



Sh. Gorakha Singh, S/o ShChanan Singh,
R/o Village DallaRajputan,
Tehsil Ajnala, Distt Amritsar.

... Complainant

Versus

Public Information Officer,
O/o DFSO,
Amritsar.

...Respondent

Complaint Case No. 41 of 2021

ORDER:

The case first came up for hearing on 05.05.2021. The complainant was absent.

As per record, there was no response of the RTI application within the time prescribed under the RTI Act and there has been an enormous delay in attending to the RTI application, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

On the date of the last hearing on 27.07.2021, as per the respondent, the information had been provided to the complainant.

The PIO was absent due to some medical emergency. The Commission received a reply from the PIO through email which was taken on the file of the Commission.

In the reply, the PIO mentioned that the RTI application was sent to their distribution branch with the direction to provide the information. However, as per the report of the inspector distribution branch, the information was in the custody of Sh. Harjot Singh, Inspector Food Supply Ajnala, was directed to report and the reply was sent to the complainant vide letter dated 15.12.2020. However, despite letters and reminders, the concerned inspector did not supply the information. Due to this negligence, the concerned inspector has been issued a show-cause notice with a copy to Director Food, Civil Supplies and Consumer Affairs, Pb Chandigarh on 26.07.2021 for taking appropriate action against the concerned inspector.

The decision to be taken after hearing, Inspector Harjot Singh. Inspector Harjot Singh and the PIO were directed to be present at the next date of hearing.

Hearing dated 09.09.2021:

The case has come up for hearing today through video conferencing at DAC Amritsar. Due to a technical fault in the VC, the hearing could not take place.

Earlier order stands. The case is adjourned.

To come up for further hearing on **04.01.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated 09.09.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Basant Singh,
H No-733, Phase-3B1,
Mohali.

... Appellant

Versus

Public Information Officer,
O/o SGPC,
Amritsar.

First Appellate Authority,
O/o Chief Secretary,
SGPC, Amritsar.

... Respondent

Appeal Case No. 55 of 2021

Present: Sh. Basant Singh as the Appellant
Sh. Simarjit Singh, PIO for the Respondent

ORDER:

The appellant through RTI application dated 01.07.2020 has sought the following information:

1. A copy of documents that entitle the SGPC for ownership, or any type of right on the basis of which SGPC tried to forcibly evict the persons in possession of land for the purpose of leasing of agriculture land measuring 161 acres.
2. Copy of title deeds/rights in favour of SGPC Amritsar
3. A copy of any court order to forcibly evict persons in possession of the said land
4. copy of any legal opinion from its legal advisor of SGPC how to get possession and do the subsequent lease
5. Resolution of the competent authority of SGPC authorising eviction of persons in possession as enumerated in the RTI application concerning the office of SGPC Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 19.08.2020 which took no decision on the appeal.

On the date of the first hearing on 05.05.2021, both the parties were absent, the case was adjourned. The PIO was directed to re-look at the RTI application and send a point-wise reply to the appellant with a copy to the Commission.

On the date of the last hearing on **27.07.2021**, as per the appellant, the information was not supplied by the PIO.

The respondent was absent on 2nd consecutive hearing nor had complied with the order of the Commission. The PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

The PIO was again directed to provide information to the appellant within 10 days.

Hearing dated 09.09.2021:

The case has come up for hearing today through video conferencing at DAC Amritsar. The appellant claims that the PIO has not supplied the information.

The respondent present pleaded that the land was evicted as per due procedure and through the proper channel.

Appeal Case No. 55 of 2021

Having gone through the RTI application and hearing both the parties, the PIO is directed to provide the information on all points on the date of filing of the RTI application. The information be provided within 15 days of the receipt of the order.

The PIO has not filed a reply to the show-cause notice. The PIO is given one last opportunity to file a reply to the show-cause notice otherwise it will be presumed that the PIO has nothing to say in the matter and the decision will be taken ex-parte.

The case is adjourned. To come up for further hearing on **04.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated 09.09.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Dr. Gurcharan Singh,
Street No-3, Indra Basti,
Sangrur.

... Appellant

Versus

Public Information Officer,
O/o The Director (Education),
Shiromani Gurudwara Parbhandhak Committee,
6- Kalgidhar Niwas,
Sector-27-B, Chandigarh.

First Appellate Authority,
O/o The Secretary,
SGPC, Amritsar.

