

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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Sh. Nathu Ram, s/o Sh. Mahavir Sihag,
R/o Village Taja Patti, Tehsil Abohar
District Fazilka

-----Appellant

Vs.

Registered post: **Public Information Officer,**
O/o District Social Security Officer
Fazilka

First Appellate Authority
o/o Deputy Director
Social Security Women & Child Development
Sector 34A, Chandigarh

Registered post: **Public Information Officer**
o/o CDPO, Abhohar-1,
Dist. Fazilka

-----Respondent

Appeal Case No. 813 of 2018

Present : (i) None is present on behalf of the appellant
(ii) For the respondent:-Sh.Kashmir Singh, Clerk, Sh.Suresh Supdt, o/o
CDPO, Abohar-I and Sh. Gurvinder, Supdt, o/o CDPO, Abohar-I

ORDER

The above-said appeal case was earlier heard by former SIC Madam Viney Kapoor Mehra, former SIC. After the resignation of former SIC Madam Viney Kapoor Mehra, the said appeal case was reallocated to the bench of Hon'ble SIC Madam Preety Chawla and fixed for hearing today i.e. 08.05.2019.

2. After examining the case file, it is observed that a show cause was issued to PIO, CDPO, Abohar-1 on 25.07.2018 but the penalty was imposed on PIO, o/o DSSO, Fazilka. On 06.03.2019 the orders were reserved by the former SIC Madam Viney Kapoor Mehra, but the pronounced orders were not available in the case file.

3. After going through the case file, it is observed that it is complicated case and requires adjudication by the Double bench/Larger Bench.

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Appeal Case No. 813 of 2018

4. In view of the foregoing, the case file is sent to Deputy Registrar for placing the same before the Hon'ble Chief Information Commissioner for appropriate orders.

Chandigarh
Dated: 08.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

D.R.

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Sh Lal Chand Virhe, (M:9417467183)

S/o Sh Chaman Lal Virhe,

R/o Village Garhi Sheru, Rahon Road,

PO Matiewara, Via Basti Jodhewal,

Tehsil & Distt.- Ludhiana

.....Appellant

Vs

1.Public Information Officer,

O/o District Registrar-cum-Civil Surgeon,

Birth & Death, Jalandhar

First Appellate Authority-cum-

Civil Surgeon, Jalandhar

.....Respondent

AC .No. 3610 of 2018

Present: (i) None for the Appellant

(ii) For the respondent : Sh Dr S.S Mann, PIO, Sh Baljit Kumar, APIO
Sh Vikas Mallik, SA and Sh Gurdev Singh.

ORDER

The above-said appeal case was earlier heard by Former SIC Prof. Viney Kapoor Mehra. After the resignation of Former SIC Prof. Viney Kapoor Mehra, the said appeal case was re-allocated to the Bench of Hon'ble SIC Madam Preety Chawla and fixed for hearing today, i.e, on 08.05.2019.

2. The Appellant is not present today.

3. Sh Gurdev Singh, the so-called third party is appearing today. Sh Gurdev Singh states that his personal information shall not be provided to anyone. He has also given the same in writing.

4. The perusal of the file shows that on the previous date of hearing the third party, whose information has been sought was directed to be personally present. Sh Gurdev Singh (third party) states that his personal information shall not be provided to anyone.

5. The appellant may take note that the third party information cannot be provided to him being a personal information which is exempted under Section 8(1)(j) of the RTI Act . Hon'ble Supreme Court of India in SLP no. 27734 of 2012 titled Girish Ramchandra Deshpande Vs Cen. Information Commr. & Ors and another in its order on 03.10.2012 has held as under:-

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AC .No. 3610 of 2018

(13. *We are in agreement with the CIC and the courts below that the details called for by the petitioner i.e. copies of all memos issued to the third respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right).*

6. In the aforementioned circumstances, no further cause of action is left. Hence, the Appeal Case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 08.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Lal Chand Virhe, (M:9417467183)
S/o Sh Chaman Lal Virhe,
R/o Village Garhi Sheru, Rahon Road,
PO Matiewara, Via Basti Jodhewal,
Tehsil & Distt.- Ludhiana

.....Appellant

Vs

1.Public Information Officer,
O/o District Registrar-cum-Civil Surgeon,
Birth & Death, Jalandhar

First Appellate Authority-cum-
Civil Surgeon, Jalandhar

.....Respondent

AC .No. 3126 of 2018
AC .No. 3127 of 2018
alongwith
AC .No. 3128 of 2018

Present: (i) None for the Appellant
(ii) For the respondent : Sh Dr S.S Mann, PIO, Sh Baljit Kumar, APIO
Sh Vikas Mallik, SA.

