**+PUNJAB, STATE INFORMATION COMMISSION**

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

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Sh. Karandeep Singh Kairon, President,

National RTI Activist Forum, 7- South Model Gram,

Sampuran Colony, Ludhiana - 2

 Appellant.

Versus

**Public Information Officer,**

Principal BCM,Arya Model Sr Sec School,

Shashtri Nagar Model Town, Ludhiana

**First Appellate Authority**

Principal BCM,Arya Model Sr Sec School,

Shashtri Nagar Model Town, Ludhiana

 ...Respondent

**Appeal Case No. 3130 of 2016**

Present : (i) None is present on behalf of the appellant

 (ii) for the respondent :Sh. Vivek Sethi, Sh. S.M.Gulati, Adovcate

**ORDER**

 This order may be read with reference to the previous order dated 20.02.2018.

2. The appellant is absent today.

3. As directed during the last hearing, the respondent files their reply which is as under:-

*" that the respondent school does not fall within the definition of public authority under section 2 (h) of the Right to Information Act 2005. The respondent school is a privately managed un-aided educational institution and is not receiving any financial assistance or grant in aid directly or indirectly from any State or Central Govt. The respondent is not a creation of any statute and no is under the control of any State Authority or Central Govt nor any autonomous body, as such, the provisions of Right to Information Act, 2005 are not applicable to the respondent school. The respondent does not own its existence to a notification of Govt. nor is owned and controlled by the Govt."*

4. Copy of an affidavit be sent to the appellant alongwith these orders. According to the Respondent, the school is purely a private school. The appellant has not been able to prove that the school is a public authority within the meaning of Section 2(h) of the RTI Act 2005, the present appeal case is **disposed of and closed**. However the appellant will be at liberty to file fresh RTI application with supported documents to get it declared as a public authority , in case he so wish. Copies of the order be sent to the parties. Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION,**

**Red Cross Building, Sector-16, Chandigarh**

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Sh. Darshan Sharma, S/o Sh Prithi Raj Sharma,

# 80-A, Madhuban Enclave, Badewala Road,

Ludhiana Appellant.

Versus

**Public Information Officer,**

Divisional Engineer Establishment,

PWRMDC, Pb, Chandigarh.

**First Appellate Authority**

Superintendent Engineer,

PWRMDC, Pb, Chandigarh ...Respondent

**Appeal Case No. 543 of 2018**

Present: (i) Sh. Darshan Sharma the appellant

(ii) For the respondent : Sh. Raghvir Singh, Supdt., Sh. Mandeep Singh, Sr. Assistant

**ORDER**

1. The RTI application is dated 27.09.2017 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 06.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 15.03.2018 in the Commission.
3. Respondent states that he has personally brought the information to deliver it to the appellant today in the Commission.
4. The appellant has given in writing that he has received the information and is satisfied.
5. 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/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION,**

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Sh Ankit Jain, S/o Sh yashpal Jain,

#1006, Morni Wala Khoo,

Dera Bassi, Mohali. Complainant.

Versus

**Public Information Officer,**

Superintendent Engineer,

Water Drainage, Patiala. ...Respondent

**Complaint Case No. 166 of 2018**

Present: (i) None is present on behalf of the complainant

 (ii) For the respondent: Sh. Pardeep Kumar, Junior Engineer

**ORDER**

1. The RTI application is dated 08.11.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 29.01.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 15.03.2018 in the Commission.

3. The complainant is absent today.

4. Respondent states that complete information has already been sent to the complainant.

4. A perusal of the file shows that this is the first hearing and the complainant is absent today. Respondent states that the information has already been sent to the complainant. **Sh. Davinder Singh, Executive Engineer –cum-PIO** is directed to come present on the next date of hearing alongwith complete information.

5. To come up on **12.04.2018 at 11.00 AM**. Copy of the order be sent to the parties through registered post.

 Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

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Sh Jaspal Singh Nahar,

# 2380-A/11, Jaswant Nagar,

Garha Road, Jalandhar. Complainant.

