

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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S. Harbinder Singh, (M-9888145991)
S/o ShPiara Singh, R/o Village KotlaKhurd(Khushipur),
PO Kathunangal, Tehsil & Distt Amritsar

.....Appellant

..Vs

Public Information Officer,
O/o DPI(Colleges) Pb, Mohali

First Appellate Authority
O/o DPI(Colleges) Pb, Mohali

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

.....Respondent

AC No. 710 of 2020

Present: (i) S. Harbinder Singh the appellant
(ii) For the respondent: Sh. Manjit Singh, Assistant Registrar , o/o Guru Nanak Dev
University (94170-32936)

ORDER

This order may be read with reference to the previous order dated 20.07.2020 passed by the Commission.

2. The respondent, o/o Guru Nanak Dev University states that the “Anand College of Education for Women” has sent their reply to the Commission office mentioning therein that their college is not covered under the RTI Act 2005.

3. The perusal of the file shows that the respondent college (Anand college of Education for Women, Amritsar) has sent their reply to the commission office vide diary no. 8602 dated 21.07.2020 mentioning therein that their college

i.e. “Anand College of Education for Women does not fall within the definition of Public Authority. It is also pointed out that the Anand College of Education for Women, Jethuwal Amritsar is a privately owned self- financed college and not receiving any financial aid from the central or state government. It is also brought to the notice of the commission that there is no control of state or central government on the management of the college. It is further clarified that the Anand College of Education for Women, Jethuwal Amrtisar is administrated by a private management and there is not government nominee or member on the management committee of this college.”

The respondent-PIO is directed to send same reply to the appellant also.

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AC No. 710 of 2020

4. It is observed that the appellant has not been able to prove that the “Anand College of Education for Women, