come up on **12.12.2017 at 11.00 AM.** Copy of the order be sent to the parties through registered post.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

***Through registered post***

CC: 1. Commissioner, Municipal Corporation, Ludhiana for necessary action.

2. Sh. Sanjeev Uppal, Supdt-cum-PIO, Teh Bazari, Zone D, Municipal Corporation, Ludhiana

3. Sh. Rajeev Bhardwaj, PIO, non Technical, Zone D, Municipal Corporation, Ludhiana

4.S h. Harwinder Singh Dhilla (Headquarter) Zone D, Municipal Corporation, Ludhiana

5. Sh. Jasdev Singh Sekhon, Suptd., Zone C, Municipal Corporation, Ludhiana

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh. Tejinder Singh

r/o Village Bholapur

PO Ramgarh, Chandigarh Road

Ludhiana .... Appellant

vs

**Public Information Officer**

o/o Superintendent Advertisement

Zone D, Municipal Corporation, Ludhiana.

**First Appellate Authority**

o/o Additional Commissioner

Municipal Corporation, Ludhiana

.....Respondent

**Appeal Case No. 2961 of 2016**

Present : (i) Sh. Tejinder Singh the appellant

(ii) For the respondent : Sh. Jasdev Singh Sekhon, Supdt-cum-PIO, Sh. H.S. Dhilla, Supdt.-cum-PIO, Sh. R.Bhardwaj, Supdt.-cum-PIO and Sh. Sanjeev Uppal, Supdt-cum-PIO

**ORDER**

This order may be read with reference to the previous order dated 30.10.2017.

2. The appellant states that neither he has received the information nor he has received compensation amount so far.

3. Respondent has promised compensation amount will be provided to the appellant before the next date of hearing.

4. Respondent is directed to file proper reply on affidavit to the RTI application of the appellant before the next date of hearing with a copy to the appellant. He is also directed to provide compensation amount to the appellant before the next date of hearing. During the last hearing, a show cause notice was issued to **Sh. Sanjeev Uppal, Supdt-cum-PIO(present), o/o Teh Bazari, Zone D, Sh. Rajeev Bhardwaj, PIO, Non Technical, Zone D, Sh. Harwinder Singh Dhilla (Headquarter), Zone D,**  but they have failed to submit their affidavit. They are again directed to file their affidavit on the next date of hearing. Sh. Jasdev Singh Sekhon is also directed to file his reply in response to the show cause issued to him on 10.11.2016.

**Appeal Case No. 2961 of 2016**

5. To come up on **12.12.2017 at 11.00 AM.** Copy of the order be sent to the parties through registered post.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

***Through registered post***

CC: 1. Commissioner, Municipal Corporation, Ludhiana for necessary action.

2. Sh. Sanjeev Uppal, Supdt-cum-PIO, Teh Bazari, Zone D, Municipal Corporation, Ludhiana

3. Sh. Rajeev Bhardwaj, PIO, non Technical, Zone D, Municipal Corporation, Ludhiana

4.S h. Harwinder Singh Dhilla (Headquarter) Zone D, Municipal Corporation, Ludhiana

5. Sh. Jasdev Singh Sekhon, Suptd., Zone C, Municipal Corporation, Ludhiana

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh. Tejinder Singh,

r/o Village Bholapur, Post Office Ramgarh,

Chandigarh road, Ludhiana Complainant

Versus

**Public Information Officer,**

O/o Naib Tehsildar, Joint sub Registrar,

Sahnewal, Distt. Ludhiana

***Remanded back***

***First Appellate Authority***

***o/o SDM, Ludhiana (East)***

...Respondent

**Complaint Case No. 84 of 2017**

Present : (i) Sh. Tejinder Singh the complainant

(ii) for the respondent : Smt. Sukhpinder Kaur, Tehsilar Ludhiana (East)

**ORDER**

This order may be read with reference to the previous order dated 30.10.2017.

2. Respondent files her reply to the Commission. Copy of the same is handed over to the complainant. Sh. Tejinder singh the complainant states that he is not satisfied with the reply of the respondent.

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).*

**Complaint Case No. 84 of 2017**

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.

4. 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.

5. 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.

6.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 (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh. Kuldeep Singh, S/o Sh Raghunath Dass,

Bazar Vakilan, Distt Hoshiarpur. Appellant

Versus

**Public Information Officer,**

O/o District Education Officer (S),

Hoshiarpur.

**First Appellate Authority,**

O/o District Education Officer (S),

Hoshiarpur ...Respondent

**Appeal Case No. 2394 of 2017**

Present : (i) None is present on behalf of the appellant

(ii) For the respondent Sh. Sukhwinder Singh, PIO

**ORDER**

This order may be read with reference to the previous order dated 01.11.2017.

2. The appellant is absent today.

3. As directed during the last hearing, respondent has filed affidavit stating that no other information is available in their office record.

4. A perusal of the file shows that the appellant is absent today. He was not even present on the last date of hearing. Respondent files an affidavit that the information has been provided to the appellant and no more information is available in their office record.

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

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 29.11.2017 State Information Commissioner**