Versus

**Public Information Officer,**

Punjab Mandi Board,

Sector-65, Mohali. ...Respondent

**Complaint Case No. 177 of 2018**

Present: (i) Sh. Jaspal Singh Nahar the complainant

(ii) For the respondent : Sh. Sanjiv Bansal, PIO, Sh. Harcharan Singh, Supdt and Sh. Amandeep Singh, Clerk

**ORDER**

 The RTI application is dated 31.08.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 02.02.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 15.03.2018 in the Commission

3. Respondent states that the information has been sent to the complainant.

4. Complainant states that he is not satisfied with the information provided by the respondent.

5. The complainant is advised to visit the office of respondent on 16.03.2018 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 RTI application in accordance with the relevant provisions of the RTI Act, 2005.

6. To come up on **19.04.2018 at 11.00 AM**. Copy of the order be sent to the parties. **Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

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Sh. Karandeep Singh Kairon, President,

National RTI Activist Forum, 7- South Model Gram,

Sampuran Colony, Ludhiana - 2

 ….Appellant

Versus

**Public Information Officer,**

Principal Sacred Heart Convent School,

Sarabha Nagar, Model Town,

Ludhiana

**First Appellate Authority**

Principal Sacred Heart Convent School,

Sarabha Nagar, Model Town,

Ludhiana ...Respondent

**Appeal Case No. 3131 of 2017**

Present: None for the parties.

**ORDER**

 This order may be read with reference to the previous order dated 20.02.2018.

1. Today neither the appellant nor the respondent is present to attend the hearing.
2. One more opportunity is given to both the parties to appear before the Commission and state their case.
3. DEO(SE), Ludhiana is 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.
4. To come up on **12.04.2018 at 11.00 AM**. Copy of the order be sent to the parties.

 **Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

*Note : Sh. Abhijit Singh Sandhu, counsel for the respondent appeared before the Commission after the hearing was over. He was read out the above order. The case stands adjourned on 12.04.2018 (at 11.00 AM) for further proceedings.*

***Through registered post***

CC: DEO(SE), Patiala

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Sh Nachattar Singh S/o Sh Tota Singh,

Patti Gurbaksh, VPO Poohla,

Tehsil & Distt Bathinda. Appellant.

Versus

**Public Information Officer,**

Director Primary Instructions, (S),

Phase-8, Mohali.

**First Appellate Authority,**

Director Primary Instructions, (S),

Phase-8, Mohali. ...Respondent

**Appeal Case No. 294 of 2018**

Present: (i) Sh. Nachhatar Singh, the appellant

 (ii) For the respondent: Smt. Shashi Kiran, Sr. Assistant

**ORDER**

 This order may be read with reference to the previous order dated 20.02.2018.

2. The appellant states that no information has been given to him so far.

3. Respondent states that the information demanded by the appellant is very old, therefore, cannot be provided.

4. Sh. Rattan Singh, Admn. Officer is directed to file an affidavit stating the same on the next date of hearing with a copy to the appellant.

5. To come up on **12.04.2018 at 11.00 AM**. Copy of the order be sent to the parties.

 **Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

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Sh Nachattar Singh S/o Sh Tota Singh,

Patti Gurbaksh, VPO Poohla,

Tehsil & Distt Bathinda. Appellant.

Versus

**Public Information Officer,**

Director Primary Instructions, (S),

Phase-8, Mohali.

**First Appellate Authority,**

Director Primary Instructions, (S),

Phase-8, Mohali. ...Respondent

**Appeal Case No. 295 of 2018**

Present: (i) Sh. Nachhatar Singh, the appellant

 (ii) For the respondent: Smt. Shashi Kiran, Sr. Assistant

**ORDER**

 This order may be read with reference to the previous order dated 20.02.2018.