ORDER

The above-said appeal case was earlier heard by Former SIC Prof. Viney Kapoor Mehra. After the resignation of Former SIC Prof. Viney Kapoor Mehra, the said appeal case was re-allocated to the Bench of Hon'ble SIC Madam Preety Chawla and fixed for hearing today, i.e, on 08.05.2019.

2. The Appellant is not present today.

3. The Respondent states that the complete information has been provided to the Appellant. He also submits a copy of the receiving given by the Appellant in lieu of receiving the information.

4. In view of the foregoing, no further cause of action is left. Hence, the Appeal Case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 08.05.2019

(Preety Chawla)
State Information Commissioner

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Sh Kulwant Kaur,(M: 9878200289)
D/o Sh Narinderjit Singh,
Adda Chabhal, Amritsar Road,
Distt Tarn Taran.

.....Appellant

Vs

1.Public Information Officer,
O/o Civil Surgeon,
Tarn Taran

First Appellate Authority-cum-
O/o Civil Surgeon,
Tarn Taran

.....Respondent

AC .No. 2373 of 2018

Present: None for the parties.

ORDER

The above-said appeal case was earlier heard by Former SIC Prof. Viney Kapoor Mehra. After the resignation of Former SIC Prof. Viney Kapoor Mehra, the said appeal case was re-allocated to the Bench of Hon'ble SIC Madam Preety Chawla and fixed for hearing today,i.e, on 08.05.2019.

2. Today neither the Appellant nor the Respondent is present. Hence, one opportunity is given to both the parties to appear before the Commission and state their case. To come up on **08.07.2019 at 11:00 AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 08.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Manmohan Lal,(M: 9915378950)
S/o Bhagwant Kishor,
R/o Nilo Kalan, Tehsil-Samrala,
Distt- Ludhiana

.....Appellant

Vs

1.Public Information Officer,
O/o BDPO, Block –Machiwara,
Distt Ludhiana

First Appellate Authority-cum-
O/o DDPO, Ludhiana

.....Respondent

AC .No. 368 of 2018

Present: (i) Sh Manmohan Lal, Appellant
(ii) For the respondent : Sh Raghu Singh, Panchayat Secretary.

ORDER

The Above-said appeal case was earlier heard by Former SIC Prof. Viney Kapoor Mehra. After the resignation of Former SIC Prof. Viney Kapoor Mehra, the said appeal case was re-allocated to the Bench of Hon'ble SIC Madam Preety Chawla and fixed for hearing today,i.e, on 08.05.2019.

2. As directed in the previous hearing, the Respondent files his reply to the show-cause notice. I have gone through the affidavit of the Respondent and agree with the reply of the Respondent resultantly, the proceedings under Section 20 of the RTI are dropped. Further, the Respondent states that the amount of compensation has also been paid to the Appellant. He also submits the copy of the receiving given by the Appellant after receiving the compensation amount.

3. The Appellant states that he has received the compensation amount but he has not received the complete information.

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AC .No. 368 of 2018

5. After hearing both the parties and perusing the case file, it is ascertained that the complete information has not been provided to the Appellant. Hence, the PIO O/o BDPO, Block –Machiwara, Distt Ludhiana is directed to be present personally alongwith the complete original record on the next date of hearing.
6. To come up on **08.07.2019 at 11:00 AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 08.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sector 16, Chandigarh.

