

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,

Email: psic21@punjabmail.gov.in



Sukhwinder Kaur, Legal Advisor,

d/o Budh Singh,

2149, Sector- 21 C,

Chandigarh.

Versus

Public Information Officer,

o/o Punjab School Education Board,
Mohali.

First Appellate Authority,

o/o Punjab School Education Board,
Mohali.

Appeal Case No. 2816 of 2019

PRESENT:

(Appellant) Absent

Mangal Singh, Assistant Secretary (for the Respondent) 98779-98380

Satwant Singh, Senior Assistant (for the Respondent) 98554-09117

ORDER:

(To be read in continuity with earlier orders on 12.9.19, 16.10.19, and 4.12.19)

1. The RTI application is dated **17.1.19** vide which the appellant has sought **information pertaining to correspondence between the PSEB and its legal retainer; copies of her review of 20.11.2017 and a copy of a complaint by one Chaman Lal and the Chairman's orders etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **18.2.19**, and second appeal was filed in the Commission on **2.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.12.19**.

2. The appellant is absent without any intimation. The respondent PIO, represented at this hearing by Mangal Singh, Assistant Secretary and Satwant Singh, Senior Assistant, submitted that as directed by this Commission in its Order of 4.12.19, the information requested at points 4 and 5 of the RTI application, was given to the appellant on 29.1.2020 vide a letter recorded at No. 34 of the despatch register.

3. There is no further cause of action and this appeal case would ordinarily have been closed. However, since the appellant is absent, this Commission grants her an opportunity to list any deficiencies in the information furnished.

4. **Next hearing on 27.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

31.1.2020

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Rakesh Kumar Gupta (Advocate),
Chamber No. 361,
New Judicial Court Complex, District Ludhiana.

Versus

Public Information Officer-cum-SHO

Police Station Haibowal, Ludhiana.

First Appellate Authority,

o/o Commissioner of Police, Ludhiana.

Appeal Case No. 2916 of 2019

PRESENT:

Rajinder Paul Singh (for the Appellant) 97790-48083

Paramjit Singh, ASI (for the Respondent) 98724-00840

ORDER:

*(To be read in continuity with earlier order on **18.10.19** and **4.12.19**)*

1. The RTI application is dated **14.5.19** vide which the appellant has sought **information regarding the verification of tenants etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **1.6.19**, and second appeal was filed in the Commission on **9.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.12.19**.

2. Both parties are present. The respondent PIO is represented at this hearing by ASI Paramjit Singh, submitted an affidavit stating that requested information is not available in the records of the Police Station, PAU, Ludhiana. He also stated that the RTI application has been transferred to Police Station Haibowal, Ludhiana under Section 6(3) of the RTI Act, 2005. This is because the area cited in the RTI application was in the jurisdiction of Police Station Haibowal before the month of May 2018.

3. The original affidavit submitted today by the respondent PIO has been handed over to the appellant at this hearing.

4. A copy of this order be marked to PIO-cum-SHO, Police Station Haibowal, Ludhiana, who is directed to file a written reply and supply the information pertaining to the period when the area cited in the RTI application, was in the jurisdiction of his Police Station.

5. **Next hearing on 27.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

31.1.2020

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Amrit Pal Kaur,
d/o Surjjan Singh,
New Attam Nagar, Street No. 6/8,
Jagraon, District Ludhiana.

Versus

Public Information Officer,
o/o DSP Jagraon (Ludhiana Rural),
Ludhiana.
First Appellate Authority,
o/o Deputy Inspector General, Ludhiana Range,
Ludhiana.

Appeal Case No. 2994 of 2019

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier order on 18.10.19 and 4.12.19)

1. The RTI application is dated **30.3.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **7.5.19**, and second appeal was filed in the Commission on **14.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.12.19**.

2. Both parties are absent. After the last hearing on 4.12.19, the information submitted by the respondent was duly sent to the appellant via registered post on 7.1.20, and she was requested to list deficiencies, if any. In a subsequent letter, dated 20.1.20, she has pointed out that the information furnished by the respondent PIO, is deficient for points B & C of her RTI application, as under:

1. ਇਹ ਕਿ ਮੈਨੂੰ ਫਾਰਮ 'ਏ' ਮੁਤਾਬਕ ਪੁਆਇੰਟ (b) ਦੀ ਸੂਚਨਾ ਮੁਹੱਈਆ ਨਹੀਂ ਕਰਵਾਈ ਗਈ, ਜਿਸ ਵਿੱਚ ਦਰਖਾਸਤ ਨੰਬਰ 1168ਪੀਸੀ-1 ਮਿਤੀ 11-05-2017 ਦੇ ਸੰਬੰਧ ਵਿੱਚ ਪੜਤਾਲ ਦੌਰਾਨ ਵਿਰੋਧੀ ਧਿਰ ਸੁਖਮਿੰਦਰ ਸਿੰਘ ਅਤੇ ਸਾਧੂ ਸਿੰਘ ਵੱਲੋਂ ਦਿੱਤੇ ਬਿਆਨਾਤ, ਗਵਾਹਾਂ ਦੇ ਬਿਆਨਾਤ ਅਤੇ ਵਿਰੋਧੀ ਧਿਰ ਵੱਲੋਂ ਪੇਸ਼ ਕੀਤੇ ਦਸਤਾਵੇਜ਼ਾਂ ਦੀ ਸੂਚਨਾ ਮੁਹੱਈਆ ਨਹੀਂ ਕਰਵਾਈ ਗਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ ਸੂਚਨਾ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਵੇ।
2. ਇਹ ਕਿ ਮੈਨੂੰ ਫਾਰਮ 'ਏ' ਮੁਤਾਬਕ ਪੁਆਇੰਟ (c) ਦੀ ਸੂਚਨਾ ਮੁਹੱਈਆ ਨਹੀਂ ਕਰਵਾਈ ਗਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ ਸੂਚਨਾ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਵੇ।

3. The respondent PIO, who is absent without any intimation at this hearing, is directed to go through the appellant's letter (reproduced above) and supply the remaining information along with a written, pointwise reply.

Contd....2

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Appeal Case No. 2994 of 2019

4. The appellant has also requested hearings via Video Conference since it is difficult for her to travel to the Commission at Chandigarh. This appeal case shall henceforth be heard via Video Conference with the National Informatics Centre (NIC) facility at the office of the Deputy Commissioner Ludhiana.

5. Next hearing on 28.2.2020 at 1.00 pm via Video Conference

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

31.1.2020

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Nitin Kumar Advocate,
Chamber No. 312,
District Court, Fatehgarh Sahib.

Versus

Public Information Officer,
o/o Additional Deputy Commissioner (Development),
Fatehgarh Sahib.
First Appellate Authority,
o/o Deputy Director Rural Panchayats,
o/o Director Rural Development and Panchayats,
Mohali.

Appeal Case No. 3563 of 2019

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier order on 29.11.19)

1. The RTI application is dated **26.7.19** vide which the appellant has sought **information pertaining to the receipt and disbursal of funds received under MNREGA etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **22.8.19** and second appeal was filed in the Commission on **24.9.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **29.11.19**.

2. Both parties are absent. At the last hearing of this appeal case on 29.11.19, the appellant had requested one hearing to give him time to examine the information furnished by the respondents, as well as to explore information that was stated to be available on the MNREGA Portal.

3. However, the appellant is absent without any intimation, thereby compelling this Commission to presume that he is satisfied with the information furnished and no longer wishes to pursue this appeal case.

4. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
31.1.2020

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Barinder Singh,
s/o Bhupinder Singh,
Saraf Ghati Bazaar,
Patti, District Tarn Taran.

Versus

Public Information Officer,
o/o Executive Officer,
Nagar Council,
Patti.

Complaint Case No. 664 of 2019

PRESENT:

(Complainant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 6.9.19, 16.10.19, and 4.12.19)

1. The complainant, **Barinder Singh**, filed this RTI application dated **26.4.19** and sought **information pertaining to the ownership of certain land holdings etc.**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **29.7.19**. The case was last heard on **4.12.19**.

2. Both parties are absent. At the last hearing on 4.12.19 the respondent PIO was directed to furnish the requested information before this hearing. The Commission also granted an opportunity to the "3rd party" cited by the respondent PIO in his letter dated: 15.11.19 to be heard.

3. However, there is being no communication from the respondent or the complainant. Under these circumstances, the Commission grants the respondent PIO, one final opportunity to supply the information requested by the complainant. Failing this, penal action will be initiated against him / her.

4. **Next hearing on 27.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh
31.1.2020

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Girdhari Lal Goyal,

19, Aman Colony, Near Phatak No.22,

Patiala – 147 001

Versus

Public Information Officer,

o/o Deputy Secretary,

o/o Principal Secretary,

Food, Civil Supplies and Consumer Affairs, Punjab,

Chandigarh.

Complaint Case No. 682 of 2019

PRESENT:

Girdhari Lal Goyal (Complainant)

Kamal Kumar Sharma, PIO-Cum-Superintendent (Respondent) 98728-96062

Mohit Kumar, Senior Assistant (for the Respondent) 78891-19088

ORDER:

(To be read in continuity with earlier orders on 12.9.19, 16.10.19, and 4.12.19)

1. The complainant, **Girdhari Lal Goyal**, filed this RTI application dated **9.3.19** and sought **information by way of the departmental seniority list dating back to 2001 etc.**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **6.8.19**. The case was last heard on **4.12.19**.

2. Both parties are present. The respondent PIO was directed by this Commission, at the last hearing on 4.12.19, to submit an affidavit stating that the record pertaining to the Seniority List of Food & Supply Officers i.e. Memo No. 15/56/2000-2E1/2452-53 dated 27.3.2001, was missing.

