

PUNJAB STATE INFORMATION COMMISSION

Red Cross Bhawan, Near Rose Garden, Madhya Marg,

Sector: 16, Chandigarh.

Tel. No.0172-2864100-01, Fax No.0172-2864110

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Shri Tejinder Singh, Advocate,
Village Bholapur, P.O. Ramgarh,
Chandigarh Road, Ludhiana.

.....Complainant

Vs

Public Information Officer
o/o Health Minister, Punjab,
Chandigarh.

.....

Respondent.

COMPLAINT CASE No. 1207 of 2018

Present:- None on behalf of the complainant.

Shri Gurjit Singh, Superintendent alongwith Ram Jattan, Senior
Assistant, on behalf of the respondent-PIO.

ORDER

The RTI application is dated 07.05.2018 vide which the complainant has sought information as enumerated in his RTI application and Complaint was filed in the Commission on 21.11.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The appellant is absent without intimation.
4. The representatives of the respondents state that application for information filed by one Shri Rohit Sabharwal on 16.5.2018 and the reply was sent to him by the respondent-department on 25.5.2018. Now action taken report has been sought by Shri Tejinder Singh, Advocate.

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COMPLAINT CASE No. 1207 of 2018

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5. After hearing the respondent, it has come to light that the information sought by the complainant is third party information and also personnel information as contemplated under Section 8(1)(j) of RTI Act. As per case decided on 03.10.2012 by Hon'ble Supreme Court of India in SLP (civil no. 27734 of 2012) titled "Girish Ram Chandra Deshpande vs. CIC, New Delhi and others", which relates to personnel information the disclosure of which has no relationship to any public activity or interest, the PIO is not bound to give such information. In the instant complaint case also there is no public interest involved in supply of information demanded by the complainant.

4. There is hardly any justification to give personal information to the information seeker. Relying upon this judgment, Commission up-hold the version of the respondent conveyed to the complainant vide their letter dated 25.05.2018. The complainant has also failed to substantiate any public interest for divulgence of information. As such the complaint filed in the Commission is **dismissed**. Copies of the order be sent to the parties.

Dated : 07.01.2019

(S.S. Channy)
Chief Information Commissioner
Punjab

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Ms. Amritpal Kaur
d/o Shri Surjan Singh
r/o New Atam Nagar,
Street No.6/3,
Jagraon, District Ludhiana.

Appellant

Vs

Public Information Officer
o/o Senior Superintendent of Police,
Ludhiana (Rural) at Jagraon.

First Appellate Authority
o/o Deputy Inspector General of Police,
Ludhiana Range, Ludhiana. Respondents.

Appeal Case .No. 3956 of 2018

Present:- Ms. Amrit Pal Kaur, appellant, in person.
Mr. Paramjit Singh, Head Constable, on behalf of the respondents.

ORDER

The RTI application is dated 12.06.2018 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 24.08.2018 and second appeal was filed in the Commission on 19.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The appellant states that copies of receipt for keeping file relating to

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case No.244/2007 by the Hon'ble Punjab and Haryana High Court and date and name of employee be given to her, who has brought the same in the concerned Police Station.

4. The respondents are directed to send point-wise reply/information to the appellant with a copy to the Commission before the next date of hearing.

5. To come up on **05.02.2019** at **11.30 A.M.**

Dated : 07.01.2019

(S.S. Channy)
Chief Information Commissioner
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Shri Bhavkhandan Singh
s/o S. Kapoor Singh,
VPO Lalton Kalan,
Tehsil and District Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Assistant Commissioner of Police,
Sadar, Gill, Ludhiana.

First Appellate Authority
o/o Commissioner of Police, Ludhiana.

.....Respondents.

Appeal Case .No. 3969 of 2018

Present:- Shri Bhavkhandan Singh, appellant, in person.

Shri Harbhol Singh, Head Constable, on behalf of the respondents.

ORDER

The RTI application is dated 01.06.2018 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 13.07.2018 and second appeal was filed in the Commission on 20.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The representative of the respondents states that complete information has been provided to the appellant to his satisfaction and nothing has been kept pending, which can be supplied to him.
4. After hearing both the parties, it is revealed that appellant is satisfied with the information supplied to him. He does not want to pursue the matter any further. Hence, the instant case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 07.01.2019

(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Parvinder Singh,
Chamber No.6027, Lawyer Complex,
Part II, District Courts,
Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Deputy Commissioner,
Ludhiana.

First Appellate Authority
o/o Deputy Commissioner,
Ludhiana.

.....Respondents.

Appeal Case .No. 3971 of 2018

Present:- Shri Parvinder Singh, appellant, in person.