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Sh Lal Chand Virhe,(M:9417467183)
S/o Sh Chaman Lal Virhe,
R/o Village Garhi Sheru, Rahon Road,
PO Matiewara, Via Basti Jodhewal,
Tehsil & Distt.- Ludhiana

.....Appellant

Vs

1.Public Information Officer,
O/o District Registrar (Birth and Death),
Civil Surgeon, Jalandhar

First Appellate Authority-cum-
O/o Deputy Director,
Civil Surgeon, Civil Hospital, Jalandhar

.....Respondent

AC .No. 3612 of 2018

Present: (i) None for the Appellant.
(ii) For the respondent : Dr Jasbir Singh,APIO Sh Bharat Bhushan
Sharma, Supdt. And Sh Balbir Singh

ORDER

The above-said appeal case was earlier heard by Former SIC Prof. Viney Kapoor Mehra. After the resignation of Former SIC Prof. Viney Kapoor Mehra, the said appeal case was re-allocated to the Bench of Hon'ble SIC Madam Preety Chawla and fixed for hearing today,i.e, on 08.05.2019.

2. The Appellant is not present today.

3. The Respondent states that the Appellant had inspected the record and demanded information running into 48 pages but has not paid the documentation fee. Hence, the information has not been provided to the Appellant.

4. The perusal of the file shows that the complete information has not been provided to the Appellant. Hence, the Respondent is directed to provide complete information to the Appellant free of cost. To come up on **15.05.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 08.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Mukhtiar Singh, S/o Sh Deep Singh,
Village Vallah, Tehsil and District Amritsar

.....Appellant

Vs

1. Public Information Officer,
O/o Senior Medical Officer,
Civil Hospital, Loopke, Amritsar

First Appellate Authority-cum-
O/o Civil Surgeon, Amritsar

.....Respondent

AC .No. 4276 of 2018

Present: (i) Sh Shubham Mehta, counsel for the Appellant.

(ii) For the Respondent: Sh Pankaj Gill, M. O and Sh Jatin Kumar, MPHW

ORDER

The above-said appeal case was earlier heard by Former SIC Prof. Viney Kapoor Mehra. After the resignation of Former SIC Prof. Viney Kapoor Mehra, the said appeal case was re-allocated to the Bench of Hon'ble SIC Madam Preety Chawla and fixed for hearing today, i.e., on 08.05.2019.

2. The Counsel for the Appellant – Sh. Shubham Mehta states that the appellant has not received the complete information till date.

3. The Respondent states that the information, as available, in their official record has been provided to the Appellant.

4. After hearing both the parties and perusing the case file, it is ascertained that the complete information has not been provided to the Appellant. Hence, the Respondent is directed to provide complete information to the Appellant and in case the information is not available in the official record of the Respondent then to file an affidavit stating the same, on the next date of hearing. To come up on **08.07.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 08.05.2019

(Preety Chawla)
State Information Commissioner

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Sh Mehar Singh, (M:9855607001)
S/o Sh Chottu Singh,
Vishavkarama Colony,
Sangrur Road, Nabha, Patiala

.....Appellant

Vs

Public Information Officer,
O/o Director, Ayurveda Department, Punjab
Chandigarh

First Appellate Authority-cum-
O/o Director, Ayurveda Department, Punjab
Chandigarh

2. Public Information Officer,
O/o Registrar, Ayurvedic Unani System Board,
Medical Education Board Building,
Sector 66, SAS Nagar, Mohali

.....Respondent

AC .No. 3439 of 2018

Present: (i) Sh Mehar Singh, Appellant.
(ii) For the respondent : Sh Brahmjot, PIO Sh Balwinder, Sr Asstt., Sh
Rubal Sharma, Clerk, Smt Anu, Clerk and Smt Vishakha, Cashier

ORDER

The Above-said appeal case was earlier heard by Former SIC Prof. Viney Kapoor Mehra. After the resignation of Former SIC Prof. Viney Kapoor Mehra, the said appeal case was re-allocated to the Bench of Hon'ble SIC Madam Preety Chawla and fixed for hearing today, i.e, on 08.05.2019.

2. The Appellant states that he has not received the complete information till date. The Appellant has pointed out the deficiencies in the information provided to the Respondent.

3. The Respondent(s) state that the information as available in their official record has been provided to the Appellant.

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AC .No. 3439 of 2018

4. After hearing both the parties and persuing the case file, it is ascertained that the complete information has not been provided to the Appellant. Hence, the Respondent No.1 and Respondent no.2, are directed to provided complete information to the Appellant and in case the information is not available in the official record of the Respondent then to file an affidavit stating the same, on the next date of hearing. To come up on **08.07.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 08.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner