**PUNJAB STATE INFORMATION COMMISSION**

**RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**

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  **e-mail:psic22@punjabmail.gov.in**

Sh. Krishan Gopal Singla

Ward No. 16B/190, Sangrur Road, Dhuri,

Distt. Sangrur Appellant

 Versus

Public Information Officer

O/o Punjab State Information Commission

Sector 16-B, Chandigarh

First Appellate Authority

O/o Secretary,

Punjab State Information Commission

Sector 16-B, Chandigarh Respondents

**APPEAL CASE NO. 985/2018**

Date of RTI application: 08.01.2018

Date of First Appeal : 08.02.2018

Date of Order of FAA: Nil

 Date of 2nd Appeal/complaint: 13.03.2018

**Present: None is present on behalf of the Appellant.**

1. **Sh. Sudhir Kumar, PIO, PSIC,**
2. **Sh. Sadhu Ram, PS/Secy, PSIC - for Respondents.**

**ORDER**

 A representation figures on file for transfer of this case from this bench on the ground of an alleged bias on the part of this forum. It appears to be factually incorrect. Never before the appellant has appeared before this bench and his case has been decided to its knowledge. This representation seems mischievous and motivated and is dismissed.

 Adverting to the merits of this case it transpires that the appellant was desired to pay the cost of information to an extent of Rs.46/- only. Due to non-compliance of the request to deposit the fee the information could not be provided. Even this dictate was repeated in first appeal also which was again ignored by the appellant. This being the case there is no merit in the second appeal. The Commission does not need to interfere in the impugned orders. The second appeal accordingly is **dismissed.**

 **Sd/-**

**30.05.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

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Smt. Sonia

W/o Sh. Varinder Kumar,

R/o Jandiali-141112,

Ludhiana Appellant

 Versus

Public Information Officer

O/o Commissioner,

Municipal Corporation,

Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Corporation, Ludhiana Respondents

**APPEAL CASE NO. 994/2018**

Date of RTI application: 27.10.2017

Date of First Appeal : 17.11.2017

Date of Order of FAA: Reply 09.11.2017

 Date of 2nd Appeal/complaint: 16.02.2018

**Present: Sh. Deepak Kumar on behalf of the Appellant.**

 **None on behalf of the respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

The respondents have sent her the information a copy of which is available on record. The proxy for the appellant seeks to know the policy of the government towards employment on compassionate ground on the death of an employee. The respondents are directed to send a copy of the same under intimation to the Commission. No further intervention is called for.

 The case is **disposed.**

 **Sd/-**

**30.05.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Dil Mohan Kumar

House No. 287,

Ward No. 22, Mohalla Dhobian,Khanna,

Distt. Ludhiana Complainant

 Versus

Public Information Officer

O/o Municipal Council,

Khanna, Distt. Ludhiana. Respondent

**COMPLAINT CASE NO.341/2018**

Date of RTI application: 07.06.2017

Date of First Appeal : Nil

Date of Order of FAA: Reply 16.06.2017

 Date of 2nd Appeal/complaint: 06.03.2018

**Present: Sh. Dil Mohan Kumar - Complainant.**

 **Sh. Sham Sunder, NC Office, Khanna - Respondent**

**ORDER**

  **The case has been heard through video conferencing.**

The complainant is seeking a copy of the building plan of a property which is jointly owned with his brother. His brother has asked the Municipal Council not to part with the information being a personal information of the third party.

 The Commission does not agree with this proposition. The complainant being one of the partners is very much entitled to the information concerning his property. The respondent is accordingly directed to give him certified copy of the building plan before the next date of hearing.

 To come up on **25.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**30.05.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jasbir Singh,

Guru Nanak Nagar,

Village Bholapur,

Post Office Ramgarh, Chandigarh Road,

Distt. Ludhiana. Appellant

Public Information Officer

O/o Commissioner,

Municipal Corporation,

Ludhiana.

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Distt. Ludhiana. Respondents

**Appeal Case No.1014/2018**

Date of RTI application: 18.11.2017

Date of First Appeal : 08.01.2018

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 20.03.2018

**Present: None.**

**ORDER**

 None is present on behalf of the Parties.

 The matter is adjourned to be heard on **25.07.2018 at 11.30 AM through video conference at Ludhiana.** **Sd/-**

**30.05.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jasbir Singh,

Guru Nanak Nagar,

Village Bholapur,

Post Office Ramgarh, Chandigarh Road,

Distt. Ludhiana. Appellant

Public Information Officer

O/o Commissioner,

Municipal Corporation,

Ludhiana.