2. The appellant states that no information has been given to him so far.

3. Respondent states that the information demanded by the appellant is very old, therefore, cannot be provided.

4. Sh. Rattan Singh, Admn. Officer is directed to file an affidavit stating the same on the next date of hearing with a copy to the appellant.

5. To come up on **12.04.2018 at 11.00 AM**. Copy of the order be sent to the parties.

 **Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

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Sh Nachattar Singh S/o Sh Tota Singh,

Patti Gurbaksh, VPO Poohla,

Tehsil & Distt Bathinda. Appellant.

Versus

**Public Information Officer,**

Director Primary Instructions, (S),

Phase-8, Mohali.

**First Appellate Authority,**

Director Primary Instructions, (S),

Phase-8, Mohali. ...Respondent

**Appeal Case No. 296 of 2018**

Present: (i) Sh. Nachhatar Singh, the appellant

 (ii) For the respondent: Smt. Shashi Kiran, Sr. Assistant

**ORDER**

 This order may be read with reference to the previous order dated 20.02.2018.

2. The appellant states that no information has been given to him so far.

3. Respondent states that the information demanded by the appellant is very old, therefore, cannot be provided.

4. Sh. Rattan Singh, Admn. Officer is directed to file an affidavit stating the same on the next date of hearing with a copy to the appellant.

5. To come up on **12.04.2018 at 11.00 AM**. Copy of the order be sent to the parties.

 **Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

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Sh Sukhdev Singh S/o Lt Sh Joginder Singh,

Guru Teg Bahadur Nagar,Handiya Road,

Opposite Courts, Near Ganesh Mandir,

Street No-2, Barnala. Appellant.

Versus

**Public Information Officer,**

Director Education Officer(S),

P.S.E.B Complex, Mohali.

**First Appellate Authority,**

Director Education Officer(S),

P.S.E.B Complex, Mohali. ...Respondent

**Appeal Case No. 548 of 2018**

Present: (i) Sh. Ujjagar Singh on behalf of the appellant

 (ii) None is present on behalf of the respondent

**ORDER**

The RTI application is dated 14.11.2017 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 07.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.03.2018 in the Commission.

3. Sh. Ujjagar Singh (representative of the appellant) stated that no response whatsoever has been received from the respondents till date. No one has put in appearance on behalf of the respondents nor has any communication been received from them. In the interest of justice, Respondent PIO is afforded one more opportunity to provide the appellant point-wise complete specific information, duly attested, free of cost, by registered post, in accordance with his RTI application and present a photocopy of the relevant postal receipt along with a copy of the information provided, before the Commission on the next date fixed, for its perusal and records. Respondents to note that in case no one comes present on their behalf on the next date fixed, punitive provisions of the RTI Act, 2005 may be invoked against the erring officer(s).

4. To come up on **23.04.2018 at 11.00 AM**. Copy of the order be sent to the parties through registered post. Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION,**

**Red Cross Building, Sector-16, Chandigarh**

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E-mail Id- psic27@punjabmal.gov.in

Sh. Darshan Sharma, S/o Sh Prithi Raj Sharma,

# 80-A, Madhuban Enclave, Badewala Road,

Ludhiana Appellant.

Versus

**Public Information Officer,**

Divisional Engineer,

Lining Division No-3,

PWRMDC, Malout.

**First Appellate Authority**

Superintendent Engineer,

Construction Circle No-1,

PWRMDC, Faridkot ...Respondent

**Appeal Case No. 541 of 2018**

Present: (i) Sh. Darshan Sharma the appellant

 (ii) for the respondent : Sh. Janta Ram, PIO, Sh. Avtar Singh, SDE

**ORDER**

The RTI application is dated NIL 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 06.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.03.2018 in the Commission.

3. Respondent states that he has personally brought the information to deliver it to the appellant today in the Commission.

4. The appellant has given in writing that he has received the information and is satisfied.

5. 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/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION,**

**Red Cross Building, Sector-16, Chandigarh**

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Sh Dhaninder Jit Singh,

Kothi No-776, Sector-59, Phase-4,

Mohali. Appellant.

