Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



Sh. Jasdeep Singh, S/o Shri Kuljit Singh House No. 2001, Phase 7, Mohali

.....Appellant

Public Information Officer,

O/o Director Vigilance Bureau, Vigilance Bhawan, Sector 68, SAS Nagar, Mohali

First Appellate Authority-cum-

O/o Director Vigilance Bureau, Vigilance Bhawan, Sector 68, SAS Nagar, Mohali

Public Information Officer

PIO, o/o Secretary, Vigilance Department, Punjab Mini Sectt., Sector 9, Chandigarh

.....Respondent

AC.No. 531 of 2020 AC.No. 532 of 2020 AC.No. 533 of 2020 AC.No. 534 of 2020 and AC.No. 535 of 2020

۷s

Present

- (i) Sh. Jasdeep Singh, the appellant
- (ii) For the Respondent: Sh. Rajesh Kumar, Sub Inspector

ORDER

- 1. The RTI applications 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 29.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice of hearing was issued to the parties for 11.03.2020 in the Commission.
- 3. The appellant filed five appeals with the Commission seeking information from Director Vigilance Bureau, Punjab, Mohali, as in all the appeals, the appellant and the PIO is the same so all these has been clubbed together.
- 4. The appellant states that he is not satisfied with the information provided by the respondent.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



AC.No. 531 of 2020 AC.No. 532 of 2020 AC.No. 533 of 2020 AC.No. 534 of 2020 and AC.No. 535 of 2020

5. Respondent states that the information is lying with the PIO, o/o Secretary, Vigilance Department, Punjab. He has also filed his reply which is as under:-

- 6. Since, the information is to be provided by the PIO, o/o Secretary, Vigilance Department, Punjab. Therefore, PIO, o/o Secretary, Vigilance Department, Punjab is impleaded as respondent no.2. PIO, o/o Secretary, Vigilance Department, Punjab is directed to come present on the next date of hearing alongwith complete information.
- 7. Both the PIOs are directed to come present on the next date of hearing alongwith complete information.

Sector 16, Chandigarh.
Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



AC.No. 531 of 2020 AC.No. 532 of 2020 AC.No. 533 of 2020 AC.No. 534 of 2020 and AC.No. 535 of 2020

8. To come up on **30.03.2020** at **11.00 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

Dated: 11.03.2020

(Preety Chawla) State Information Commissioner Punjab

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



Smt.Varinder Kaur Dhanoa, # 490, Urban Estate,Phase 1, Jalandhar

Vs
Officer nritsar Respondent

AC.No. 1828 of 2019

Present:

(i) Smt. Varinder Kaur Dhanoa, the appellant

(ii) For the respondent: Smt. Jatinder Kaur, LHV and Sh. Pankaj Gill, M.O

ORDER

This order may be read with reference to the previous order dated 19.02.2020.

2. Today the respondent has brought complete information, which is handed over to the appellant. Respondent has also given in writing which is as under:-

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



AC.No. 1828 of 2019

- 3. Original copy is handed over to the appellant. Copy of the same is taken on record. The appellant Smt. Varinder Kaur is satisfied with the information.
- 4. 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/-

Dated: 11.03.2020 (Preety Chawla)
State Information Commissioner
Punjab

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



Sh Ghanshayam Dass,(M:9316280155) S/o Sh Gauri Shankar, Street No.1, Professor Colony, Sirhind, Distt Fatehgarh Sahib.

.....Appellant

Public Information Officer,

O/o District Collector, Food Civil Supplies and Consumer Affairs, Fatehgarh Sahib

First Appellate Authority-cum-Director,

O/o Food Civil Supplies and Consumer Affairs, Pb Anaj Mandi, Sector 39C, Chandigarh.

.....Respondent

AC.No. 4311 of 2019 alongwith AC.No. 4312 of 2019

۷s

Present

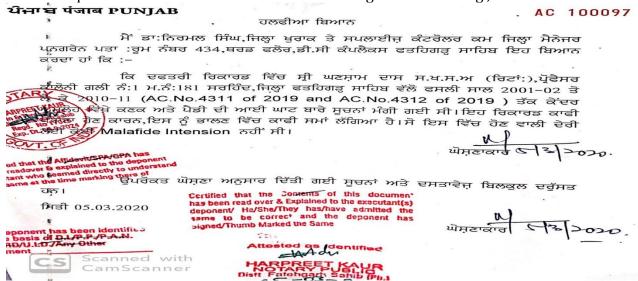
(i) Sh Ghanshayam Dass, Appellant

(ii) **For the Respondent**:, Ms Sukhveer Kaur, Auditor, Ms Baljit Kaur, Jr Auditor and S.Nirmal Singh, PIO-cum-DFSC,Sh. Gursharan Singh, AFSO, Amloh and Sh. Mukesh Slukle, Inspector

ORDER

This order may be read with reference to the previous order dated 02.03.2020 vide which Sh. Nirmal Singh was directed to come present.