Ms. Shashi, Clerk o/o Nazar Branch, Ludhiana through Video Conference Facility at Ludhiana.

ORDER

The RTI application is dated 19.05.2018 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 20.07.2018 and second appeal was filed in the Commission on 20.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The appellant states that no information has been received by him till date.
4. The respondents are directed to supply the information/reply to the

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appellant with a copy to the Commission within ten days from today failing which punitive action will be initiated under the Right to Information, Act, 2005. On receipt of the information/reply from the respondents, the appellant is advised to go through the same and revert back to the public authority, in case of deficiencies.

5. To come up on **05.02.2019** at **11.30 A.M.** to be heard through Video Conference facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 07.01.2019

(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Bharat Bhushan Mattu,
H.No.153, Akash Nagar,
Near Greenland School,
PO Netaji Nagar, Salem Tabri,
Ludhiana-141008.

.....Appellant

Vs

Public Information Officer
o/o Secretary, 6th Pay Commission, Punjab,
Chandigarh.

First Appellate Authority
o/o Chairman, 6th Pay Commission, Punjab,
Chandigarh.

.....Respondents.

Appeal Case No. 3983 of 2018

Present:- None on behalf of the appellant.

Shri Rajinder Singh, Section Officer, alongwith Shri Munish Kumar, Clerk,
on behalf of the respondents.

ORDER

The RTI application is dated 27.08.2018 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 01.10.2018 and second appeal was filed in the Commission on 20.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The appellant is absent but he has sent letter dated 24.12.2018 stating

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Appeal Case No. 3983 of 2018

that no information/reply has been received from the respondents. He has sought exemption from appearance as he is a patient of Complicated Chronic Disease.

4. The representatives of the respondents states that point wise reply in annotated form has been sent to the appellant vide their letter dated 20.12.2018 through registered post, which might have not been received by him till 24.12.2018.

5. On receipt of the letter dated 20.12.2018 from the respondents, the appellant is advised to go through the same and revert back to the authorities in case of deficiencies within 10 days from today. On receipt of deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing.

6. To come up on **05.02.2019** at **11.30 A.M.**

Dated : 07.01.2019

(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri S.P. Goyal,
2-C, Sarabha Nagar, Gurudwara Road,
Ludhiana.-141001.

.....Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
District Courts, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Courts, Ludhiana.

.....Respondents.

Appeal Case .No. 3779 of 2018

Present:- Shri S.P. Goyal, appellant, alongwith Shri Devinde Pal Sood, Advocate.
Shri Om Parkash, Superintendent-cum-PIO on behalf of the respondents.

ORDER

The RTI application is dated 26.05.2018 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 16.06.2018 and second appeal was filed in the Commission on 06.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for 27.12.2018 by the Commission, which was further postponed for today.

3. The appellant vide his application dated 26.05.2018 sought information from the PIO/District and Sessions Judge, Ludhiana. On receipt of the application from the appellant, the respondent-District and Sessions Judge, Ludhiana transferred the application under Section 6(3) of the Right to Information Act, 2005 to the Court of Chief Judicial Magistrate, Ludhiana for supplying the information on paras 14, 15, 16, 19, 19(a) and 20 vide their letter dated 01.06.2018 within the stipulated period of 5 days.

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The respondent-PIO has given reply to the appellant on 14.6.2018, the necessary contents of which are reproduced below:-

With regard to information sought in para No.1 to 13, 17 and 21 of your application, it is submitted that you are seeking queries, opinion/comments of PIO, which are not required to be provided as held by the Hon'ble Supreme Court of India in Central Board of Secondary Education and Another versus Aditya Bandhopadhyay & Others {(2011)8 SCC 497}. Therefore requisite information with regard to these paras cannot be supplied to you. However, you may refer to Hon'ble High Court Rules and Orders regarding sought information.

With regard to information sought in paras No. 18 and 22 of your application, this is to inform you that as per directions of the Hon'ble State Information Commission, Punjab, vide order dated 11.09.2017 passed in appeal cases No.1579 of 2017 and 1584 of 2017, photocopy of the complete record of the inquiry in question as available in this office had already been supplied to you, which had been received by you in person on 17.10.2017. Moreover, you are seeking queries/opinion/comments of the PIO, which are not required to be provided as held by the Hon'ble Supreme Court of India in Central Board of Secondary Education and Another versus Aditya Bandhopadhyay & others {(2011)8 SCC497}. Therefore, no further information is required to be provided to you with respect to these paras.

With regard to information sought in paras No.14, 15,16, 19, 19(a) and 20 of your application, this is to inform you that this part of your application has been forwarded to the PIO in the Court of the Chief Judicial Magistrate, Ludhiana vide this office letter No.10631/G dated, as it is connected to that established.

