

PUNJAB STATE INFORMATION COMMISSION

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Sh. Gurvir Singh, S/o Sh. Gurinder Singh Bajwa,
Gobind Nagar, Kahnuwan Road,
Batala.

...Appellant

Vs

Public Information Officer,
O/o Tehsildar,
Batala, Distt:Gurdaspur.

First Appellate Authority-cum-
O/o Sub Divisional Magistrate,
Batala, Distt:Gurdaspur.

...Respondents

AC.No. 4112 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Sh. Baljiner Singh, Tehsildar-cum-PIO, the respondent.

ORDER:

1. The RTI application is dated 10.06.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 13.08.2019 and the second appeal was filed in the Commission on 04.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 15.01.2020 by the Commission.
3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission vide diary No.319 dated 07.01.2020 that till date no information has been provided to him by the PIO.
4. Sh. Baljiner Singh, Tehsildar-cum-PIO is appearing in person states that he has brought the information for the appellant today. He further states that information pertains to the year 1968 and is in Urdu language. He adds that information regarding point no. 1 was available in their office records, which he has brought along. He states that if the appellant wants more details, he can peruse official records in their office on any working day alongwith an Urdu translator as records pertaining to that period are in Urdu.
5. During discussion on the case, a telephonic contact was also made with the Appellant. The appellant was read out the reply filed by the PIO today during the hearing. The

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AC.No. 4112 of 2019

appellant has expressed his satisfaction over the same. The PIO is now directed to call the appellant in the office on any working. The appellant will be allowed to peruse the relevant record and identify additional information as per his RTI application. Photocopy of additional information so identified be provided to the appellant.

6. With these directions to the PIO, the instant appeal case is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

**Chandigarh
15.01.2020**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Sh. Harmit Singh Sidhu, S/o Sh.Sher Singh,
C/o Baba Kala Finance Company,
Near Truck Union, Phul Road, Rampura Phul,
Bathinda.

...Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Bathinda.

First Appellate Authority-cum-
O/o Commissioner,
Faridkot Division, Faridkot.

...Respondents

AC.No. 4051 of 2019

PRESENT : None for the parties.

ORDER:

1. The RTI application is dated 12.06.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 30.07.2019 and the second appeal was filed in the Commission on 30.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 15.01.2020 by the Commission.
3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission vide diary No.678 dated 13.01.2020 mentioning therein that respondent has supplied some information on 19.12.2019 which is irrelevant and nothing has been supplied to him by the PIO as per his RTI application.
4. The PIO is also absent. Intimation has been received from the PIO in the Commission by email that the case may please be adjourned for another date.
5. The PIO has not appeared for today's hearing, inspite of the Notice of the Commission. This shows his disregard to the authority of the Commission. The absence of the PIO is viewed seriously. It has also affected hearing and disposal of the case today. The PIO is directed to provide the information to the appellant, before the next date of hearing and should appear in person on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

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AC.No. 4051 of 2019

6. The matter is adjourned. To come up for further hearing on **19.02.2020 at 11.30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
15.01.2020**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Dr. Sandeep Kumar Gupta,
H.No.1722, Sector:14,
Hisar.

...Appellant

Vs

Public Information Officer,
O/o Guru Angad Dev Veterinary and
Animal Sciences University, Ludhiana.

First Appellate Authority-cum-
O/o Registrar,
Guru Angad Dev Veterinary and
Animal Sciences University, Ludhiana

...Respondents

AC.No. 4063 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Sh. Jarnail Singh, Clerk on behalf of the respondent.

ORDER:

1. The RTI application is dated 05.06.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 03.07.2019 and the second appeal was filed in the Commission on 31.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.01.2020 by the Commission.

3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission by email mentioning therein that he is unable to attend today's hearing and thus he may be exempted from physical appearance before this Commission.

4. Sh. Jarnail Singh, Clerk is appearing on behalf of the PIO states that reply to the RTI application of the appellant has already been sent to him vide letter dated 19.07.2019 stating that information sought by him cannot be shared under section 8(1)(j) of the RTI Act, 2005. After that he filed first appeal on 03.07.2019 and the same reply was sent to the appellant that information has no relationship to any public interest and related with third party being exempted under Section 8(1)(j) of the RTI Act, 2005.