Versus

**Public Information Officer,**

DEO (S.E),

Roopnagar.

**First Appellate Authority,**

State Project officer,(RTI Nodal Officer),

P.S.E.B, Complex, Phase-8,

Mohali ...Respondent

**Appeal Case No. 575 of 2018**

Present: (i) Sh. Dhaninderjit Singh the appellant

(ii) For the respondent : Smt. Navjot Kaur, PIO, Smt. Veena Verma, Nodal Officer and Smt. Kuldeep Kaur, Steno Typist

**ORDER**

The RTI application is dated 20.11.2017 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 07.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.03.2018 in the Commission

3. The appellant states that no information has been given to him so far.

4. Respondent states that the information demanded by the appellant is third party information.

5. I have gone through the file and found that the information demanded by the appellant is third party information, which cannot be provided 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.

 **Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

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Sh Ajay Sharma, S/o Sh manger Sharma,

C/o Bhavik Bhardwaj Advocate, Chamber No-1004,

Lawyers Chamber Complex, part-2,

Distt Ludhiana. Appellant.

Versus

**Public Information Officer,**

DEO (S.E),

Ludhiana.

**First Appellate Authority,**

DEO (S.E),

Ludhiana. . ...Respondent

**Appeal Case No. 594 of 2018**

Present: (i) None is present on behalf of the appellant

 (ii) For the respondent: Sh. Ashish K Sharma, Deputy DEO

**ORDER**

The RTI application is dated 23.08.2017 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 09.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.03.2018 in the Commission

3. The appellant is absent today. He has sent a mail that he is unable to attend the hearing.

4. Sh. Ashish K Sharma, Deputy DEO- the respondent has promised that complete information will be provided to the appellant before the next date of hearing.

5. To come up on **11.04.2018 at 11.00 AM**. Copy of the order be sent to the parties.

 **Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION,**

**Red Cross Building, Sector-16, Chandigarh**

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Smt Krishna Devi,

R/o Ward No-5, Opposite Ravidass Dharamshala,

Ahmedgarh, Distt Sangrur Complainant.

Versus

**Public Information Officer,**

DEO (S.E),

Ludhiana. ...Respondent

**Complaint Case No. 162 of 2018**

Present: (i) None is present on behalf of the appellant

 (ii) For the respondent: Sh. Ashish K Sharma, Deputy DEO

**ORDER**

 The RTI application is dated 26.10.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 01.02.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 15.03.2018 in the Commission.

3. The appellant is absent today. He has sent a mail that he is unable to attend the hearing.

4. Sh. Ashish K Sharma, Deputy DEO- the respondent has promised that complete information will be provided to the appellant before the next date of hearing.

5. To come up on **11.04.2018 at 11.00 AM**. Copy of the order be sent to the parties.

 **Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION,**

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Sh Manmohan Singh, S/o Sh Shamsher Singh,

H No-32, Street No-1, Mohindra Colony,

Patiala . Appellant.

Versus

**Public Information Officer,**

DPI (S),

School Education Department,

Pb, Mohali.

**First Appellate Authority,**

DPI (S),

School Education Department,

Pb, Mohali. ...Respondent

**Appeal Case No. 567 of 2018**

Present: (i) Sh. Manmohan Sharma the appellant

(ii) For the respondent: Sh. Ranjodh Singh, Clerk, Sh. Sarbinder Singh, Clerk

**ORDER**

The RTI application is dated 21.09.2017 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 07.02.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.03.2018 in the Commission.

3. Respondent files his reply stating that the information demanded by the appellant is not maintained, as the information which only, exists in the record can be supplied.

4. The appellant states that he wants the status of his letter, copy of the same is handed over to the respondent today in the Commission.

5. To come up on **11.04.2018 at 11.00 AM**. Copy of the order be sent to the parties.

 **Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 15.03.2018 State Information Commissioner**