- 2. The appellant is satisfied with the information. He only demands that the respondent be penalized as he has not received the information within stipulated time as prescribed under the RTI $Act\ 2005$.
- 3. Respondent files an affidavit as directed during the last hearing, which is as under:-



Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com

Dated: 11.03.2020



AC.No. 4311 of 2019 alongwith AC.No. 4312 of 2019

- 4. I have gone through the same and have agreed with the same. Regarding delay, the respondent has filed an affidavit. However, the Respondent is warned to be careful in future while dealing with the RTI applications.
- 5. Since, the appellant has received the information, 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/-

(Preety Chawla)
State Information Commissioner
Punjab

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



ShJatinder Kumar,(M:98723-24111)		
C/o SachkhandMishthanBhandar,		
Nehru Gate, Nawawnshaher.		Appellant
,	Vs	
Public Information Officer,		
O/oSrVigilance Officer,		
Local Govt, Pb		
Plot No.3, Municipal Bhawan,		
Sector-35, Chandigarh		
First Appellate Authority,		
O/o Chief Vigilance Officer,		
Local Govt, Pb		
Plot No.3, Municipal Bhawan,		
Sector-35, Chandigarh		Respondent

AC.No.544 of 2020

Present: (i) ShJatinder Kumar, Appellant.

(ii) For the Respondent: Sh Sanjay Tandon, SVO

ORDERS

The RTI application is dated 22.08.2019 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 29.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 11.03.2020 in the Commission.
- 3. The Appellant states that he has received information pertaining to point no.1 but information pertaining to point no.2 has not been provided to him.
- 4. The Respondent states that the information pertaining to point no.2 cannot be provided to the Appellant as it contains the names of officers/officials whose disclosure cannot be made to the Appellant.
- 5. The perusal of the file shows that the information pertaining to point no.1 has been provided to the Appellant. Further, on point no.2 the Respondent is hereby directed to provide the information to the appellant and sever the names of the officers/officials from the noting's as stipulated in Section 10(1) of the RTI Act, 2005

PUNJAB STATE INFORMATION COMMISSION Red Cross Building, Near Rose Garden, Sector 16, Chandigarh. Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



AC.No.544 of 2020

To come up on 30.03.2020 at 11:00AM. Copy of the orders be sent to the parties. 6.

Sd/-

(Preety Chawla) Dated: 11.03.2020 **State Information Commissioner** Punjab

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



Sh S.P Goyal, (M: 9820239110) #2-C, Sarabha Nagar, NavDurgaMandir, Gurudwara Road, Ludhiana.		Appellant
	Vs	FF
Public Information Officer,		
O/oPunjab Small Industries & Export Corporation,		
UdyogBhawan, Himalaya Marg,		
Sector 17-A, Chandigarh-160017		Respondent

CC.No.107 of 2020

Present: (i) None for the Appellant.

(ii) For the Respondent: ShSuresh Kumar, Section officer

ORDERS

Dated: 11.03.2020

- 1. The RTI application is dated 21.10.2019 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 24.01.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice was issued to the parties for hearing for 11.03.2020 in the Commission.
- 3. The Complainant is not present today. However, an e-mail has been received from the Complainant mentioning therein that he shall not be able to attend the hearing today. Copy of the same is taken on record.
- 4. The Respondent states that the complete information has been provided to the Complainant. He also files his reply which is taken on record.
- 5. This is the first date of hearing and the Complainant is not present today. Hence, an opportunity is given to the Complainant to appear before the Commission and state his case.
- 6. To come up on 19.03.2020 at 11:00AM through Video –Conferencing facility in the office of DC, Ludhiana. However, the Respondent may attend the hearing in the Commission office. Copy of the orders be sent to the parties.

Sd/-

(**Preety Chawla**)
State Information Commissioner
Punjab

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



Smt.Nanditaiviainotra,		
H No 15-H, Sarabha Nagar,		
Ludhiana-141002.		Appellant
	Vs	
Public Information Officer, O/oPunjab Small Industries & Export Corporation, UdyogBhawan, Himalaya Marg, Sector 17-A, Chandigarh-160017		
First Appellate Authority, Punjab Small Industries & Export Corporation, UdyogBhawan, Himalaya Marg, Sector 17-A, Chandigarh-160017		Respondent

AC.No.536 of 2020

Present: None for the parties.

