**PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Email:psic22@punjabmail.gov.in**

Sh. Rohit Sabharwal,

Kundan Bhawan, 126, Model Gram,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Municipal Town Planner, Zone –D,

Municipal Corporation, Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Commissioner,

Ludhiana Respondents

 **APPEAL CASE NO.2636/2017**

Date of RTI application : 19.06.2017

Date of First Appeal : 17.08.2017

Date of Order of FAA : Reply 13.07.2017

Date of 2nd Appeal/complaint : 22.09.2017

**Present:** Adv. Sukhjinder Kaur, Counsel for the Appellant.

 Sh. Damanpreet Singh, Draftsman, MC Office, Ludhiana – for Respondents.

**ORDER**

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

 This should be read in continuation of Commission’s orders dated 22.11.2017 and 28.02.2018.

 The status quo ante remains. The respondents are cautioned to be watchful and directed to meet the deficiencies pointed out by the appellant without fail under intimation to the Commission.

 To come up on **04.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**02.05.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Email:psic22@punjabmail.gov.in**

Sh. Jaspal Singh

S/o Sh. Ramesh Arora,

House No.319/3, Gurdeep Nagar,

Jagraon, Distt. Ludhiana

 Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon, Distt. Ludhiana

First Appellate Authority

O/o Deputy Director, Urban Local Bodies, Punjab,

Ludhiana Respondents

 **APPEAL CASE NO.3784/2017**

Date of RTI application : 27.09.2017

Date of First Appeal : 29.10.2017

Date of Order of FAA : Reply 27.10.2017

Date of 2nd Appeal/complaint :19.12.2017

**Present:** Sh. Jaspal Singh, appellant in person

 Sh. Rakesh Kumar, Jr. Assistant, NC office, Jagraon – for Respondents.

**ORDER**

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

Sh. Rakesh Kumar appearing on behalf of the respondents submits that the appellant is filing repetitive appeals when the same have already been decided by the Commission. The appeal in hand has already been decided by the Commission on 02.08.2017. They have enclosed a copy of the same.

 The appellant is cautioned to be watchful in future. While filing his second appeal he files a statement on oath that no appeal has been filed or decided earlier on the same subject. Such a breach has criminal overtones and shall be duly taken care of accordingly in future.  **Disposed.**

  **Sd/-**

**02.05.2018**  **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Email:psic22@punjabmail.gov.in**

Sh. Rohit Sabharwal,

President,

Kundan Bhawan,

126, Model Gram, Ludhiana Appellant

Versus

Public Information Officer,

O/o Municipal Corporation,

Zone –A, Mata Rani Chowk,

Ludhiana

First Appellate Authority,

O/o Municipal Corporation,

Zone –A, Mata Rani Chowk, Ludhiana Respondents

 **APPEAL CASE NO.1125/2017**

 **Date of RTI Application : 02.12.2016** **Date of First Appeal : 03.01.2017**  **Date of order of FAA : Reply: 09.01.2017 Date of Second Appeal : 10.04.2017**

**Present:** Adv. Sukhjinder Kaur, Counsel for the Appellant.

 Sh. Damanpreet Singh, Draftsman, MC Office, Ludhiana – for Respondents. .

**ORDER**

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

 The reproduction of interim order as follows shall keep the issue in perspective:

 **Order dated 19.09.2017**

 *“The order was reserved on 12.07.2017 for pronouncement.*

 *The following order was made on 12.07.2017:*

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

 *Sh. Rajiv Bhardwaj, Superintendent appearing on behalf of the Respondents says that vide their reply dated 09.01.2017 they had informed the appellant that the information could not be supplied as it concerns a third party who has advised them not to reveal it.*

 *The appellant says that it was overruled by the First Appellant Authority on 16.03.2017 and had advised the respondents to furnish it to the appellant. The Counsel of the Contd…page..2*

 *-2-*

***APPEAL CASE NO.1125/2017***

*appellant further says that a detailed rebuttal against the plea taken by the respondents has been filed by them before the Commission.*

 *We find that the order passed in the first appeal by the First Appellate Authority is not available. The appellant is advised to forward its copy to the Commission immediately.”*

 *The case has been taken up today. It transpires that the original application concerns the PIOs, Sh. Vijay Kumar, ATP, Zone ‘D’ and Sh. Rajiv Bhardwaj, Superintendent, House Tax Branch, Zone ‘D’, Municipal Corporation, Ludhiana.*

 *In compliance with the order of the Commission, the appellant has submitted a copy of the order passed by the First Appellate Authority. The First Appellate Authority in no uncertain term has ordered the PIO to provide the information. In case the PIO was not happy with the order of the First Appellate Authority he should have approached the Commission to have it undone. Having failed to do so it does not lie in his mouth at this juncture to take the same stance of ‘third party’ information in the second appeal. Sh. Vijay Kumar, PIO – cum – Assistant Town Planner, Zone ‘D’, Municipal Corporation, Ludhiana has failed in his obligation to provide the information.*

 *Sh. Rajiv Bhardwaj, PIO – cum – Superintendent, House Tax Branch, Zone ‘D’, Municipal Corporation, Ludhiana is present. He submits that the only information that relates to his branch concerns the Point No. 10 in which the appellant has sought to know the house tax and property tax records of the above said buildings. He has filed a written reply in which they have taken the plea that the property tax records is the personal information of the third party and attracts an exemption as mentioned under Section 8 (1) (j) of the RTI Act. He has also quoted in his reply certain judgments of superior Courts of the country. The Commission has considered it. Since the appellant Contd…page..3*

 *-3-*

***APPEAL CASE NO.1125/2017***

 *has alleged some apprehensions of foul play in the amount of taxation of these properties the plea of the respondents is ignored and overruled. They are directed to convey to the appellant the amount of*

*tax that has been levied on the above properties. However, the Commission concedes their*

*arguments towards providing them certified copies of the details of the properties as the information thus provided to be revealed is a purely in public interest.*

 *The PIO has thus failed to provide the information in terms of section 7 (2) of the Act thereby rendering himself culpable of willful denial of information admissible under law. Sh. Vijay Kumar, PIO – cum – ATP, Zone ‘D’, M.C. Office, Ludhiana is hereby 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 maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.*

 *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 note that in case he does not file his written reply and does not avail himself of*

*the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.”*

**Order dated 27.12.2017**

 *This should be read in continuation of Commission’s order passed on 19.09.2017.*

 *The case has been taken up today. The PIO was issued a show cause notice for Contd…page…4*

 *-4-*

***APPEAL CASE NO.1125/2017***

*having failed to provide the information.*

 *Sh. Vijay Kumar, PIO – cum – ATP submits that the building in contention is very old, the record pertaining to it is not available with them. They have not been able to trace it to the best of their efforts. He is directed to submit an affidavit to this effect before the next date of hearing.*

 *The appellant, on the other hand, insists that they have sought the information accruing in follow up of the complaint filed by them and the record generated thereon.*

 *The respondents are directed to send across a copy of all the certified copies of documents of file dealing with the complaint sent by the appellant immediately. Be it noted that no further opportunity shall be afforded and the show cause notice shall be taken to its logical end.”*

The case has come up today. Following the above directions the respondents have informed that the original complaint was marked to the then building Inspector one Sh. Navneet Singla. No action whatsoever has been taken as the file is blank beyond that. It is also their plea that the building in question is very old and they could not trace its original record to proceed further on the issue. They have also taken a plea that the Hon’ble Supreme Court of India has observed that the information seekers should make a bonafide case demanding an information which the appellant has failed to.

 The Commission feels that in the case in hand the respondents have been duly responding to the appellant with their point of view from time to time. No malafide shall be attributable for the suppression of information as at the face of it the information relates to a very old record. The Commission is inclined to believe that the available information has been provided and no further

 Contd..page…5

 -5-

***APPEAL CASE NO.1125/2017***

action is called for.

