**STATE INFORMATION COMMISSION, PUNJAB**

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

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

Sh Darshan Singh Kang,

Anti Corruption Trust (Regd),

Samrala, Distt Ludhiana. . Appellant

Versus

**Public Information Officer,**

Superintendent Education,

Branch-2, Pb Civil Secretariat,

Pb Govt, Chandigarh.

**First Appellate Authority,**

Principal Secretary Education,

Pb Govt, Chandigarh. ...Respondent

**Appeal Case No. 2428 of 2017**

Present (i) Sh. Darshan Singh the appellant

(ii) For the respondent :Sh. Manpreet Singh, APIO

**ORDER**

1. The RTI application is dated 29.06.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.08.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 01.11.2017 in the Commission.

3. The appellant states that he is not satisfied with the information provided.

4. Respondent states that the information as available on record has been provided to the appellant. He further states that the file is misplaced regarding remaining information.

5. The respondent is directed either to furnish the necessary information to the appellant or furnish an affidavit saying that the record is not available and has been destroyed. If the record is missing departmental proceeding needs to held and if it has been intentionally misplaced then any criminal action is to be taken on merits of the case for the loss of record. The respondent is also directed to conduct departmental

**Appeal Case No. 2428 of 2017**

inquiry against the erring officer/official who is responsible for the loss of record and file an affidavit in this regard on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated against him.

6. To come up on **22.11.2017 at 11.00 AM.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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

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

Sh. Kamalpreet Singh,

H No-1625, Phase-1, Urban Estate (Dugri),

Ludhiana.. Appellant

Versus

**Public Information Officer,**

O/o Chief Agriculture Officer,

C/o Soil Testing Officer, Patiala.

**First Appellate Authority,**

Director Agriculture, Kheti Bhawan,

Sector-55, Mohali.. ...Respondent

**Appeal Case No. 2416 of 2017**

Present (i) Sh. Kamalpreet Singh the appellant

(ii) For the respondent :Sh. Gurmail Singh, PIO and Sh. Anil Kumar,

**ORDER**

The RTI application is dated 04.05.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.08.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 01.11.2017 in the Commission.

3. Respondent has sought some time to provide complete information to the appellant.

4. On the request of the respondent, the appeal is adjourned on **22.11.2017 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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

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

Sh Puneet K Sharma, Advocate,

Chamber No-349, 2nd Floor, Yadwindra Complex,

Lawyers Chamber, District Couts, Patiala. Appellant

Versus

**Public Information Officer,**

O/o Director Primary Instructions (S),

Phase8, Mohali.

**First Appellate Authority,**

D.G.S.E,

Phase-8, Mohali. ...Respondent

**Appeal Case No. 2414 of 2017**

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

(ii) For the respondent: Sh. Sukhjinder Singh, Assistant Manager-cum-APIO

**ORDER**

The RTI application is dated 09.01.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.08.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 01.11.2017 in the Commission.

3. Respondent states that complete information has been sent to the appellant. The appellant is absent today. This is the first date of hearing, therefore, one more opportunity is given to the appellant to appear before the Commission and state his case. *It is made clear that in case the appellant does not appear on the next date of hearing , appropriate order in his absence shall be passed.*

4. To come up on **22.11.2017 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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

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

Sh. Subhash Chander, S/o Sh Yash Pal,

Village Wadala, P.O Jungle,

Tehsil and Distt Pathankot. Appellant

Versus

**Public Information Officer,**

O/o Chief Engineer,

Irrigation Department,

Pb, Chandigarh.

**First Appellate Authority,**

O/o Chief Engineer,

Irrigation Department,

Pb, Chandigarh ...Respondent

**Appeal Case No. 2407 of 2017**

Present (i) Sh. Subhash Chander the appellant

(ii) For the respondent : Sh. Satwinder Walia, Supdt. Sh. Bipan Kumar, Sr. Assistant

**ORDER**

The RTI application is dated 22.05.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 28.08.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 01.11.2017 in the Commission.

3. The appellant states that he is not satisfied with the information provided.

4. Respondent states that he has also brought another copy of information today in the Commission, which is handed over to the appellant. The appellant has gone through the same and states that he is satisfied with the information provided.

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: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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

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

Ms Asha Rani, W/o Sh Amarjeet,

Village Babowal,

Tehsil and Distt Gurdaspur. Appellant

Versus

**Public Information Officer,**

O/o District Education Officer (S),

Gurdaspur.

**First Appellate Authority,**

Circle Education Offcer,

Jalandhar. ...Respondent

**Appeal Case No. 2393 of 2017**

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

(ii) For the respondent: Sh. Narinder Kumar, Jr. Assistant

**ORDER**

The RTI application is dated 13.04.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 23.08.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 01.11.2017 in the Commission.

3. Respondent states that he has brought the information today in the commission to deliver it to the appellant. The appellant is absent today. Respondent is directed to send the same to the appellant through registered post. The appellant is advised to revert back to the authorities in case he is not satisfied with the information. On receipt of the deficiencies, the respondents are directed to remove the same before the next date of hearing.