3. The respondent PIO-cum-Superintendent, Kamal Kumar Sharma, sought to submit a self-attested affidavit today which bore no official stamp and was not notarized. So he was directed to have it duly notarized and resubmit it to the Commission before the end of working hours.

4. The respondent PIO submitted a duly notarized affidavit by Surinder Kaur, Deputy Secretary, Department of Food, Civil Supplies and Consumer Affairs. The original has been handed over to the complainant, and a copy taken on file.

5. There is no further cause for action and this complaint case is herewith **CLOSED**.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

31.1.2020

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Baldev Kumar,
s/o Surjeet Ram,
1789, Near Shiv Mandir, Sector-11, College Colony,
Derabassi, District Mohali.

Versus

Public Information Officer,
o/o Senior Superintendent of Police,
Mohali.

Complaint Case No. 690 of 2019

PRESENT:

(Complainant) Absent

Satvir Singh, Head Constable (for the Respondent) 98140-16487

ORDER:

*(To be read in continuity with earlier order on **18.10.19** and **4.12.19**)*

1. The complainant, **Baldev Kumar**, filed this RTI application dated **6.2.19** and sought information from the PIO o/o **Senior Superintendent of Police, Mohali**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **8.8.19**. The case was last heard on **4.12.19**.
2. The complainant is absent. The respondent PIO is represented by Head Constable Satvir Singh, from the Police Station Derabassi.
3. As directed by this Commission the respondent PIO submitted a written explanation for the delay in furnishing the requested information.
4. Notably, while the complainant Baldev Singh had expressed satisfaction with the information furnished at the last hearing on 4.12.19, he has in a subsequent letter, dated 6.1.20, contended that the information is incomplete and that this case must not be closed.
5. This is however, a complaint case and the respondent PIO has adequately explained the delay in supplying the requested information.
6. There is no further cause for action and this complaint case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
31.1.2020

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Sawan Singh,
s/oNiranjan Singh,
388 A, Street No. 1,
Near Doctor Chetan Clinic,
New Azad Nagar,
District Ferozepur.

Versus

Public Information Officer,
o/o Additional Director General of Police (Jails), Punjab,
Chandigarh.

Complaint Case No. 847 of 2019

PRESENT:

Sawan Singh (Complainant) 95011-20183

Kanwar V.P. Singh, APIO-Cum-DSP (Respondent) 97074-00013

Gurpreet Singh, PPS, Deputy Superintendent (Third Party) 97805-00245

ORDER:

(To be read in continuity with earlier order on 29.11.19)

1. The complainant, **Sawan Singh**, filed this RTI application dated **24.6.19** and sought **information by way of the report of an inquiry conducted on his complaint on 23.3.19 against one Deputy Superintendent Gurpreet Singh, then posted at the Sub Jail at Fazilka.** When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **24.9.19**. The case was last heard on **29.11.19**.

2. Both parties are present. The Third Party in this complaint case, Deputy Jail Superintendent Gurpreet Singh, is also present.

3. The respondent PIO, represented by APIO-Cum-DSP Kanwar V.P. Singh, as directed by this Commission, submitted a reply explaining the delay in addressing this RTI application. This Commission accepts the respondent PIO's reasons for the unavoidable delay in addressing this RTI request.

4. Meanwhile, as also directed by this Commission, the respondent PIO brought a copy of the inquiry report requested by the complainant. He however also stated that the subject matter of the above-stated report is still pending a decision with the Government. The Third Party, against whom this inquiry was conducted, also stated that the report should not be disclosed to the complainant.

5. This Commission is of the view that the requested information amply qualifies for exemption under Section 8 of the RTI Act and therefore denies its disclosure to the complainant.

6. There is no further cause for action and this complaint case is herewith **CLOSED**.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh
31.1.2020

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Jatinder Singh,

32 B.N. 90,

Odeon Street No. 2, Majitha Road,

Amritsar.

Versus

Public Information Officer,

o/o Deputy Commissioner of Police,

Amritsar.

Complaint Case No. 864 of 2019

PRESENT:

(Complainant) Absent

Devinderjeet Singh, ASI (for the Respondent) 98882-31334

Surinder Singh, Head Constable (for the Respondent) 97805-57580

ORDER:

*(To be read in continuity with earlier order on **29.11.19**)*

1. The complainant, **Jatinder Singh**, filed this RTI application dated **2.6.19** and sought **information pertaining to his application dated 8.5.19 etc..** When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **27.9.19**. The case was last heard on **29.11.19**.

2. The complainant is absent without intimation. The respondent PIO, represented at this hearing by ASI Devinderjeet Singh and Head Constable Surinder Singh, as directed by this Commission in its Order of 29.11.19, submitted a written reply stating that the deficiencies pointed out by the complainant by way of an MLR, is not available in the records. A copy of this reply was also sent to the complainant by Registered Post.

3. This Commission sees no further cause for action and this complaint case is herewith **CLOSED**.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

31.1.2020