

PUNJAB, STATE INFORMATION COMMISSION
Sector-16, Madhya Marg, Near Rose Garden, Chandigarh
Ph No- 0172-2864117 Visit us @ www.infocommpunjab.com
E-mail-psic27@punjabmail.gov.in

Sh. Rakesh Kumar Gupta,
8/237, Jagrao Road, Mandi Mullanpur
District Ludhiana - 141101

.... Appellant

Versus

Public Information Officer,
O/o Director Local Govt Punjab
Municipal Bhawan, Plot No. 3
Dakshin Marg, Sector 35A,
Chandigarh – 160022

First Appellate Authority
O/o Director Local Govt Punjab
Municipal Bhawan, Plot No. 3
Dakshin Marg, Sector 35A,
Chandigarh - 160022

..Respondent

AC No. 2962 of 2018

Present: (i) Sh Rakesh Kumar Gupta, Appellant
(ii) For the Respondent: Sh Abhay Joshi, Accountant alongwith Sh Aman, Clerk

ORDER

This order may be read with reference to the previous order dated 11.10.2018

2. The Respondent files his reply which is as under:-

ਉਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਆਪ ਨੂੰ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਵਲੋਂ ਆਰ.ਟੀ.ਆਈ ਐਕਟ ਅਧੀਨ ਮੰਗੀ ਗਈ ਸੂਚਨਾਂ ਸਪੈਸੀਫਿਕ ਨਹੀਂ ਹੈ ਕਿਉਂਜੋ ਇਹ ਸੂਚਨਾਂ ਇਸ ਦਫਤਰ ਦੇ ਇੰਜੀਨੀਅਰ ਇੰਨ ਚੀਫ (ਨਗਰ ਕੌਂਸਲਾਂ) ਨੂੰ M/S Punjab infotech ਵਲੋਂ Comlex Format ਵਿੱਚ ਪ੍ਰਾਪਤ ਹੋਈ ਹੈ, ਇਸ ਲਈ ਸਾਰੀ ਸੂਚਨਾਂ ਦੇਣੀ ਮੁਸਕਲ ਹੈ। M/S Punjab infotech ਨੂੰ ਇੰਜੀਨੀਅਰ ਇੰਨ ਚੀਫ ਜੀ ਵਲੋਂ ਇਸ ਬਾਬਤ ਕਾਰਵਾਈ ਕਰਨ ਲਈ ਕਿਹਾ ਗਿਆ ਹੈ। ਇਸ ਲਈ ਇਸ ਸਬੰਧੀ ਸਪੈਸੀਫਿਕ ਸੂਚਨਾਂ ਸਿੱਧੇ ਤੌਰ ਤੇ ਇੰਜੀਨੀਅਰ ਇੰਨ ਚੀਫ (ਨਗਰ ਕੌਂਸਲ) ਸਥਾਨਕ ਸਰਕਾਰ ਪੰਜਾਬ ਚੰਡੀਗੜ ਨੂੰ ਭੇਜੀ ਜਾਵੇ ਜੀ।

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AC No. 2962 of 2018

3. The Respondent is directed to file his reply on affidavit. Further ***PIO –Sh Sudha Rani, Superintendent, Director, Local Govt, Pb, Chandigarh,*** is directed to be present personally on the next date of hearing, failing which action under Section 20 (1) of the RTI Act will be initiated.
4. To come up on 28.11.2018 at 11:00 AM. Copy of the orders be sent to the parties.

Chandigarh
Dated: 13.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

THROUGH REGISTERED POST.

CC: PIO –Sh Sudha Rani, Superintendent, Director, Local Govt, Pb, Chandigarh

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Sh. Rakesh Kumar Gupta,
8/237, Jagrao Road, Mandi Mullanpur
District Ludhiana - 141101

.... Appellant

Versus

Public Information Officer,
O/o DM, Markfed, Plot No. 6,7, 8B, Ghora Road
Backside R.K. Machine Tools, Near Cheema Chowk, Ludhiana

First Appellate Authority
O/o Director Local Govt Punjab
Municipal Bhawan, Plot No. 3
Dakshin Marg, Sector 35A,
Chandigarh - 160022

..Respondent

AC No. 2963 of 2018

Present: (i) Sh Rakesh Kumar Gupta, Appellant
(ii) None on behalf of the Respondent.