  **Disposed.**

 **Sd/-**

**02.05.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC:** Sh. Vijay Kumar,PIO – cum – Assistant Town Planner, Zone ‘D’, Near Mata Rani Chowk, Municipal Corporation, Ludhiana.

**CC**: The Commissioner, Municipal Corporation, Near Mata Rani Chowk, Ludhiana**.**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Sh. Kuldip Kumar Kaura,

5-C, Phase I, Urban Estate,

Focal Point, Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal Council, Jagraon,

Distt. Ludhiana

First Appellate Authority

O/o Executive Officer,

Municipal Council, Jagraon,

Distt. Ludhiana Respondents

**APPEAL CASE NO.3723 /2017**

Date of RTI application : 21.08.2017

Date of First Appeal : 27.10.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :09.12.2017

**Present:** Kuldip Kumar Kaura, appellant in person

 Sh. Ranjit Singh, Jr. Assistant, MC Office, Jagraon – for Respondents.

[

**ORDER**

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

 The following order was passed by this forum on 28.02.2018:

 *“The appellant has sought information about Co-operative Labour Society which has been executing the works floated by the respondent. The appellant submits that the information has been provided to him very belatedly and that too is deficient. No written statement has been filed by the respondent on the subject. The PIO is directed to explain his conduct in the shape of an affidavit with advance copy to the appellant positively before the next date of hearing.”*

The respondents have sent a communication to the appellant on 26.03.2018 which according to the appellant is not in accordance with the facts on record. He also points out that the respondents have failed to comply with the directions passed by the Commission in the aforesaid order. The appellant is desired to file his observations in writing with a copy to the respondents who shall file an affidavit in support of their contentions.

 To come up on **04.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**02.05.2018**  **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Sh. Jaspal Singh

S/o Sh. Ramesh Arora,

R/o 319/3, Gurdeep Nagar, Jagraon,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon

Distt. Ludhiana

First Appellate Authority

O/o Regional Deputy Director,

Urban Local Bodies, Punjab,

Ludhiana Respondents

 **APPEAL CASE NO.2157/2017**

Date of RTI application : 29.05.2017

Date of First Appeal : 30.06.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :03.08.2017

**Present:** Sh. Jaspal Singh, Appellant in person.

 Sh. Rakesh Kumar, Jr. Assistant, NC Office, Jagraon – for Respondents.

**ORDER**

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

 The Commission had made the following observations on 27.12.2017:

 “The following observations were made by the Commission on 27.09.2017:

 *“The appellant had sought information about the soiling of a record dealing with the registration of births and deaths in the municipal area of Jagraon.*

 *The respondents plead that the building is derelict and old. The record as mentioned above was damaged in the rains due to leakage of the roof. The appellant intends to see the record as it lies. The respondents may afford him an opportunity to see the record after giving him definite date and time in writing and provide him certified copies of the pages thus identified not beyond one hundred pages.”*

 *“The case has come up today. In a twist to the tale the respondents now take a Contd..page…2*

 *-2-*

***APPEAL CASE NO.2157/2017***

*stance that the record is not available and the same was never handed over to the incumbent record keeper by his predecessor. Sh. Gaurav Bhalla appearing on behalf of the respondents says that the matter is being looked into by the Civil Surgeon, Ludhiana.*

 *The Commission is not satisfied with the plea of the respondents. They are directed to file a written reply along with a copy of the order instituting an enquiry by the Civil Surgeon and the status of the enquiry being conducted by him.”*

Despite the express order of the Commission no tangible action has been taken by the respondents. The Commission senses that a malafide attempt has been made to suppress the information. The PIO is 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 maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on himfor causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

 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 note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.

 To come up on **12.06.2018 at 11.30 AM at Commission’s office Chandigarh.**

 **Sd/-**

**02.05.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The PIO – cum – Executive Officer, Nagar Council, Jagraon, for n/a.**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Sh. Jaspal Singh

S/o Sh. Ramesh Arora,

R/o 319/3, Gurdeep Nagar,

Jagraon Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal Council, Jagraon

Distt. Ludhiana

First Appellate Authority

O/o Regional Deputy Director, Urban Local Bodies, Punjab

Ludhiana Respondents

 **APPEAL CASE NO.2610/2017**

Date of RTI application : 06.07.2017

Date of First Appeal : 09.08.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 19.09.2017

**Present:** Sh. Jaspal Singh, Appellant in person.

 Sh. Amarpal Singh, Clerk, MC Office, Jagraon – for Respondents.

**ORDER**

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

The following order was passed by this forum on 28.02.2018:

 *“The orders passed by the Commission on 03.01.2018 are as under:*

 ***“****The appellant had sought information about an Estate namely; Dashmesh Colony in Jagraon. The respondents’ plea is that it is an illegal colony which has never been approved by the Local Bodies Department. The record being asked for is not available with them. The appellant says that the work of laying sewage lines is under progress.*

 *The Commission is at a loss to understand as to how the Sewerage Board is laying the sewerage lines without regularization or approval of the Committee. It is impleaded as a necessary party in the case. The PIO in the office of the XEN, Punjab Water Supply & Sewerage Board, Division No. 1, Old Courts, Ludhiana is directed to file a written statement. In fact the application should have been forwarded to them under Section 6(3) of the Act by the listed respondents. They shall part with the information if available within thirty days from today positively and file a written reply as well:”*

*Contd,page……2*

*-2-*

***APPEAL CASE NO.2610/2017***

 *The case has come up today. Sh. Shinderpal Singh, SDO, Water Supply and Sewerage Board submits that colony under construction is a part of the Municipal area and is not a new development. The information relating to the Sewerage work has already been provided to him in response to other application filed by the appellant. The respondent is directed to file written statement in this behalf.”*

The case has been taken up today. No written statement has been filed by the respondents so far. Another opportunity is afforded to them to respond to the above order of the Commission before the next date of hearing positively.

 Due to technical glitch the matter could not be heard properly in the video conference. The matter is adjourned to be heard on **04.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**02.05.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The PIO, O/o The Executive Engineer, Punjab Water Supply & Sewerage Board, Division No. 1, Old Courts, Ludhiana, along with photo copy of the RTI application for n/a.**

**PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, SECTOR 16, MDHYA MARG, CHANDIGARH**

**Tele No. 0172-2864112, FAX No. 072-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

Sh. Gulshan Kumar,

8-A, Kitchlu Nagar, Civil Lines,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Zone-A, Mata Rani Chowk,

Ludhiana

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Zone-A, Mata Rani Chowk,

Ludhiana Respondents

 **APPEAL CASE NO.873/2017**

 **Date of RTI Application : 16.09.2016** **Date of First Appeal : 28.11.2016**

 **Date of order of FAA : Nil**

 **Date of Second Appeal : 27.02.2017**

**Present: None.**

**ORDER**

It shall be appropriate to reproduce hereunder the order passed by the Commission on 07.06.2017:

 *“The appellant has requested for an adjournment. Vide their communication dated 02.06.2016 the respondents say that they have conveyed him the information which relates to his stereo-typed usual enquiries about all structures being raised in the town of Ludhiana.*

 *As the appellant says he has not received the information the matter shall be reheard on 09.08.2017 at 11.30 AM through video conferencing at Ludhiana.”*

 *Contd…page…2*

 *-2-*

**APPEAL CASE NO.873/2017**

After a couple of adjournments the case came up on 28.02.2018 and the order was reserved.

 The respondents have sent the copies of documents vide which the information was sent to the appellant on 11.11.2016. This seems to be in order. The Commission is thus of the view that the sought for information has already been provided to him. No further action is called for.