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However, as per Section 19 of the RTI Act, 2005, you may file an appeal to the Appellate Authority, i.e. Ld. District and Sessions Judge, Ludhiana within 30 days of the receipt of this order.

6. The respondent-PIO further states that reply/information as sought by the appellant has been provided. The appellant filed Appeal before the First Appellate Authority and the First Appellate Authority has passed speaking order on 18.07.2018 reiterating the stand of the PIO.

7. The appellant states that no copy of any documents has been supplied to him but the respondents-PIO has mentioned name of website, where asked for information is available. He further states that he visited the said web site but no information is available on that website as sought by him.

8. The respondent-PIO states that the information is very much there and no answers to questions are to be provided by the respondents as per the provisions of the RTI Act, 2005. Copies of the legal document are to be asked from the Copying Branch after depositing the requisite fee as prescribed by the Hon'ble Punjab and Haryana High Court.

9. After hearing both the parties and perusing the record, it is ascertained that reply to his RTI application has been provided. The appellant is advised to ask specific information under Section 2(f) of the RTI Act, 2005 from the concerned PIO, who is holding the same.

10. The appellant requests that he wanted to file deficiencies in the information so supplied to him.

11. On the request of the appellant, the case is adjourned to 5.2.2019 with the advice to seek specific information from the respondents within 10 days from today. On

Contd.....p/4

receipt of deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing.

12. The case will be heard on 5.2.2019 at 11.30 A.M. through Video Conference Facility available in the Deputy Commissioner's office.

Dated : 07.01.2019

(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road,
Ludhiana.-141001.

.....Complainant.
Vs

Public Information Officer
o/o Police Commissioner,
Ludhiana.

.....Respondent.

Complaint Case .No. 1178 of 2018 (Through Video Conference Facility)

Present:- Shri S.P. Goyal, complainant, alongwith Shri Devinder Pal Sood, Advocate
Shri Sulakhan Singh, Sub Inspector, on behalf of the respondents.

ORDER

The RTI application is dated 23.01.2018 vide which the complainant has sought information as enumerated in his RTI application and complaint was filed in the Commission on 02.11.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for 27.12.2018 by the Commission, which was further postponed for today.

3. The representative of the respondent-PIO states that information consisting of 5 pages has been sent to the complainant on 3.1.2018 through special messenger. He further states that complete information has been provided to the complainant and nothing has been kept pending, which can be supplied to the complainant.

Complaint Case .No. 1178 of 2018

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4. Advocate appearing on behalf of the complainant states that they have received the information only on yesterday and requests for an adjournment to go through the same and file deficiencies with the respondent-PIO.

5. On the request of the advocate appearing on behalf of the complainant, the case is adjourned to 5.2.2019 with the advice to go through the information so supplied to him and revert back to the authorities in case of deficiencies within 10 days. On receipt of the deficiencies, the respondent-PIO is directed to remove the same before the next date of hearing.

6. To come up on **5.2.2019** at **11.30 A.M.** through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 07.01.2019

(S.S. Channy)
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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road,
Ludhiana.-141001.

.....Complainant.

Vs

Public Information Officer
o/o Police Commissioner,
Ludhiana.

.....Respondent.

Complaint Case No. 1176 of 2018

Present:- Shri S.P. Goyal, complainant, alongwith Shri Devinder Pal Sood, Advocate
Shri Sulakhan Singh, Sub Inspector, on behalf of the respondents.

ORDER

The RTI application is dated 25.05.2018 vide which the complainant has sought information as enumerated in his RTI application and complaint was filed in the Commission on 06.11.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for 27.12.2018 by the Commission, which was further postponed for today.

3. The representative of the respondent states that information consisting of 13 pages has been sent to the complainant on 3.1.2018 through special messenger. He further states that complete information has been supplied to the complainant and nothing has been kept pending, which can be supplied to the complainant.

Contd..... p/2

Complaint Case No. 1176 of 2018

-2-

4. Advocate appearing on behalf of the complainant states that they have received the information only on yesterday and seeks an adjournment to go through the same and file deficiencies.

5. After hearing both the parties and going through the record available on the case file, it is revealed that information consisting of 13 pages has been received by the complainant. The complainant is advised to go through the same and revert back to the authorities in case of deficiencies within 10 days. On receipt of the deficiencies, the respondent-PIO is directed to remove the same before the next date of hearing, which is fixed for 5.2.2019

6. To come up on **5.2.2019** at **11.30 A.M.** for further hearing through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 07.01.2019

(S.S. Channy)
Chief Information Commissioner
Punjab