4. To come up on **22.11.2017 at 11.00 AM.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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

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

Sh Gurtej Singh,

Kothi No-258, Phase-11, Mohali.

. . Appellant

Versus

**Public Information Officer,**

O/o P.S.E.B,

Phase-8, Mohali..

**First Appellate Authority,**

Chairman, P.S.E.B,

Phase-8, Mohali ...Respondent

**Appeal Case No. 2379 of 2017**

Present (i) Sh. Gurtej singh the appellant

(ii) For the respondent :Sh. Darwinder Singh Sekhon, APIO and Sh. Arvind Kumar, Sr. Assistant

**ORDER**

The RTI application is dated 09.05.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 24.08.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 01.11.2017 in the Commission.

3. Respondent states that the information running into 731 pages has been provided to the appellant. Regarding remaining information, the same was not provided to the appellant as the matter is pending

4. After hearing both the parties, it is observed that the appellant has filed his RTI on 09.05.2017 and the file from which appellant sought information had been sent in the month of August as per the respondent. The appellant states that the file was present at the office with the respondent at that time when the RTI was filed by him. Sh. Arvind Kumar, Sr. Assistant- the respondent has also confirmed that the file was dispatched a month later. Therefore, Smt. Karanjagdish Kaur, PIO is directed to come present on the

**Appeal Case No. 2379 of 2017**

next date of hearing to clear the matter alongwith the proof of dispatch of said file. She is also directed to bring the original record with her on the next date of hearing.

5. To come up on **22.11.2017 at 11.00 AM.** Copy of the order be sent to the parties ***through registered post.***

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 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 : Smt. Manjit Kaur, APIO

**ORDER**

The RTI application is dated 30.05.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 21.08.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 01.11.2017 in the Commission.

3. The appellant is absent today. Respondent states that the reply has been sent to the appellant as per his RTI application.

4. After hearing the respondent it is clear that the reply submitted by the respondent is not clear. Therefore he is directed to file his point-wise reply on affidavit on the next date of hearing. Sh. Sukhwinder Singh, Deputy DEO (SE) is directed to come present on the next date of hearing alongwith an affidavit.

5. To come up on **29.11.2017 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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

**Ph No. - 0172-2864117** Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh Rakesh Kumar Gupta,Advocate

S/o Sh Das raj Gupta,

#8/237, Jagraon Road, Mandi Mullanpur,

District. Ludhiana.

Appellant.

Versus

**Public Information Officer,**

O/o Colonization Punjab

Office Complex, Kissan Bhawan, Sector 35A,

Chandigarh

**First Appellate Authority**

O/o o Colonization Punjab

Office Complex, Kissan Bhawan, Sector 35A,

Chandigarh

. . ..Respondent

**Appeal Case No. 1697 of 2017**

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

(ii) For the respondent : Sh. Jugraj Singh, Sr. Assistant and Sh. Paramjit Singh, DGM

**ORDER**

This order may be read with reference to the previous order dated 27.09.2017.

2. Today the appellant is absent. He has sent a mail mentioning therein that he is unable to attend the hearing. He has also sent deficiencies in the information provided.

3. Respondent states that the appellant has not pointed out any deficiencies so far. 4. Copy of the deficiencies sent by the appellant is handed over to the respondent today in the commission with these directions that whatever deficiencies remain in the matter of information demanded by the Applicant should be made good before the next date of hearing. However, if this information is not available on record, the PIO shall file an affidavit on oath stating the same.

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

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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

**Ph No. - 0172-2864117** Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Sh Rakesh Kumar Gupta,Advocate

S/o Sh Das raj Gupta,

#8/237, Jagraon Road, Mandi Mullanpur,

District. Ludhiana.

Appellant.

Versus

**Public Information Officer,**

O/o Colonization Punjab

Office Complex, Kissan Bhawan, Sector 35A,

Chandigarh

**First Appellate Authority**

O/o o Colonization Punjab

Office Complex, Kissan Bhawan, Sector 35A,

Chandigarh

. . ..Respondent

**Appeal Case No. 1695 of 2017**

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

(ii) For the respondent : Sh. Jugraj Singh, Sr. Assistant and Sh. Paramjit Singh, DGM

**ORDER**

This order may be read with reference to the previous order dated 27.09.2017.

2. Today the appellant is absent. He has sent a mail mentioning therein that he is unable to attend the hearing. He has also sent deficiencies in the information provided.

3. Respondent states that the appellant has not pointed out any deficiencies so far. 4. Copy of the deficiencies sent by the appellant is handed over to the respondent today in the commission with these directions that whatever deficiencies remain in the matter of information demanded by the Applicant should be made good before the next date of hearing. However, if this information is not available on record, the PIO shall file an affidavit on oath stating the same.

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

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Near Rose Garden**

**Sector 16, Chandigarh**

Sh. Brich Bhan, S/o Sh Saroop Chand,

Ward No.33, Kahangarh Road, Patran,

Patiala. Complainant.