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Distt. Ludhiana. Respondents

**Appeal Case No.1018/2018**

Date of RTI application: 18.11.2017

Date of First Appeal : 08.01.2018

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 20.03.2018

**Present:** None on behalf of the Appellant.

 Sh. Harjit Singh, Draftsman, Zone ‘D’, MC Office, Ludhiana - for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

Sh. Harjit Singh, Draftsman, appearing on behalf of the respondents informs that they have sent the information to the appellant who has acknowledged its receipt. They have already sent a copy of the same to the Commission. No action is called for.

 **Disposed.**

 **Sd/-**

**30.05.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Love Kumar Dua,

House No. 125, Model Town, Samrala Road

 Khanna, Distt. Ludhiana. Appellant

Public Information Officer

O/o Executive Officer,

Municipal Council,

Khanna

First Appellate Authority,

O/o Deputy Director,

Local Bodies, Ludhiana Respondents

 **Appeal Case No.1070/2018**

Date of RTI application: 15.12.2017

Date of Reply : 05.01.2018

Date of First Appeal : 15.01.2018

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint 22.03.2018

**Present:** Sh. Love Kumar Dua - Appellant.

 Sh. Sham Sunder, MC Office, Khanna – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

The respondents are directed to file a written statement. There seems some technical glitch in the video conferencing and the communication has disrupted.

 The matter shall be heard on **25.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**30.05.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Davinder Singh,

House No. H. No. 8718, Street No. 3,

Kot Baba Deep Singh, Amritsar. Appellant

 Versus

Public Information Officer

O/o Punjab State Information Commission,

Sector 16, Chandigarh

First Appellate Authority,

O/o Secretary,

Punjab State Information Commission,

Sector 16, Chandigarh Respondents

 **Appeal Case No.1078/2018**

Date of RTI application: 20.11.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint 17.03.2018

**Present: Sh. Davinder Singh - Appellant.**

1. **Sh. Sudhir Kumar, PIO, PSIC,**
2. **Sh. Sadhu Ram, PS.Secy,PSIC - for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

Sh. Sudhir Kumar, PIO says that the appellant was asked to deposit an amount of Rs.96/- as a cost of information. Having failed, the information could not been supplied to the appellant. The appellant, on the other hand, says that he had sent across a postal order worth Rs.100/- which was not accepted by the respondents. The appellant reiterates that the same was not received by him.

 The Commission does not intend to go into this controversy and directs the respondents to transmit the information to the appellant by post within ten days from today positively.

 To come up on **05.07.2018 at 11.30 AM at Chandigarh.**

 **Sd/-**

**30.05.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh.Moti Ram,

House No. 2208/68, Street No. 5,

Near Gill Colony, Sunder Nagar, Lohara,

Distt. Ludhiana. Complainant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Ludhiana. Respondent

**Complaint Case No.378/2018**

 Date of RTI application: 14.02.2018

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint: 27.03.2018

**Present: Sh. Moti Ram - Complainant.**

 **Dr. Jasbir Kaur, PIO, Zone ‘A’, MC Office, Ludhiana - for Respondent.**

**ORDER**

 **The case has been heard through video conferencing.**

Dr. Jasbir Kaur, PIO submits that the information has already been delivered to the information seeker and they are in the custody of the acknowledgement of the same as well.

 The complainant is also present. He endorses the statement made by the respondent.

 **Disposed.**

 **Sd/-**

**30.05.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Deepak Khurana,

S/o Sh. Girdhari Lal,

#264/16, Nai Abadi, Abohar

Distt. Fazilka Appellant

Versus

Public Information Officer,

O/o Senior Superintendent of Police,

Vigilance Bureau, Ferozepur.

First Appellate Authority

O/o Director, Vigilance Bureau, Punjab,

SCO No.60-61, Sector-17-D,

Chandigarh Respondents

 **APPEAL CASE NO.207/2018**

Date of RTI application : 21.10.2017

Date of First Appeal : 13.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 28.12.2017

**Present: Sh. Deepak Khurana - Appellant.**

 **1. Sh. Krishan Gopal, APIO, Pb. Vigilance Department,**

 **2. SI Avtar Singh, RTI Incharge, Pb. Vigilance Department,**

 **3. ASI Guriqbal Singh, O/o DSP Office (Vigilance), Moga and**

 **at Commission’s off. Chd. – for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

The following order was made by this forum on 28.03.2018:

 *“The respondents have filed a reply a copy of which has been endorsed to the appellant as well. Seemingly, it should be under transit. The appellant may like to react on the same on its receipt.”*

 The case has come up today. It transpires that an enquiry on a complaint filed by the appellant against SHO Sh. Sanjeev Kumar Setia, Police Station No. 2, Abohar was conducted by the then SSP, (Vigilance), Ferozepur. All the documents relating to that enquiry including the report were transmitted to him. On his dissatisfaction on the first enquiry the matter is getting reinvestigated by

 Contd…page..2

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**APPEAL CASE NO.207/2018**

DSP (Vigilance), Moga. The respondents say that as the matter is under investigation. The revelation of the information concerning the later enquiry shall impede its progress. The Commission agrees with it.