 The appeal is **disposed.**

 **Sd/-**

**02.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Sh. Jaspal Singh

S/o Sh. Ramesh Arora,

House No.319/3, Gurdeep Nagar,

Jagraon, Distt. Ludhiana

 Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon, Distt. Ludhiana

First Appellate Authority

O/o Deputy Director, Urban Local Bodies, Punjab,

Ludhiana

 Respondents

 **APPEAL CASE NO.3781/2017**

Date of RTI application : 22.09.2017

Date of First Appeal : 26.10.2017

Date of Order of FAA : Reply 30.10.2017

Date of 2nd Appeal/complaint :19.12.2017

**Present:** Sh. Jaspal Singh, appellant in person

 Sh. Ranjit Singh, Jr. Assistant, NC office, Jagraon – for Respondents.

**ORDER**

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

 Heard.

 The appellant seeks to know the action having been taken on a complaint filed by him about an upcoming illegal structure in the municipal area.

 Sh. Ranjit Singh appearing on behalf of the respondents says that a show cause notice for demolition has been given to the offenders and appropriate action shall be taken in due course. A copy of the notice has also been sent to the appellant. The Commission feels that the available information has been given. No purpose shall be solved to keep the issue alive.

 **Disposed.**

 **Sd/-**

**02.05.2018**  **(Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Sh. Rajesh Gupta, President,

Social Reformers, Chamber No.5033,

Lawyers’ Chamber Complex, District Courts,

Ludhiana Appellant

Versus

Public Information Officer,

O/o District Industries Centre,

RTI Wing, Ludhiana

First Appellate Authority

O/o Director, Udyog & Commerce, Punjab,

Sector-17, Chandigarh Respondents

 **APPEAL CASE NO.3408/2017**

Date of RTI application : 29.06.2017

Date of First Appeal : 08.08.2017

Date of Order of FAA : Reply 02.08.2017

Date of 2nd Appeal/complaint :24.11.2017

**Present:** Sh. Rajesh Gupta, Appellant in person at Commission’s office, Chd.

 1. Sh. Sukhminder Singh, APIO – cum – Functional Manager, GM Office, Ldh., and

 2. Smt. Raj Kaur, Superintendent, O/o Director of Industries, Pb. – for Respondents.

**ORDER**

The respondents have filed a written reply, a copy of which has already been sent to the appellant. The appellant intends to rebut the submissions made by the respondents in person. The matter shall be heard on **28.05.2018 (Monday) at 11.30 AM at Chandigarh.**

 **Sd/-**

**02.05.2018**  **(Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Sh. Jaskaran Singh

S/o Sh. Amarjit Singh,

R/o Village Husainpura,

Tehsil Malerkotla, Distt. Sangrur Appellant

Versus

Public Information Officer,

O/o Tehsildar, Malerkotla

First Appellate Authority

O/o Sub Divisional Magistrate,

Malerkotla. Respondents

 **APPEAL CASE NO. 3499/2017**

Date of RTI application : 01.08.2017

Date of First Appeal : 29.09.2017

Date of Order of FAA : Reply 06.09.2017

Date of 2nd Appeal/complaint :27.11.2017

**Present:** Sh. Jaskaran Singh, appellant in person.

 None on behalf of the Respondents.

**ORDER**

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

 The interim order passed on 21.02.2018 is reproduced hereunder:

 *“The respondent has brought along the information to hand it over to the appellant. Appellant having gone through it submits the information thus furnished does not relate to the points raised by him. The respondents are directed to relook into it and arrange to provide the information commensurate with the original application.”*

The case has come up today. The appellant who is present in the video conference states that the information which is provided to him on the advice of the Commission is still inadequate. Though the respondents are absent the Commission has seen the reply submitted by them vide their letter dated 23.02.2018. They submit that the information he is seeking is desirable to be procured by him from the service centre established in the district. A definite fee has been Contd..page…2

 -2-

**APPEAL CASE NO. 3499/2017**

prescribed for this service to be rendered in a specified time as notified by the Government. The Commission observes that a service should not be confused with the information. When an arrangement is already in place to provide such services then use of RTI Forum is misplaced. The copies of the lathas and jamabandis should be procured by applying at the service centres established for the purpose. The respondents should ensure that he gets the required documents within the stipulated time.