...Respondent

Appeal Case No. 737 of 2009

Present: None for the Appellant
Sh.Simarjit Singh-PIO for the Respondent

ORDER:

The appellant Dr.Gurbachan Singh through RTI application dated 27.07.2009 address to Director (Education) SGPC Chandigarh sought information on seven issues relating to the interviews conducted for the post of Director(Education) SGPC Chandigarh. Having failed to get the information, he approached the State Information Commission. Notice was issued to the PIO for his appearance before the Commission on 22.10.2009. Sh.Balwinder Singh O/o Director (Education)-SGPC Chandigarh and Sh. Simarjit Singh-GPA-SGPC Amritsar appeared on the date of the hearing. Sh. Balwinder Singh O/o Director(Education) SGPC Chandigarh submitted a written reply vide letter dated 27.10.2009 that the SGPC being a religious body manage the affairs of the Sikh Community through a board/trust and is not covered under the purview of RTI Act since it is not financed by the Government.

The stand of respondent No.2 however, was that the information would be supplied to the appellant, for which he sought time. The case was adjourned.

On the date of hearing on 04.12.2009, it was concluded that the information sought in the present case does not pertain to any religious affairs, but relates to the selection process of the teachers recruited by the Directorate of Education, SGPC, there were no reasons to withhold the information and the PIO was directed to supply the information within a period of 15 days.

On the next date of hearing 22.12.2009, the respondent SGPC moved an application for review/recall/ modification of order dated 04.12.2009 which was decided and dismissed vide order dated 27.01.2009 and the PIO was directed to ensure that the information is supplied to the complainant as per order dated 04.12.2009.

On the date of hearing on 18.02.2010, since the PIO did not comply with the order of the Commission, a **show-cause notice** was issued to the PIO for non-supply of information and for violation of an order of the Commission.

On the date of the next hearing on 15.03.2010, Sh.I.P.S. Kohli, advocate along with Sh. Simarjit Singh, GPA-cum-PIO appeared on behalf of the respondent and submitted a copy of the order passed by Hon'ble Shri K.Kannan of Hon'ble Punjab and Haryana High Court in CWP No.4082/2010, whereby an interim order for stay was granted by the High court. Since the stay was granted and the case was pending in the High Court, the case was adjourned Sine-die on 27.08.2014.

Now the Hon'ble High Court in its order dated 04.07.2019 has passed the following order:

“..... The court does not find any illegality in the impugned order passed by the Commission calling for interference. There being no merit in these writ petitions, the same, therefore, stand dismissed.”

Given the above, since the writ petition filed by the respondent in the High Court for quashing of the order dated 14.09.2009 passed by the Commission stands dismissed by the Hon'ble High Court, the order of the Commission dated 04.12.2009 still stands to be complied with by the PIO-SGPC, Amritsar.

However, I am of the view that since the RTI application was filed by the complainant in the year 2009, the complainant if still interested in the information is to file a suitable reply and appear before the Commission on the next date of hearing to pursue his case.

The case is adjourned. To come up for further hearing on **04.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar. The appellant to appear through VC at DAC Sangrur.

Chandigarh
Dated: 09.09.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
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Sh Pardeep Bhalla, S/o sh Krishan Chand,
34, Mahindrea Colony,
Near Rani Ka Bagh,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Managing Director,
Punjab Health System Corporation,
Near Civil Hospital, Phase-6,
Mohali.

First Appellate Authority,
O/o Punjab Health System Corporation,
Near Civil Hospital, Phase-6,
Mohali.

...Respondent

Appeal Case No. 1461 of 2021

PRESENT: Sh.Pardeep Bhalla as the Appellant
Sh.PIP Singh, Advocate for the Respondent

ORDER:

The appellant through RTI application dated 24.07.2019 has sought information regarding a complete record of tender relating to civil work having estimates of Rs.5.00 crore or above called by the department during 01.01.2019 to 30.06.2019 – the name of agencies along with the record of submitting documents regarding their technical and financial bids in the tender processed during passing and other information as enumerated in the RTI application concerning the office of Health System Corporation, Mohali. The appellant was not satisfied with the reply of the PIO dated 04.09.2019 after which the appellant filed the first appeal before the First Appellate Authority on 06.09.2019 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Amritsar. The appellant claims that the PIO has not supplied the information.

The counsel present on behalf of the respondent stated that since the sought information was the personal information of many agencies, it cannot be provided.

After having carefully scrutinized the RTI application and the reply of the counsel for Punjab Health Corporation the following is concluded in the interim order.

- To provide the record of tender relating to civil work having estimated cost of 5 crores or above called by the department from 01.01.2019 to 30.06.2019 along with the name of the agency.
- To file a detailed reply to the Commission regarding the kind of personal information that the respondent's counsel is alluding to in the reply to the RTI for not providing the sought information.

To come up for further hearing on **04.01.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar.

Sd/-
Chandigarh
Dated: 09.09.2021

(Khushwant Singh)
State Information Commissioner