**STATE INFORMATION COMMISSION, PUNJAB**

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

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Sh. Raj Kumar Sethi

House No.71-D, Rajguru Nagar,

Ludhiana -141012 Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Improvement Trust,

Ludhiana

First Appellate Authority

O/o Dy. Director, Local Govt. Punjab,

Mini Secretariat. Ludhiana Respondents

 **APPEAL CASE NO.1941/2017**

Date of RTI application : 10.04.2017

Date of First Appeal : 29.05.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :14.07.2017

**Present:** Sh. Raj Kumar Sethi, Appellant in person.

 Sh. Rajiv Sabharwal, Jr. Assistant, O/o Improvement Trust, Ludhiana – for Respondents.

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**ORDER**

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

 The appellant had sought an information concerning a specific property allotted under LDP Scheme of Improvement Trust. The respondents take a third party plea. Their stance is not valid which is overruled. By no stretch of imagination an exemption can be invoked in withholding an information which is public in nature. The respondents are directed to part with the information forthwith under intimation to the Commission failing which it shall be inferred that they are willfully and malafidely withholding the information and the penal consequences shall follow.

 To come up on **25.10.2017 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**13.09.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Anil Kumar Verma

5168, Shankar Garden Colony,

Nakodar -144040 Appellant

Versus

Public Information Officer,

O/o Vigilance Bureau, Punjab,

SCO No.60-61, Sector-17-D,

Chandigarh

First Appellate Authority

O/o Director,

Vigilance Bureau, Punjab,

SCO No.60-61Sector-17-D,

Chandigarh Respondents

 **APPEAL CASE NO.1946/2017**

Date of RTI application : 24.02.2017

Date of First Appeal : 23.03.2017

Date of Order of FAA : Reply 12.04.2017

Date of 2nd Appeal/complaint : 21.05.2017

**Present:** Sh. Anil Kumar Verma, Appellant in person.

 1. Sh. Gurbachan Singh,APIO – cum – Supdt., Vigilance Bureau, (Hqr.), Pb., Chd.

 2. Sh. Avtar Singh, S.I. Incharge RTI, Vigilance Bureau, (Hqr.), Pb., Chd.

 3. Constable Anil Rattan, Vigilance Bureau, Pb., Chandigarh – for Respondents at Commission’s office, Chandigarh.

**ORDER**

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

Heard.

 What transpires is that the appellant has been sued against by a person namely
Sh. Raj Singh for defamation. He is seeking information to defend himself in the Court. The respondents have taken a plea of exemption under Section 8(1) (g) of the Act. The refuge behind the above provision is misplaced as no information has been passed in confidence by somebody so as to jeopardize his security or safety. The respondents reportedly have forwarded the complaints to the Chief Vigilance Officer, o/o DPI (SE), Punjab.

 The Commission believes that a citizen is entitled to an information which concerns his personal interests. The Chief Vigilance Officer, O/o DPI (SE) is directed to supply the copy of the complaints thus reported to have been forwarded to him. He is also directed to give him the copies Contd…page…2

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 **APPEAL CASE NO.1946/2017**

of the statements recorded along with a copy of the final inquiry report which reportedly has been completed. Be it noted that the C.V.O. in the Department of Education is impleaded as necessary party and shall attend hearing on the next date of hearing.

 To come up on **08.11.2017 at 11.30 AM through video conference at Jalandhar.**

 **Sd/-**

**13.09.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: The Chief Vigilance Officer,**

 **O/o Director, Public Instructions (SE),**

 **PSEB Complex, Phase VIII, SAS Nagar (Mohali) for information and immediate n/a.**

**CC: The Director,**

 **Public Instructions (SE),**

 **PSEB Complex, Phase VIII, SAs Nagar (Mohali.**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh.Jagsir Singh

S/o Sh. Chhota Singh,

V & P.O Cheema, Ward No.11,

Tehsil Sunam, Distt. Sangrur Appellant

Versus

Public Information Officer,

O/o President,

Local Gurdwara Parbandhak Committee,

Cheema

First Appellate Authority

O/o Incharge,

Shromani Gurdwara Parbandhak Committee,

Sri Amritsar Sahib Respondents

 **APPEAL CASE NO.1955/2017**

Date of RTI application : 26.10.2016

Date of First Appeal : 15.11.2016

Date of Order of FAA : Reply 26.01.2017

Date of 2nd Appeal/complaint :20.07.2017

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

 Adv. Janak Singh Bhinder, Counsel for the Respondents at Commission’s office, Chandigarh.

**ORDER**

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

The appellant is present in the studio of NIC in DC Office. Adv. Janak Singh Bhinder, Counsel for the respondents is present in Commission’s office at Chandigarh. He seeks adjournment as he could not get himself apprised of the facts of the case. His request is acceded.

 The matter shall now be heard on **04.10.2017 at 11.30 AM through video conference at Sangrur.**

 **Sd/-**

**13.09.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Gagandeep Singh Janjua,

Village Tura Post Office Kumb,

Tehsil Amloh, Distt.Fatehgarh Sahib.