ORDER

- 1. The RTI application is dated 24.09.2019 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 29.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice of hearing was issued to the parties for 11.03.2020 in the Commission.
- 3. Today neither the Appellant nor the Respondent is present today.
- 4. This is the first date of hearing and both the parties are not present today. Hence, an opportunity is given to both the parties to appear before the Commission and state their case.
- 5. To come up on **30.03.2020 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Dated: 11.03.2020 (Preety Chawla)
State Information Commissioner
Punjab

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



Sh.BirchhBhan,		
S/o ShSaroop Chand,		
R/o House No.33, Kahangarh Road,		
Pattran, Patiala		Appellant
	Vs	
Public Information Officer,		
O/o EO, Block Samiti,		
Pattran, Patiala		Respondent

CC.No.959 of 2019

Present: None for the parties.

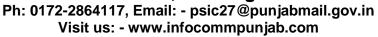
ORDERS

This order may be read with reference to the previous order dated 17.02.2020.

2. Today neither the complainant nor the Respondent is present today. They were not present on the previous two hearings also. They have not even bothered to inform the Commission about their absence. Therefore, I am of the view that no useful purpose will be served in prolonging this matter any further. Hence, the instant Complaint case is *dismissed for non-prosecution*. Copy of the orders be sent to the parties.

Sd/-

Dated: 11.03.2020 (Preety Chawla)
State Information Commissioner
Punjab



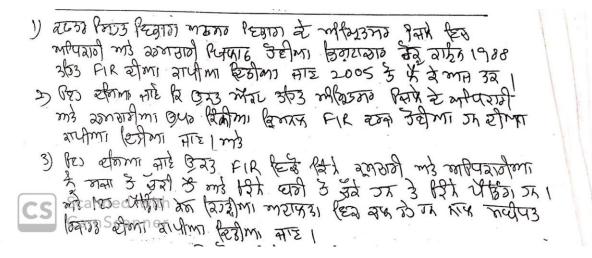


Sh. Ajay Nand alias Ajay Kumar Mehta, Late Sri Nand, R/o C-118, East Mohan Nagar, Chamrang Road, Amritsar		
, and		Appellant
	Vs	
Public Information Officer, O/o District Health Officer, Amritsar		
First Appellate Authority O/o Civil Surgeon , Amritsar		
		Respondent
Δ	C No. 4503 of 20	19

ORDER

The judgment in this case was reserved on 19.02.2020

2. The applicant/appellant filed RTI application dated 27.08.2019 to the PIO o/o District Health Officer, Amritsar whereby he sought information on 03 points which is as under:-



Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



AC No. 4503 of 2019

- 3. On receiving reply dated 19.09.2019 from the PIO that the sought for information is NIL, the applicant filed appeal to the first appellate authority on 30.09.2019. The applicant/appellant submitted that the first appellate authority also denied the information. Hence this appeal filed to the Commission by the appellant on 04.12.2019 on the ground that the demanded information has not been furnished by the respondent within the stipulated period.
- 2. Notice was issued to the parties for 04.02.2020 in the Commission.
- 3. On 04.02.2020, the appellant submitted that incomplete information has been given to him so far. The appellant stated that Section 8(1) (B.G.H.J) for denying copy of FIR on point nos. 1 and 2 is not applicable. Therefore, the denial is not justified as the FIR is a public document and can be sought by any citizen.
- 4. The Commission understands that an FIR registered is a public document. They can withhold it only in case they make a convincing case of exception under exemption clause. They should come up in writing else they should provide a copy of the FIR, if registered, to the appellant.
- 5. After hearing both the parties and examining the case file, it is observed that the appellant has sought information about FIR registered from 1988 to 2005 against Government officials. Consequently, it is observed that voluminous information has been asked for by the appellant. The appellant may take note that there is a judgement of The Supreme Court of India in Civil Appeal No. 6454 of 2011 Central Board of Secondary Education **Vs** Aditya Bandopadhyay and ors. has in its judgment dated 09.08.2011 observed as under -

(37 Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in Visit us: - www.infocommpunjab.com



AC No. 4503 of 2019

information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising 'information furnishing', at the cost of their normal and regular duties.)

- 6. However, the PIO respondent is directed to allow the appellant to inspect the FIR register and obtain the information. Respondent is directed to provide the same to the appellant.
- 7. To come up on **07.04.2020 at 11.00 AM** for further proceedings. Copy of the order sent to the parties.

Sd/-

Chandigarh Dated:11.03.2020

(Preety Chawla)
State Information Commissioner
Punjab