ORDER

This order may be read with reference to the previous order dated 11.10.2018

2. No one has appeared on behalf of the Respondent.
3. The Appellant states that no information has been provided to him so far.
4. The perusal of the file shows that no one has appeared on behalf of the respondent today. They were not present on the last date of hearing also. This clearly shows that they have no concern for the orders of the Commission. This is indeed a serious matter.

In view of the foregoing, ***PIO- O/o DM, Markfed, Ludhiana*** is directed to show cause why action should not be taken against him for not attending the hearing inspite of order of the Commission. He should file a written reply in response to the show cause notice as to why the Complainant should not be compensated for the mental harassment suffered by him in getting the information. In addition to the written reply PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

5. To come up on **04.12.2018 at 11:00 AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 13.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

THROUGH REGISTERED POST.

CC: PIO- O/o DM, Markfed, Ludhiana

PUNJAB, STATE INFORMATION COMMISSION

Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

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E-mail-psic27@punjabmail.gov

Sh Tejinder Singh,
Village-Bholapur,
P.O Ramgarh, Chandigarh Road,
Ludhiana-141123

.... Appellant

Versus

Public Information Officer,
O/o MC, Samrala,
Distt Ludhiana

First Appellate Authority,
O/o Deputy Director,
Local Bodies, Ludhiana

..Respondent

AC No. 2713 of 2018

Present: (i) Sh Tejinder Singh, Appellant alongwith Sh Gurdeep Singh.
(ii) For the Respondent: Sh. Sukhwinder Singh, Clerk

ORDER

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

03.10.2018 vide which the Respondent to file his point-wise reply.

2. Today the Respondent files his point-wise reply.

3. The Appellant states that he is not satisfied with the information provided.

4. After perusal of the file, it is ascertained that the reply filed by the Respondent is not complete. Hence, the applicant shall visit the office of respondent on **19.11.2018 at 11:00 AM**, inspect the relevant records, identify the documents copies whereof are required by him; and the respondent shall provided copies thereof, according to his, within a fortnight, in accordance with the relevant provisions of the RTI Act, 2005.

AC No. 2713 of 2018

Further, ***PIO- Sh Gurpal Singh, EO*** is directed to be personally present on the next date of hearing.

5. To come on **04.12.2018 at 11:00 AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 13.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

THROUGH REGISTERED POST

CC: PIO- Sh Gurpal Singh, EO, MC, Samrala

PUNJAB, STATE INFORMATION COMMISSION
Sector-16, Madhya Marg, Near Rose Garden, Chandigarh
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Sh Vijay Hans, Advocate
House No-31, Satya Niwas,
Silver City, Zirakpur-140603

.... Appellant

Versus

Public Information Officer,
O/o Food and Civil Supplies Department,
Pb, Chd

First Appellate Authority,
O/o Director, Food Civil Supplies
And Consumer Affairs, Pb Chd

..Respondent

AC No. 2576 of 2018
alongwith
AC: No. 2556 of 2018

Present: (i) Adv. Vijay Hans the appellant
(ii) For the respondent : Smt. Surinder Kaur, Smt. Baljinder Kaur, Supdt
and Sh. Mandeep Singh, Senior Assistant

ORDER

This order may be read with reference to the previous order dated 03.10.2018.

2. The Respondent states that some information has already been provided to the Appellant. She further states that she has brought some information today in the Commission, which is handed over to the Appellant. The Respondent further adds that rest of the information cannot be provided as it is third-party information and moreover, the concerned official has also given in writing that his personal information may not be provided to anyone, which is as under:-

Kindly refer to your office letter. No. Memo No. 16/RTI/2018-1x1/1211784/1
dt.17.4.2018 on the subject cited above. It is stated that this is my personal information and should not
be shared with anybody.

AC No. 2576 of 2018
alongwith
AC: No. 2556 of 2018

3. Copy of the same is handed over to the appellant. 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.

Chandigarh
Dated: 13.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Rakesh Kumar Gupta,
8/237, Jagrao Road, Mandi Mullanpur
District Ludhiana - 141101

.... Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Tappa Mandi, Barnala -148108
First Appellate Authority
o/o Deputy Director Local Bodies,,
Room No. 409, 4th Floor, Block A
Mini Secretariat , Patiala - 147001

..Respondent

AC No. 2965 of 2018

Present: (i) Sh. Rakesh Kumar Gupta the appellant
(ii) For the respondent : Sh.Manpreet Singh, EO-cum-PIO, Sh. Gurdeep Singh, Clerk.

ORDER

This order may be read with reference to the previous order dated 11.10.2018 vide which the respondent stated that the information demanded by the appellant is very voluminous.