 Appellant

Versus

Public Information Officer,

O/o Punjab Wakf Board, Batala

Distt. Gurdaspur

First Appellate Authority

O/o Punjab Wakf Board, Batala

Distt. Gurdaspur Respondents

 **APPEAL CASE NO.1978/2017**

Date of RTI application : 10.01.2017

Date of First Appeal : 17.04.2017

Date of Order of FAA : Reply 23.02.2017

Date of 2nd Appeal/complaint : 17.07.2017

**Present:** None is present in the video conference.

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**ORDER**

None is present on behalf of the Parties. The matter shall be reheard on **25.10.2017at 11.30 AM through video conference at Gurdaspur.**

 **Sd/-**

**13.09.2017** **(Yashvir Mahajan)**

 **State Information Commissioner**

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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

First Appellate Authority

O/o Regional Deputy Director,

Urban Local Bodies, Punjab,

Ludhiana Respondents

 **APPEAL CASE NO.1980/2017**

Date of RTI application : 01.05.2017

Date of First Appeal : 03.06.2017

Date of Order of FAA : 08.06.2017

Date of 2nd Appeal/complaint :18.07.2017

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

 Sh. Rajesh Kumar, S.O., NC office, Jagraon – for Respondents.

**ORDER**

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

The respondents have sent a reply inviting a reference of the application having been filed by one Smt. Tara Devi widow of Sh. Ramesh Arora. There seems some mix up. The respondents are advised to go through the application properly and arrange to provide a suitable reply to the Commission by the next date of hearing.

 To come up **25.10.2017 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**13.09.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

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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. Urban Local Bodies,

Ludhiana Respondents

 **APPEAL CASE NO.1184/2017**

 **Date of RTI Application : 11.02.2017 Date of First Appeal : 15.03.2017**

 **Date of Order of FAA : NIL**

 **Date of Second Appeal : 27.04.2017**

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

 Sh. Rajesh Kumar, SO, N.C. office, Jagraon – for Respondents.

**ORDER**

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

A communication has been sent to us by the respondents intimating that the information has been provided to the appellant. The appellant is still dissatisfied. According to him the information supplied to him is still deficient. The respondent assures to do the needful by the next date of hearing positively.

 To come up on **25.10.2017 at 11.30 AM through video conference at Ludhiana.**

  **Sd/-**

**13.09.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Hari Om Jindal,

C-37, Kichlu Nagar, Ludhiana

Ludhiana Bharat Nagar Chowk,

Ludhiana Complainant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Ludhiana Respondent

 **COMPLAINT CASE NO.471/2017**

 **Date of RTI application: 10.03.2017**

**Date of First Appeal : Nil**

**Date of Order of FAA: Nil**

**Date of 2nd Appeal/Complaint: 24.04.2017**

**Present:** Sh. Hari Om Jindal, Complainant in person at Commission’s office, Chandigarh.

 1. Sh. Ajit Singh, Superintendent, Health Br. O/o M.C., Ludhiana,

 2. Sh. Akshaya Bansal, JE, Zone ‘D’, MC Office, Ludhiana – for Respondent.

**ORDER**

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

This be read in continuation of this forum’s order dated 02.08.2017.

 The respondents have sent a communication to the appellant highlighting the status of the issue as mentioned in our order. The complainant seeks time to go through it and react on the matter.

 To come up on **22.11.2017 at 11.30 AM through video conference at Ludhiana.**

  **Sd/-**

**13.09.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Ashu K. Bansal

C/o Adv. Hari Om Jindal,

C-37, Kitchlu Nagar,

Ludhiana. Appellant

Versus

Public Information Officer,

O/o Commissioner,

Zone -D, Municipal Corporation,

Ludhiana

First Appellate Authority,

O/o Jt. Commissioner,

Municipal Corporation,

Ludhiana Respondents

 **APPEAL CASE NO.1353/2017**

 **Date of RTI application: 21.04.2016**

**Date of First Appeal 05.09.2016**

**Date of Order of FAA: 21.11.2016**

**Date of 2nd Appeal :23.02.2017**

**Present:** Sh. Hari Om Jindal on behalf of the Appellant.

 Sh. Harminder Singh, Bldg. Inspector, Zone ‘D’, MC Office, Ludhiana – for Respondents.

**ORDER**

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

 The respondent says that the appellant was duly informed of the status of the case vide letter dated 28.07.2017. The appellant denies its receipt. Be that as it is, the respondents are directed to file a written reply to the Commission before the next date of hearing failing which it shall be presumed that they are willfully withholding the information and necessary penal consequences shall follow.

 To come up on **22.11.2017 at 11.30 AM through video conference at Ludhiana.**

  **Sd/-**

**13.09.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Jasbir Singh,

Village Bholapur, Jhabewal,

Post Office Ramgarh Distt. Ludhiana

 Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Mata Rani Chowk,

Distt. Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Mata Rani Chowk,

Distt. Ludhiana Respondents

 **APPEAL CASE NO.1596/2017**

Date of RTI application : 07.04.2017

Date of First Appeal : 13.05.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :15.06.2017

**Present:** None on behalf of the Appellant.

 1. Sh. Gaurav Kumar, JDM, Zone ‘B’, MC Office, Ludhiana and

 2. Sh. Dalip Soni, Jr. Draftsman, Zone ‘C’, MC Office, Ludhiana at Commission’s office, Chandigarh – for Respondents.

**ORDER**

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

The appellant is seeking the status of a case based on a newspaper report about the sealing of the marriage palaces and other consequential action having been taken for their illegal operation.