  **Disposed.**

 **Sd/-**

**02.05.2018**  **(Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Dr. Khushbinder Singh

S/o Sh. Harbhajan Singh

R/o 752, Garden Enclave, G.T.Road,

Bye Pass, Amritsar. Appellant

Versus

Public Information Officer,

O/o Director, Research & Medical Education, Punjab,

Mohali

First Appellate Authority

O/o Director, Research & Medical Education, Punjab,

Mohali Respondents

 **APPEAL CASE NO.3436 /2017**

Date of RTI application : 08.08.2017

Date of First Appeal : 15.09.2017

Date of Order of FAA : Reply 04.10.2017

Date of 2nd Appeal/complaint :28.11.2017

**Present:** Dr.Khushwinder Singh, Appellant in person.

 None on behalf of the Respondents.

**ORDER**

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

On 21.02.2018 the Commission had observed in its interim order as under:-

 *“The appellant filed the original application on 08.08.2017. He states that he had sought the information about the PCMS doctors who had applied for the post of Assistant Professors and other allied information. The respondents say that sought for information has been provided on 04.10.2017.The appellant denies having received it. The respondent adds that the information is available with them.*

 *Since the matter is being heard through Video Conference and they are present in different studios of Amritsar and Chandigarh it is not possible to transmit it in person. The respondents are advised to send it through registered letter within 7 days to the appellant.”*

*Contd……..2*

*-2-*

***APPEAL CASE NO.3436 /2017***

The case has come up today. The appellant in his communication received in the Commission on 19.03.2018 under diary No.5597 has reported that he has not received the information.

 None is present on behalf of the respondents. However, they have endorsed us a copy of the communication sent to the appellant along with the copies of the documents comprised in about fifty pages. In video conference the appellant expresses his dissatisfaction but he has not come up with any tangible insufficiency. The Commission has seen the copy of the documents sent to him. It finds the same seemingly to be in order. The information sent across concerns the details of the applicants and the selected candidates besides the connecting information asked for by him. In the absence of any specific infirmity having been pointed out, the Commission is inclined to believe that sufficient information has been sent to him. No further intervention is called for.

 **Disposed.**

 **Sd/-**

**02.05.2018**  **(Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Sh. Jaspal Singh

S/o Sh. Rajesh Arora,

319/3, Gurdeep Nagar,

Jagraon, Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon

Distt. Ludhiana

First Appellate Authority,

O/o Regional Dy. Director,

Urban Local Bodies Department,

Ludhiana Respondents

 **APPEAL CASE NO.1427/2017**

Date of RTI application : 15.03.2017

Date of First Appeal : 18.04.2017

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 23.05.2017

**Present:** Sh. Jaspal Singh, Appellant in person.

 Sh. Ranjit Singh, Jr. Assistant, NC Office, Jagraon – for Respondents.

**ORDER**

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

 The following interim order was passed by this forum on 21.02.2018:

 *“Despite clear instructions to the respondents they do not seem to have taken appropriate action in this regard. They are directed to file written reply explaining their conduct and show cause as to why penalty should not be imposed.”*

 No action seems to have been taken by the respondents. Nothing has been heard in writing from them also. Another opportunity is afforded to them to comply with the above order of the Commission. Due to technical glitch the matter could not be heard properly in the video conferencing.

 The matter is adjourned to be heard on **04.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**02.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Sh. Ashu Pandey,

New Krishna Nagar, Partap Singh Wala,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Baba Mangal Singh College of Education

Bughi Pura, Moga, Barnala Road,

Moga.