5. After deliberations and perusal of the record as available on the file, it is ascertained that the information has been denied on the basis of third party and voluminous information. The

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AC.No. 4063 of 2019

Bench is not convinced with the plea taken by the PIO and the same is overruled by the Bench. The PIO is now directed to provide the information pertaining to procedure followed in the university in empanelment of the advocates, the list of panel of advocates maintained in the university as also the fees/payment structure of advocates employed for various cases, before the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **19.02.2020 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh
15.01.2020**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Dr. Sandeep Kumar Gupta,
H.No.1722, Sector:14,
Hisar.

...Appellant

Vs

Public Information Officer,
O/o Registrar,
Guru Nanak Dev University,
Amritsar.

First Appellate Authority-cum-
O/o Vice Chancellor
Guru Nanak Dev University,
Amritsar.

...Respondents

AC.No. 4062 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Sh. Manjit Singh, Assistant Registrar on behalf of the respondent.

ORDER:

1. The RTI application is dated 07.06.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 04.08.2019 and the second appeal was filed in the Commission on 31.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.01.2020 by the Commission.

3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission by email mentioning therein that he is unable to attend today's hearing and thus he may be exempted from physical appearance before this Commission.

4. Sh. Manjit Singh, Assistant Registrar is appearing on behalf of the PIO having been duly authorized by the PIO. He states that reply to the RTI application of the appellant has already been sent to him vide letter dated 17.07.2019 stating that information sought by him is voluminous and has no relation to any larger public interest involved in seeking the information. So, the applicant was informed that information cannot be shared under provisions of section 7(9) and being exempted under section 8(1)(j) of the RTI Act, 2005. After that he filed first appeal on 04.08.2019. During the hearing of first appeal, he did not appear for the hearing. Copy of the same is taken on record.

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AC.No. 4062 of 2019

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5. After deliberations and perusal of the record as available on the file, it is ascertained that the information has been denied on the basis of third party and voluminous information. The Bench is not convinced with the plea taken by the PIO and the same is overruled by the Bench. The PIO is now directed to provide the information pertaining to procedure followed in the university in empanelment of the advocates, the list of panel of advocates maintained in the university as also the fees/payment structure of advocates employed for various cases, before the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **19.02.2020 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
15.01.2020

Sd/-
((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Sanjeev Thakur,
Village Gudha Khurd and P.O: Madhopur Cantt.

...Appellant

Vs

Public Information Officer,
O/o Assistant Excise &Taxation Commissioner,
Pathankot.

First Appellate Authority-cum-
O/o Divisional Excise &Taxation Commissioner,
Amritsar.

...Respondents

AC.No. 4094 of 2019

PRESENT : None for the parties.

ORDER:

1. The RTI application is dated 01.06.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 06.07.2019 and the second appeal was filed in the Commission on 01.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
 2. Notice of hearing was issued to the parties for 15.01.2020 by the Commission.
 3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission vide diary No.621 dated 10.01.2020 that till date no information has been provided to him by the PIO.
 4. The PIO has not appeared for today's hearing, inspite of the Notice of the Commission. This shows his disregard to the authority of the Commission. The absence of the PIO is viewed seriously. It has also affected hearing and disposal of the case today. The PIO is directed to provide the information to the appellant, before the next date of hearing and should appear in person on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.
 5. The matter is adjourned. To come up for further hearing on **19.02.2020 at 11.30 AM.**
- Copies of the order be sent to the parties.

Chandigarh
15.01.2020

Sd/-
((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Prem Kumar Rattan,
H.No.78/8, Park Road, New Mandi,
Dhuri, Distt:Sangrur.

...Appellant

Vs

Public Information Officer,
O/o Administrator,
New Mandi, Township, Punjab,
Sector:35-A, Chandigarh.

First Appellate Authority-cum-
O/o Administrator,
New Mandi, Township, Punjab,
Sector:35-A, Chandigarh.

...Respondents

AC.No. 4049 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Sh. Bittu, Sr. Assistant and Sh. Sukhwinder Singh, Clerk on behalf of the respondent.