 Sh. Dalip Soni, Jr. Draftsman appearing on behalf of the respondents says that the appellant was informed on 20.06.2017 about the status of the information. They have in a repeat communication informed him about the prior intimation already sent to him. An acknowledgement of a letter by the appellant has also been shown to us.

 The appellant is absent. Nothing has been heard from him in writing also. The Commission feels that the appellant is satisfied with the information thus provided to him. No further action seems called for.

 The appeal is **disposed.**

  **Sd/-**

**13.09.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Dilbagh Chand

S/oSh Ram Ji Dass,

Village Hyatpur P.O. Haebowal,

Tehsil Samrala Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Director, Rural Development & Panchayat Deptt. Pb.

Vikas Bhawan, Sector-62, S.A.S. Nagar.

First Appellate Authority,

O/o Director, Rural Development & Panchayat Deptt. Pb.

Vikas Bhawan, Sector-62, S.A.S. Nagar Respondents

 **APPEAL CASE NO.1217/2017**

 **Date of RTI Application :27.02.2017**

 **Date of First Appeal :30.03.2017**

 **Date of Order of FAA :Nil**

 **Date of Second Appeal :02.05.2017**

**Present:** Sh. Dilbagh Chand, Appellant in person.

 Smt. Sarbjeet Kaur, BDPO, Machhiwara – for Respondents.

.

**ORDER**

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

The Commission had made the following observations on 27.07.2017 :

 “We had made the following observations on 21.06.2017:-

 *“The appellant is seeking the outcome of his complaint made with the competent authority concerning alleged irregularities committed by the sarpanch of village Hiyatpur, Tehsil Samrala, District Ludhiana.*

 *The Commission takes an exception to the indifference shown by the respondents in giving neither any reply nor attending the court proceedings.*

 *The respondents are directed to take immediate necessary action towards the disposal of the application under intimation to the Commission and file a response to the notice issued by the Commission as well. Any laxity on this score shall call for the penal action.”*

 *Contd..page…2*

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***APPEAL CASE NO.1217/2017***

 *“Regretfully none is present from the respondent side. The Commission takes a strong exception to the indifference shown by the respondents.*

 *In their endorsement filed to the Commission the respondents say that they had entrusted the complaint to the District Development and Panchayat Officer, Ludhiana to enquire into the allegations made by the appellant and apprise him of the outcome of the same. Seemingly, the matter is still under investigation.*

 *The respondents are advised to intimate him of the status of his file under intimation to the Commission by the next date of hearing positively.*

 *Be it noted that no further opportunity shall be afforded.*

 *As the ongoing application has forwarded to the District Development and Panchayat Officer, Ludhiana, he is deemed as PIO in the case in terms of Section 5(4) and 5(5) of the Act. He is directed to come present on the next date of hearing in the video conference at Ludhiana.”*

The case has been taken up today. Smt. Sarbjeet Kaur, BDPO is present. She says that she is already looking into the matter and is addressed to the issue. She submits that she will finalize her report early and forward the same to the Department. She is directed to simultaneously inform the appellant also. The Commission finds that no information which already exists with the respondents has been withheld. No further action thus is desirable to be taken. The appeal is **disposed.**

**Sd/-**

**13.09.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Suinder Saini, Child Helpline,

Jalandhar Welfare Socieity, 7 A, Old Jawahar Nagar,

Ajit Saini Marg, Jalandhar Appellant

Versus

Public Information Officer,

O/o Civil Surgeon,

Jalandhar.

First Appellate Authority,

O/o Civil Surgeon,

Jalandhar Respondents

**APPEAL CASE NO.2263/2016**

**Present:** Sh. Suinder Saini, Appellant in person.

 Dr. Gurmeet Kaur, District Family Welfare Officer, O/o Civil Surgeon, Jalandhar – for Respondents.

**ORDER**

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

On the petition of the appellant the matter was decided to be reheard for non-compliance of the order of the Commission passed on 04.01.2017.

 Dr. Gurmeet Kaur, District Family Welfare Officer submits that complying with the order of the Commission copies of all the documents available with them were provided to the appellant. She reiterates that no information available with them concerning the issue has been withheld.

 The appellant wants a communication from the respondents after drawing an inference about the placement of a vehicle purchased under MP LAD Scheme on the basis of the record available with them. Such a direction cannot be issued by the Commission. The appellant could be assisted in getting access to the information which materially exists on record in terms of the definition of information under Section 2(f) of the Act. The Commission feels that its earlier order has already been complied. No action is called for. The review application is **dismissed.**

 **Sd/-**

**13.09.2017 (Yashvir Mahajan)**

 **State Information Commissioner**