 As and when the enquiry is completed and action on the same is taken by the competent authorities, outcome of the second enquiry along with relevant papers shall be revealed to the appellant within thirty days of such decision positively.

 **Disposed.**

 **Sd/-**

**30.05.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Amritpal Singh,

S/o Sh. Gurdas Singh

VPO Cheema, Tehsil Sunam,

Distt. Sangrur Appellant

Versus

Public Information Officer,

O/o President,

Gurdwara Sahib, Nanaksar,

Cheema Tehsil Sunam, Distt. Sangrur

First Appellate Authority

O/o President,

Shiromani Gurdwara Parbhandhak Committee,

Sri Amritsar Sahib. Respondents

 **APPEAL CASE NO.3133/2017**

Date of RTI application : 16.05.2017

Date of First Appeal : 06.07.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :03.11.2017

**Present: Sh. Amritpal Singh - Appellant.**

 **Sh. Kuldip Singh, Assistant Supervisor, SGPC, Amritsar at Commission’s office, Chandigarh - for Respondents.**

**ORDER**

 **The case has been heard through video conferencing.**

The following observations were made by the Commission on 10.01.2018:

  *“The appellant has sought the record pertaining to various financial accounts of the local Gurdwara Sahib Nanaksar, Cheema for a period from 01.04.2013 to 31.03.2017.*

 *Adv. Dinesh Kumar, appearing on behalf of the President, Gurdwara Sahib Nanaksar, Cheema says that as they are working under the control of SGPC they have not appointed any independent PIO under the provisions of the RTI Act. Conceding their point the Commission directs PIO, SGPC to procure the information from the concerned quarters and arrange to provide it to the appellant within thirty days from the receipt of this order.”*

The case has come up today. Even after a lapse of significant period, no information has been supplied. The rep. of the respondents who is present in the Court submits that taking Contd…page…2

 -2-

**APPEAL CASE NO.3133/2017**

cognizance of the mismanagement of the Gurudwara Sahib Nanaksar, Cheema, the Gurudwara Judicial Commission has suspended the management and appointed a receiver. The information as such can be procured from him only.

 The receiver as on day is the custodian of the record of the Public Authority. The Commission accordingly impleads him as a necessary Party and directs him to part with the information on merit. The Commission would like to underline that the responsibility devolves on him under Section 5(4) of the RTI Act and any violation of the provisions of the law shall render him liable for penal consequences.

 To come up on **25.07.2018 at 11.30 AM through video conference at Sangrur.**

 **Sd/-**

**30.05.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The Receiver, Gurudwara Sahib Nanaksar, Cheema, District Sangrur, for**

**n/a.**

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 Email: psic22@punjabmail.gov.in

Sh. Sajada Ram

S/o Sh. Satnam Dass,

 Village Khuian Sarwar

Tehsil Abohar, Distt. Fazilka Complainant

Versus

Public Information Officer

O/o Joint Director,

Vigilance Bureau, Punjab,

SCO No.60-61, Sector-17-D,

Chandigarh Respondent

 **COMPLAINT CASE NOs.29 and 30 of 2018**

Date of RTI application :16.08.2017

Date of First Appeal :Nil

Date of order of FAA :Reply 28.08.2017

Date of 2nd Appeal/complainant:20.11.2017

**Present: Sh. Sajada Ram Complainant.**

 **SI Avtar Singh, RTI Incharge, Pb. Vigilance Department. - for Respondent.**

**ORDER**

 **The cases have been heard through video conferencing.**

 The following order was made by this forum on 28.03.2018:

 *“The single order shall dispose of both the appeals being similar intent in nature.*

 *The appellant is a retired employee of the Punjab Government. He was apprehended under the Prevention of Corruption Act in a trap case. It transpires that the matter having been investigated was referred to the Court for adjudication. Meanwhile, the appellant had filed a representation with the Punjab Vigilance Department for re-enquiring the matter. He is seeking a copy of the enquiry report.*

 *The respondents are seeking exemption under Section 8(1) (h) of the Act as the trial is still under process. The investigation, according to them, is also complete. The arrest is also not called for.*

 *The appellant has already been prosecuted and the trial has since commenced. In*

 *Contd…page…2*

 *-2-*

***COMPLAINT CASE NOs.29 and 30 of 2018***

*the scenario the Commission feels that their argument to invoke Section 8 (1) (h) does not cut ice when the ingredients of the Section no more apply. The defence on the above score as such is overruled. They are directed to provide him the information.”* The case has come up today. The complainant acknowledges the receipt of the documents reportedly sent by the respondent. He seems happy and satisfied.

  **Disposed.**

 **Sd/-**

**30.05.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**