ORDER:

1. The RTI application is dated 14.08.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 14.09.2019 and the second appeal was filed in the Commission on 30.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 15.01.2020 by the Commission.
3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission by email mentioning therein that till date complete information has not been provided to him by the PIO.
4. Sh. Bittu, Sr. Assistant and Sh. Sukhwinder Singh, Clerk are appearing on behalf of the PIO without any authority letter states that information which was available in their office records, has been supplied to the appellant.
5. The appellant is now advised to visit the office of the respondent on any working day and peruse the original records as available in the office with prior notice to the PIO. The respondent is directed to provide access to the records and give copies of documents needed. Photocopies of the same be provided duly page numbered, stamped and authenticated by the PIO. The Bench

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AC.No. 4049 of 2019

directed that the same be done, before the next date of hearing. The PIO has not appeared for today's hearing, inspite of the Notice of the Commission. This shows his disregard to the authority of the Commission. The absence of the PIO is viewed seriously. It has also affected hearing and disposal of the case today. The PIO directed to appear in person on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter is adjourned. To come up for further hearing on **19.02.2020 at 11.30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
15.01.2020**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Sh. Ramandeep Singh Ahluwalia (RTI Activist),
Ward NO.18, Street No.2, Kartar Nagar,
Amloh Road, Khanna.

...Appellant

Vs

Public Information Officer,
O/o Director,
Deptt of Local Government, Punjab,
Plot No.3, Dakshin Marg, Sector:35/A,
Chandigarh.

First Appellate Authority-cum-
O/o Secretary,
Deptt of Local Government, Punjab,
Plot No.3, Dakshin Marg, Sector:35/A,
Chandigarh.

...Respondents

AC.No.4098 of 2019

PRESENT : (i) Sh. Ramandeep Singh Ahluwalia, the appellant.
(ii) Sh. Rajinder Kumar, Sr. Assistant-cum-APIO on behalf of the respondent.

ORDER:

1. The RTI application is dated 03.08.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 16.09.2019 and the second appeal was filed in the Commission on 01.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.01.2020 by the Commission.

3. The appellant states that till date complete information has not been supplied to him by the PIO except point no.2 of his RTI application dated 03.08.2019.

4. Sh. Rajinder Kumar, Sr. Assistant-cum-APIO is appearing on behalf of the PIO having been duly authorized by the PIO. He states that information pertaining to point no.1 and 2 has been provided to him. He further adds that he has brought a copy of the same today in the Commission also. He adds that information on third point is related with the Nagar Council, Khanna and the same has been transferred to the concerned department for provision.

5. After hearing both the parties at length, it emerges that the RTI application is dated 03.08.2019 but the respondent has transferred the RTI application on point no.3 to the Nagar Council,

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AC.No.4098 of 2019

Khanna in the month of October, 2019 after a lapse of two months, whereas the same should have been transferred within five days from the receipt of the application. After further deliberations the appellant was advised to visit the office of the PIO on any working day with prior intimation. The respondent is directed to provide access to the records related to information sought and provide photocopy of relevant pages. The same be done, before the next date of hearing.

6. The matter is adjourned. To come up for further hearing on **19.02.2020 at 11.30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
15.01.2020**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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ASI, Sh. Manjeet Singh, CR No.2/1528,
O/o AIG Zonal, C.I.D,
Ferozepur.

...Appellant

Vs

Public Information Officer,
O/o Inspector General of Police, PAP,
Jalandhar.

First Appellate Authority-cum-
O/o Director General of Police,
Armed Battalion, Punjab, (Admn Wing),
Chandigarh.

...Respondents

AC.No. 4053 of 2019

PRESENT : (i) ASI Sh. Manjit Singh, the appellant.
(ii) Sh. Madan Lal, APIO on behalf of the respondent.

ORDER:

1. The RTI application is dated 25.06.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 14.08.2019 and the second appeal was filed in the Commission on 30.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.01.2020 by the Commission.

3. The appellant states that till date, no information has been provided to him by the PIO. He further states that my application has been rejected on the ground that Armed Battalions are not covered under the provisions of the RTI Act, 2005 and hence exempted from disclosure of any information.

4. Sh. Madan Lal, APIO is appearing on behalf of the O/o Inspector General of Police-cum-PIO, PAP, Jalandhar states that the information has not been provided to the appellant on the basis of Govt. of Punjab, Deptt. Of Governance Reforms notification No. S.O.49/CA.22/2005/S.24 dated 07.06.2016 in exercise of the powers conferred by sub section (4) of section 24 of the RTI (Central Act No.22 of 2005) according to which provisions of RTI Act shall not apply on Armed Battalions. The reply has already been sent to the appellant on 23.07.2019. He further adds that the information which has been sought by the appellant is related with the Director General of Police, Punjab and not with Armed Battalion.