2. Today again the respondent states that the information demanded by the appellant is very voluminous.

3. Therefore, the appellant is directed to visit the office of the respondent on **19.11.2018 at 11.00 AM**, inspect the record and obtain the information. Respondent is directed to provide the same to the appellant.

4. To come up on **28.11.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 13.11.2018

(Preety Chawla)
State Information Commissioner

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Sh. Rakesh Kumar Gupta,
8/237, Jagrao Road, Mandi Mullanpur
District Ludhiana - 141101

.... Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Tappa Mandi, Barnala -148108
First Appellate Authority
o/o Deputy Director Local Bodies,,
Room No. 409, 4th Floor, Block A
Mini Secretariat , Patiala - 147001

..Respondent

AC No. 2969 of 2018

Present: (i) Sh. Rakesh Kumar Gupta the appellant
(ii) For the respondent: Sh.Manpreet Singh, EO-cum-PIO, Sh. Gurdeep Singh, Clerk.

ORDER

This order may be read with reference to the previous order dated 11.10.2018 vide which the respondent stated that the information demanded by the appellant is very voluminous.

2. Today again the respondent states that the information demanded by the appellant is very voluminous.

3. Therefore, the appellant is directed to visit the office of the respondent on **19.11.2018 at 11.00 AM**, inspect the record and obtain the information. Respondent is directed to provide the same to the appellant.

4. To come up on **28.11.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 13.11.2018

(Preety Chawla)
State Information Commissioner

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Sector-16, Madhya Marg, Near Rose Garden, Chandigarh
Ph No- 0172-2864117 Visit us @ www.infocommpunjab.com
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Sh. Rakesh Kumar Gupta,
8/237, Jagrao Road, Mandi Mullanpur
District Ludhiana - 141101

.... Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Tappa Mandi, Barnala -148108
First Appellate Authority
o/o Deputy Director Local Bodies,,
Room No. 409, 4th Floor, Block A
Mini Secretariat , Patiala - 147001

..Respondent

AC No. 2959 of 2018

Present: (i) Sh. Rakesh Kumar Gupta the appellant
(ii) For the respondent : Sh.Manpreet Singh, EO-cum-PIO, Sh. Gurdeep Singh, Clerk

ORDER

This order may be read with reference to the previous order dated 11.10.2018 vide which the respondent stated that the information demanded by the appellant is very voluminous.

2. Today again the respondent states that the information demanded by the appellant is very voluminous.

3. Therefore, the appellant is directed to visit the office of the respondent on **19.11.2018 at 11.00 AM** , inspect the record and obtain the information. Respondent is directed to provide the same to the appellant.

4. To come up on **28.11.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 13.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sector-16, Madhya Marg, Near Rose Garden, Chandigarh
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Sh. Rakesh Kumar Gupta,
8/237, Jagrao Road, Mandi Mullanpur
District Ludhiana - 141101

.... Appellant

Versus

Public Information Officer,
O/o DFSC Ludhiana (West)
Zone D, Municipal Corporation Building
Sarabha Nagar, Ludhiana (Punjab)
First Appellate Authority
o/o Director , Food Supplies and Consumer Affairs
Department of Food Civil Supplies and Consumer Affairs,
Anaj Bhawan, Sector 39C, Chandigarh

..Respondent

AC No. 2964 of 2018

Present : (i) Sh.Rakesh Kumar Gupta the appellant
(ii) For the respondent : Sh.Gurinder Singh, DFSSO, Sh.Rubal Singh,
Inspector

ORDER

This order may be read with reference to the previous order dated 11.10.18.

2. Respondent states that they have brought the information today in the Commission, which is handed over to the appellant. Regarding remaining information, he has sought some time.

3. The appellant expressed his satisfaction over the same and stated that he had no objection if the case is disposed of accordingly

4. On the assurance of the respondent, the appeal filed by the appellant is **disposed of and closed.** Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 13.11.2018

(Preety Chawla)
State Information Commissioner

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Sh. Dinesh Kumar,
S/o Sh. Daulat Ram,
R/o Village Rathewal
Tehsil Balachaur, Distt.

..... Appellant.

Versus

Public Information Officer,
O/o Child Development and Project Officer,
Saroya, Distt.SBS Nagar
First Appellate Authority,
O/o SDM Balachaur,
Distt.SBS Nagar

.....Respondent

Appeal Case No. 2915 of 2018

Present: (i) None is present on behalf of the appellant
(ii) for the respondent : Smt.Naresh Kaur, CDPO, Balachaur, Smt.Kamaljit Kaur,
Reader

ORDER

This order may be read with reference to the previous order dated 11.10.2018 vide which the respondent was absent.

