

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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Sh. H.S. Hundal Advocate,
203, Judicial Courts,
Mohali.-160071.
M : 9878500082

Appellant

Vs

Public Information Officer,
O/o Punjab Transparency & Accountability
in Delivery of Public Services Commission,
Sector 17, Chandigarh.

First Appellate Authority
O/o Punjab Transparency & Accountability
in Delivery of Public Services Commission,
Sector 17, Chandigarh.

Public Information Officer,
O/o Director,
Governance Reforms, PB,
Mohali.

Public Information Officer-cum-
Supdt. GR – 2,
Governance Reforms, PB,
Punjab Civil Secretariat-2, Chandigarh.

Respondents

Appeal Case No. 4525/2021

(Video Conference/ Telephone Proceedings)

Present:- None on behalf of the appellant.
Smt. Suman(SA), 9855992748 Sh. Anwar, Public Information Officer-System
Manager 9888819150 , Sh. Amandeep Singh, Sr. Asstt. 9872846222 on behalf
of the respondents.

ORDER

This order may be read with reference to the previous order dated 18.11.2021.

2. A request of the appellant has been received through email, which is taken on record. However, the respondent-Public Information Officer submitted the remaining sought information, which is taken on record. As the appellant is not present, therefore, a copy of the same is being sent to him along with this order to go through the same and point out deficiency, if any, before the next date of hearing.

3. To come up on 21st December 2021 at 12.30 PM at Chandigarh.

sd

Dated: 6.12.2021

(Suresh Arora)

Chief Information Commissioner, Punjab.

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Sh. Sukhjinder Singh s/o Sh. Bachittar Singh
r/o VPO Ghungranam
District Ludhiana

....Appellant

Vs

Sh. Surinder Pal Singh **Reigstered**
Public Information Officer
o/o Tehsildar South
District Ludhiana
7889043853,

First Appellate Authority
o/o Distt. Revenue Officer,
District Ludhiana

....Respondents

Appeal Case No. 4803 of 2021
(Video Conference Proceedings)

Present:- None on behalf of the parties.
ORDER

The RTI application is dated 11.6.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 20.8.2021 and second appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 1.12.2021 but due to administrative reasons the case was fixed for hearing today i.e. 6.12.2021.

2. None is present on behalf of the parties. However, the appellant has sent the written submissions that he has not received the information so far. He has also placed on record a copy of the letter written to Patwari, Ghungrana to provide the Intkal No. 7885 and 7885/1 as has been sought by the appellant.

3. The respondent-PIO is absent without intimation. Video Conference Facility/cisco webex facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, the Sh. Surinder Pal Singh Tehsildar, 7889043853, is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of

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Appeal Case No. 4803 of 2021

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RTI Act, 2005 on him for causing wilful delay/denial of the information to the RTI application and to issue show cause for compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005.

In addition to the written reply, the PIO is also 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 take a note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

4. To come up on 20.12.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

Dated: 6.12.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Smt. Suman Bala
House No. 783,
Top Floor Phase 7, Sector 61,
Mohali 160062

....Appellant

Vs

Public Information Officer
o/o Tehsildar,
Amritsar-2,
District Amritsar

First Appellate Authority
o/o Deputy Commissioner,
District Amritsar.

....Respondents

Appeal Case No. 4805 of 2021

Present:- Smt. Suman bala, appellant along with her husband Sh. Harvinder Kumar, in person.
Sh. Manjit Singh, Tehsildar-cum-Public Information Officer Amritsar on telephone, on behalf of the respondents.

ORDER

The RTI application is dated 28.2.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 30.7.2021 and second appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 1.12.2021 but due to administrative reasons the case was further fixed for hearing today.

2. The respondent-Public Information Officer requested for the adjournment of the case due to strike by the officials. He also assured that the complete information will be supplied to the appellant before the next date of hearing. Both the parties also exchanged their mobile numbers to tie up, in case of any clarification.

3. To come up on 20.12.2021 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Amritsar (for the respondents) and in person at Chandigarh (for the appellant).

Dated: 6.12.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Smt. Suman Bala
House No. 783,
Top Floor Phase 7, Sector 61,
Mohali 160062

....Appellant

Vs

Public Information Officer
o/o Tehsildar,
Amritsar-2,
District Amritsar

First Appellate Authority
o/o Deputy Commissioner,
District Amritsar.