Versus

**Public Information Officer,**

O/o District Education Officer,(S),

Patiala. ...Respondent

**Complaint Case No. 624 of 2017**

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

(ii) For the respondent : Sh. Adarsh Kumar Garg, Clerk

**ORDER**

This order may be read with reference to the previous order dated 04.10.2017 vide which neither the complainant nor the respondent was present.

2. Today the complainant is again absent.

3. Respondent states that the information has been sent to the Complainant.

4. A perusal of the file shows that the complainant has filed his RTI on 07.03.2017 but the information has been sent to the complainant on 31.10.2017. This is indeed a serious matter. **Therefore, Sh. Manjit Singh, Deputy DEO-cum-PIO(SE), Patiala** is directed to come present on the next date of hearing to explain why the information has not been provided to the appellant within stipulated time as prescribed under the RTI Act 2005. *It is made clear that in case the Complainant does not appear on the next date of hearing , appropriate order in his absence shall be passed.*

5. To come up on **22.11.2017 at 11.00 AM**. Copy of the order be sent to the parties ***through registered post.***

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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

**Ph No. - 0172-2864117** Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Dr Amandeep Aggarwal,

Chairman, Action Committee Cum Legal Cell,

IMA-Punjab, 33-A, SST Nagar, Sangrur.. Appellant.

Versus

**Public Information Officer,**

O/o Financial Commissioner of Forest and Wildlife,

Room No.-323, 3rd Floor, Pb Mini Secretariat,

Sector-9, Chandigarh.

**First Appellate Authority**

O/o Financial Commissioner of Forest and Wildlife,

Room No.-323, 3rd Floor, Pb Mini Secretariat,

Sector-9, Chandigarh ...Respondent

**Appeal Case No. 1729 of 2017**

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

(ii) For the respondent: Sh. Shankar Mittal, Clerk and Sh. Karnail Singh, Sr. Assistant

**ORDER**

This order may be read with reference to the previous order dated 27.09.2017 vide which the appellant was absent.

2. Today again the appellant is absent. He has sent a mail that he is unable to attend the hearing.

3. Respondent has given in writing that the information, as exists, in their record has been provided to the appellant. He further adds that the information demanded by the information seeker relates to different 16 PIOs. Each of these authorities has also separate PIOs. Under-section 6(1)(a) a person seeking information has to apply to the concerned public authority. It is not the job of one PIO to collect and thereafter collate this information from different PIOs of different Public Authorities and then supply the same to the appellant. Appellant may note that there is a clear mention in the orders of former CIC in CC: 05 of 2010 which is reproduced as under:-

*"that this obligation under Section 6 of the Act is to transfer the application to 'that other public authority' and not to public ' authorities'. The expression used in Section 6 is 'authority' and not 'authorities'. Simply put, the PIO is expected to transfer a request which does not relate to him but has nevertheless been received by him, one identifiable*

**Appeal Case No. 1729 of 2017**

*authority. He is not expected to transfer such a request if information is held by many or a number of authorities. The rational is that a PIO is not a post office or a coordinator for forwarding requests from information seekers to various departments. Legislature has merely facilitated the information seekers by empowering PIO who inadvertently receives request pertaining to another PIO to forward it to the concerned PIO".*

4. I find no merit in the appeal and the same is **dismissed.** The appellant may however approach the concerned PIOs with fresh application/s if he wants the information.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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

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

Sh Gagandeep Singh Janjua,

Village Toora, P.O Kumbh,Tehsil Amloh,

Distt Fatehgarh Sahib. Appellant.

Versus

**Public Information Officer,**

O/o Additional Civil Judge, (Sr Division),

Phagwara.

**First Appellate Authority**

O/o Additional Civil Judge, (Sr Division),

Phagwara . ...Respondent

**Appeal Case No. 2108 of 2017**

Present (i) Sh. Gagandeep Singh Janjua the appellant

(ii) For the respondent : Smt. Amrit Kaur, PIO

**ORDER**

Sh. Gagandeep Singh Janjua the appellant states that he has received the information and is satisfied.

2. 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: 01.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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

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

Sh. Karnail Singh, S/o Sh Gurdeep Singh,

Village Farid Kera, Tehsil Malout,

Distt Shri Mukatsar Sahib. Appellant.

Versus

**Public Information Officer,**

O/o SDO, Mandikaran Board,

Malout, Shri Mukatsar Sahib.

**First Appellate Authority**

O/o XEN, Pb, Mandi Board,

New Dana Mandi, Sirhind Road,

Patiala ...Respondent

**Appeal Case No. 1863 of 2017**

Present (i) Sh. Karnail Singh the appellant

(ii) For the respondent : Sh. Bikram Bansal, PIO

**ORDER**

This order may be read with reference to the previous order dated 20.09.2017.

2. Appellant states that he is not satisfied with the information provided. All the points of information were discussed during the proceedings, in the presence of both the parties. The appellant has expressed his satisfaction and states that he is satisfied with the information provided.

3. Since, the appellant is satisfied therefore the appeal is **disposed of and closed.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 01.11.2017 State Information Commissioner**