First Appellate Authority

O/o Baba Mangal Singh College of Education

Bughi Pura, Moga, Barnala Road,

Moga Respondents

 **APPEAL CASE NO.3508 /2017**

Date of RTI application : 10.08.2017

Date of First Appeal : 06.10.2017

Date of Order of FAA :

Date of 2nd Appeal/complaint :27.11.2017

**Present:** Sh. Manik Kapoor on behalf of Sh. Ashu Pandey, Appellant

 None on behalf of the Respondents

**ORDER**

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

The following order was passed by this forum on 21.02.2018:

 *“Sh. Manik Kapoor appears on the behalf of Sh. Ashu Pandey, appellant. At the face of it, the Institution is a private body and not a Public Authority. The sought for information is personal information of a girl. The onus is on the appellant to convince the Commission that the respondent is a public authority within the meaning of the Act.”*

The case has come up today. None is present on behalf of the respondents. The appellant in response to the query of this forum maintains that the respondent authority is affiliated to the Panjab University, Chandigarh. The institute is imparting a degree to the students in B.Ed. course and is producing teachers who ultimately are responsible for shaping the future of the children. On a Contd..page…2

 -2-

**APPEAL CASE NO.3508 /2017**

pointed query of this forum as to whether it attracts any of the clauses of Section 2(h) of the Act so as to be defined as a Public Authority. The appellant has not come up with a convincing reply. The logical corollary is that the respondents are not a Public Authority and this forum is not vested with the authority to pass such directions to it.

 **Disposed.**

 **Sd/-**

**02.05.2018**  **(Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Sh. Harjinder Pal

S/o Late Sh. Gurdev Singh,

R/o House No.9342 Main Road,

Kot Mangal Singh, Ludhiana Appellant

Versus

Public Information Officer,

O/o Registrar, Firms & Societies, Punjab

Sector-17, Chandigarh

First Appellate Authority

O/o Registrar, Firms & Societies, Punjab

Sector-17, Chandigarh Respondents

 **APPEAL CASE NO.3535/2017**

Date of RTI application : 01.08.2017

Date of First Appeal : 24.10.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :01.12.2017

**Present:** Sh. Harjinder Pal, Appellant is person

 Sh. Satnam Singh, Sr. Assistant, O/o Registrar, Firms & Societies, Pb, at Commission’s office, Chandigarh – for Respondents.

**ORDER**

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

Sh. Satnam Singh appearing on behalf of the respondents says that the record pertains to a very old Society. They have not been able to trace it despite their best efforts. It shall have to be dug out from massive information and is quite difficult to be located with skeleton staff. They seek some time to look for it and try to make it available to the appellant at the earliest. His request is acceded.

 To come up on **04.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**02.05.2018**  **(Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Emaiil:psic22@punjabmail.gov.in**

Sh. Jaspal Singh

S/o Sh. Ramesh Arora,

319/3, Gurdeep Nagar, Jagraon,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon,

(Distt. Ludhiana)

First Appellate Authority,

O/o Deputy Director, Local Govt.

Ludhiana Respondents

 **APPEAL CASE NO. 4208 of 2016**

 **Date of RTI Application :24.09.2016**

 **Date of First Appeal :29.10.2016**

 **Date of Order of FAA :NIL**

 **Date of Second Appeal :19.12.2016**

**Present:** Sh. Jaspal Singh, Appellant in person.

 Sh. Ranjit Singh, Jr. Assistant, NC Office, Jagraon – for Respondents.

**ORDER**

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

 “The following interim order was made by this forum on 21.02.2018:

 *“Despite clear instructions to the respondents, they do not seem to have taken appropriate measures to provide information to information seeker. They are directed to file written reply, explaining their conduct in withholding the information and show cause as to why penal action should be initiated.”*

No action seems to have been taken by the respondents. Nothing has been heard from them in writing also. Another opportunity is afforded to them to comply with the above order before the next date of hearing. Due to technical glitch in the video conferencing the matter could not be heard properly.

 The matter is adjourned to be heard on **04.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**02.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**