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AC.No. 4053 of 2019

5. Detailed deliberation on the case was held. The Bench observed that since it is not a matter related to security or intelligence the provision of exemption from the RTI Act are not applicable in the instant case. It is a case pertaining to recruitment of two SPOs as Sepoys into the Police Force in the year 1993 and as such is a matter of public interest. Although it is third party information however, it is an issue which is of public interest as deviation from laid down physical standards and age bar has been followed to recruit two SPOs as sepoy in the Police Force in 1993.

6. The Bench overrules the contention of the PIO and FAA and directs that information as sought be provided to the appellant after obtaining it from the O/o Director General of Police, Punjab. However, if exemption from laid down age bar and physical standards in the instant case of 1993 has been taken from a competent authority, the same may be produced before the Bench on the next date of hearing.

7. The matter is adjourned. To come up for further hearing on **19.02.2020 at 11.30 AM**.
Copies of the order be sent to the parties.

**Chandigarh
15.01.2020**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Sh. Dilbag Singh,
V. Bainapur, P.O: Pabwan,
Tehsil: Phillaur, Distt:Jalandhar.

...Appellant

Vs

Public Information Officer,
O/o DSP, Shahkot,
Distt: Jalandhar.

First Appellate Authority-cum-
O/o S.S.P, (Rural),
Jalandhar.

...Respondents

AC.No. 4054 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Sh. Ashwani Kumar, Inspector on behalf of the respondent.

ORDER:

1. The RTI application is dated 03.08.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 03.09.2019 and the second appeal was filed in the Commission on 31.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 15.01.2020 by the Commission.
3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission that he has received the information and is satisfied.
4. Sh. Ashwani Kumar, Inspector is appearing on behalf of the PIO files reply to the Notice of the Commission mentioning therein that complete information as per the RTI request of the appellant has been supplied to him vide letter dated 09.12.2019. Copy of the same is taken on record.
5. After hearing the respondent and perusing the record as available on the file, it is ascertained that the appellant has received the information and has also expressed his satisfaction over the same. Copy of the same is taken on record.
6. In view of the above, no further cause of action is left in the instant appeal case. The same is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
15.01.2020

Sd/-
((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Dr. Sandeep Kumar Gupta,
H.No.1722, Sector:14,
Hisar.

...Appellant

Vs

Public Information Officer,
O/o SCD, Government College,
Near Rose Garden, Civil Lines,
Ludhiana.

First Appellate Authority-cum-
O/o SCD, Government College,
Near Rose Garden, Civil Lines,
Ludhiana.

...Respondents

AC.No. 4065 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Dr. Dharam Singh Sandhu, Principal on behalf of the respondent.

ORDER:

1. The RTI application is dated 18.05.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 21.06.2019 and the second appeal was filed in the Commission on 31.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.01.2020 by the Commission.

3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission by email mentioning therein that he is unable to attend today's hearing and thus he may be exempted from physical appearance before this Commission. He mentioned that no information has been supplied to him till date.

4. Dr. Dharam Singh Sandhu, Principal-cum-First Appellate Authority is appearing in person files an affidavit which is as under:-

"That the aforesaid appeal is pending before this Hon'ble Court and same is fixed for hearing on 15.01.2020.

That I am well conversant with the facts of this case.

That the lists of all students admitted in Graduate Courses 10+1 and 10+2 during academic session 1994-95, 1995-96, 1996-97, 1997-98 and 1998-99 are not available in the college due to damage with termite."

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AC.No. 4065 of 2019

5. After perusing the record as available on the file, it is ascertained that the information has not been provided to the appellant due to its non availability, records having been damaged by termite. The First Appellate Authority filed an affidavit during the hearing mentioning the facts of this case. It is not under the jurisdiction of the Commission to direct the PIO to re-construct the record. I agree with the contention of the respondent that the information cannot be provided to the appellant on account of damage to the records by termite. Copy of the affidavit be sent to the appellant alongwith the orders of the Commission.

6. In view of the above, no further cause of action is left in the instant Appeal Case, the same is hereby, **disposed off and closed**. The Copies of the order be sent to the parties.

**Chandigarh
15.01.2020**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

PUNJAB STATE INFORMATION COMMISSION

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