....Respondents

Appeal Case No. 4808 of 2021

Present:- Smt. Suman bala, appellant along with her husband Sh. Harvinder Kumar, in person.
Sh. Manjit Singh, Tehsildar-cum-Public Information Officer Amritsar on telephone, on behalf of the respondents.

ORDER

The RTI application is dated 28.2.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 30.7.2021 and second appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 1.12.2021 but due to administrative reasons the case was further fixed for hearing today.

2. The respondent-Public Information Officer requested for the adjournment of the case due to strike by the officials. He also assured that the complete information will be supplied to the appellant before the next date of hearing. Both the parties also exchanged their mobile numbers to tie up, in case of any clarification.

3. To come up on 20.12.2021 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Amritsar (for the respondents) and in person at Chandigarh (for the appellant).

Dated: 6.12.2021

sd
(Suresh Arora)
Chief Information Commissioner, Punjab.

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Sh. Tejinder Singh Advocate,
Civil Court Tehsil Complex
Backside Sanjh Kender, Phillaur 144410
9041004313

....Appellant

Vs

Public Information Officer
o/o Sub Registrar,
Sidhwan Bet,
District Ludhiana

First Appellate Authority
o/o S.D.M. Jagraon,
District Ludhiana

....Respondents

Appeal Case No. 4846 of 2021
(Video Conference Proceedings)

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 4.5.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 5.6.2021 and second appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. Due to the absence of both the parties, the case is adjourned.
3. To come up on 17.1.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

Dated: 6.12.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Tejinder Singh Advocate,
Civil Court Tehsil Complex
Backside Sanjh Kender, Phillaur 144410
9041004313

....Appellant

Vs

Public Information Officer
Deputy Commissioner,
District Ludhiana

First Appellate Authority
Deputy Commissioner,
District Ludhiana

....Respondents

Appeal Case No. 4852 of 2021
(Video Conference Proceedings)

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 16.4.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 1.6.2021 and second appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. Due to the absence of both the parties, the case is adjourned.
3. To come up on 17.1.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

Dated: 6.12.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Tejinder Singh Advocate,
Civil Court Tehsil Complex
Backside Sanjh Kender, Phillaur 144410
9041004313

....Appellant

Vs

Public Information Officer
o/o Sub Registrar,
Payal, District Ludhiana

First Appellate Authority
-cum-S.D.M.
Payal, District Ludhiana

....Respondents

Appeal Case No. 4849 of 2021
(Video Conference Proceedings)

Present:- None on behalf of the appellant.
Sh. Jaswant Singh, Sr. Asstt _____ on behalf of the
respondents.

ORDER

The RTI application is dated 4.5.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 5.6.2021 and second appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The representative of the respondents states that the reply has already been sent to the appellant on 11.6.2021. After the perusal of the said letter dated 11.6.2021 as available in the case file, the respondent-Public Information Officer is directed to bring one original copy of Wasika and NOC pertaining to Point No. 1 & 2 of the RTI application for the perusal of the Commission. Regarding Point No. 3 of the RTI application, the directions are issued to the respondent-Public Information Officer to transfer the RTI application of the appellant to the concerned department under intimation to the Commission. Regarding Point No. 4 the respondent-Public Information Officer is directed to provide the link of the website on which the sought information is available.

3. Also both the parties are directed to remain present in person at Chandigarh for deliberations.

4. To come up on 27.12.2021 at 12.30 PM at Chandigarh.

Dated: 6.12.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Upkar Singh
VPO Chak Desraj,
Jalandhar 144418
8264260294

....Appellant

Vs

Public Information Officer
o/o Secretary,
General Administration, Punjab
Punjab Civil Secretariat-1, Chandigarh.

First Appellate Authority
o/o Secretary,
General Administration, Punjab,
Punjab Civil Secretariat-1, Chandigarh.

....Respondents

Appeal Case No. 4859 of 2021
(Video Conference Proceedings)

Present:- Sh. Upkar Singh, appellant.
Ms Renu, Sr. Asstt, A.S.R. Cell 9876868146 (on telephone) on behalf of the respondents.

ORDER

The RTI application is dated 16.4.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 7.6.2021 and second appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The representative of the respondents states that the reply has already been sent to the Commission, which is taken on record, vide which the information has been denied in accordance with the decision of the Hon'ble Supreme Court of India in Civil Appeal No. 10044 of 2010 titled in Central Public Information Officer, Supreme Court of India Vs. Subash Chandra Aggarwal. Whereas, the appellant states that the directions may be issued to the respondent-Public Information Officer to supply the information.

3. After the perusal of the case file, the appellant is directed to establish the public interest involved in seeking the information to take the matter to its logical end.

4. To come up on 20.12.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar (for the appellant) and at Chandigarh (for the respondents).

sd

Dated: 6.12.2021

(Suresh Arora)
Chief Information Commissioner, Punjab.

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Sh. Mohit Garu s/o Sh. Dalip Kumar

r/o House No. B 2 698 / 6E

Chabni Mohalla, District Ludhiana 9779111717

....Appellant

Vs

Public Information Officer

o/o Principal

Satish Chander Dhawan Govt. College,

District Ludhiana

First Appellate Authority

o/o Principal

Satish Chander Dhawan Govt. College,

District Ludhiana

....Respondents

Appeal Case No. 4812 of 2021
(Video Conference Proceedings)

Present:- Sh. Mohit Garu, appellant.

Prof. Geetanjli and Mr Nitin Sood, on behalf of the respondents.

ORDER

The RTI application is dated 27.7.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 31.8.2021 and second appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 1.12.2021 but due to administrative reasons the case was further adjourned for hearing today.

2. The respondent-Public Information Officer states that the information cannot be supplied in this case in accordance with the decision of the Hon'ble Supreme Court of India titled in Central Public Information Officer, Supreme Court of India Vs Subhash Chandra Aggarwal and letter No. 4/5/2021 -4GR1/1/225467/2021 dated 8.8.2021. Whereas, the appellant states that the directions may be issued to the respondent-Public Information Officer to supply the information in this case. In addition, he also states that the mandate of the RTI Act is transparency in the functioning of the public authority and it is in larger public interest to provide this information.

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Appeal Case No. 4812 of 2021

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3. Also the RTI application has been considered in terms of the orders issued by the Punjab State Information Commission in CC No. 2177 of 2010 (DOD 2.8.2010) in which it has been mentioned that the information to be collected, collated, tabulated and rearranged is not within the purview of the RTI Act. Subsequently, the office memorandum issued by the Department of Personnel and Training, Government of India vide no. 1/18/2011-IR dated 16.9.2011 in which it has been mentioned that:-

“only such information can be supplied under the Act which already exists and is held by the public authority or held by the public authority or held under the control of the public authority. The Public Information Officer is not supposed to create information or to interpret information or to solve the problems raised by the applicant or to furnish the replies to hypothetical questions”.

4. Keeping in view the above and after detailed deliberations with both the parties, the directions are issued to the respondent-Public Information Officer to supply the information pertaining to Point No. 1 & 2 of the RTI application as it exists on record before the next date of hearing.

5. To come up on 27.12.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

Dated: 6.12.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Ms Karamjit Kaur
VPO Gureh
Tehsil Jagraon,
District Ludhiana 8198885883

....Appellant

Vs

Sh. Manmohan Singh,
Public Information Officer **Registered**
o/o Tehsildar, Jagraon,
District Ludhiana

First Appellate Authority
o/o A.D.C. Jagraon,
District Ludhiana

Public Information Officer **Registered**
o/o Deputy Commissioner,
(Record Room)
District Ludhiana

....Respondents

Appeal Case No. 4858 of 2021
(Video Conference Proceedings)

Present:- Ms Karamjit Kaur, appellant.
None on behalf of the respondents.

ORDER

The RTI application is dated 10.6.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 8.9.2021 and second appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided by the respondents so far. She also states that as per the reference received from the respondent now, it has informed that the concerned record has already been sent to the Record Room of the office of the Deputy Commissioner, District Ludhiana. She further requested that the Public Information Officer o/o the Deputy Commissioner, (Record Room) may be impleaded as necessary party in this case. However, the respondent-Public Information Officer is absent. Video Conference Facility/cisco webex facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, the Sh. Manmohan Singh, Tehsildar, Jagraon, is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum

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Appeal Case No. 4858 of 2021

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of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing wilful delay/denial of the information to the RTI application and to issue show cause for compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005.

In addition to the written reply, the PIO is also 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 take a note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

3. Also the Public Information Officer o/o the Deputy Commissioner (Record Room) is impleaded as necessary party in this case to file the reply/supply the information before the next date of hearing. Also a copy of the reference received from the Public Information Officer-cum-Tehsildar Jagraon is being **sent** to the Public Information Officer o/o the Deputy Commissioner, (Record Room), District Ludhiana along with this order.

3. To come up on 27.12.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

Dated: 6.12.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.