2. The appellant is absent today. Respondent states that the information is ready but the appellant has not deposited documentation fee, therefore information cannot be provided.

3. The perusal of the file shows that the appellant filed RTI with the PIO, o/o SDM, Balachaur on 11.04.2018 and he has transferred the same to the above-said PIO on 25.04.2018. She further states that she has demanded documentation fee on 27.04.2018. She adds that the information demanded by the appellant is very voluminous.

4. The appellant may take note that there is a judgment 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 –

Appeal Case No. 2915 of 2018

(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 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.)

5. However, the appellant is directed to deposit the documentation fee and obtain the information. Respondent is directed to provide the same to the appellant.

6. 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.

Chandigarh
Dated: 13.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Rakesh Kumar Gupta,
8/237, Jagrao Road, Mandi Mullanpur
District Ludhiana - 141101

.... Appellant

Versus

Public Information Officer,
O/o Chief Vigilance Officer,
Local Govt., Punjab
Municipal Bhawan, Plot No. 3, Dakshin Marg,
Sector 35A, Chandigarh
First Appellate Authority
O/o Director Local Govt Punjab
Municipal Bhawan, Plot No. 3
Dakshin Marg, Sector 35A,
Chandigarh - 160022

..Respondent

AC No. 2960 of 2018

Present: (i) Sh. Rakesh Kumar Gupta the appellant
(ii) For the respondent: Sanjay Tondon, SVO, Sh. Manpreet Singh. Sr. Assistant

ORDER

This order may be read with reference to the previous order dated 11.10.2018.

2. Today the respondent states that he has personally brought the information today in the Commission, which is handed over to the appellant.
3. The appellant is advised to revert back to the authorities in case he is not satisfied with the information. On receipt of the deficiencies, the respondents are directed to remove the same before the next date of hearing.
4. To come up on **28.11.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 13.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

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Sh.Vikram Singh,
S/o Shri Balwinder, r/o House No. 179,
Street No. 3, Dashmesh Colony, Mohali

.....Complainant

Versus

Public Information Officer,
O/o Assistant Labour Commissioner,
Mohali

...Respondent

CC .No. 617 of 2018

Present : (i) Sh. Vikram Singh, the complainant
(ii) For the respondent : Sh.Jagroop Singh, Clerk

ORDER

This order may be read with reference to the previous order dated 04.10.2018.

2. The Complainant Sh.Vikram Singh states that he has inspected the record but he is not satisfied.

3. The perusal of the file shows that the respondent has already filed an affidavit, which is incorrect. Therefore, Sh. Jatinder Pal Singh, Assistant Labour Commissioner is directed to file an affidavit on the next date of hearing. He is also directed to come present on the next date of hearing, failing which action under Section 20 (1) of the RTI act 2005 will be initiated. He may take note that this is the last opportunity given to him.

4. To come up on **29.11.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 13.11.2018

(Preety Chawla)
State Information Commissioner

Through registered post

CC: Sh. Jatinder Pal Singh, Assistant Labour Commissioner, Mohali

PUNJAB, STATE INFORMATION COMMISSION

Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

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Sh. Hakam Singh,
S/o Shri Darshan Singh
Ro Madhir Tehsil Gidderbaha
Distt. Sri Mukatsar Sahib

.... Appellant

Versus

Public Information Officer,

O/o District Controller, Food civil Supplies and consumer Affairs,
Jalandhar

First Appellate Authority

o/o Deputy Director (Fields)

Food Civil Supplies and Consumer Affairs Department

Jalandhar Division, Jalandhar

..Respondent

AC No. 2596 of 2018

Present: (i) Sh.Hakam Singh the appellant
(ii) For the respondent: Sh. Ashok Kumar, DFSO, Sh. Rajbir Singh,
Inspector

ORDER

This order may be read with reference to the previous order dated 04.10.2018.

2. Respondent states that the information is ready but the appellant has not deposited documentation fee, therefore information cannot be provided to him.
3. The perusal of the file shows that the respondent has demanded documentation fee from the appellant within stipulated time, but the appellant has not deposited the same.
4. The appellant is directed to deposit the documentation fee and the respondent is directed to send the information to the appellant on receipt of documentation fee.
5. To come up on **10.12.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 13.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner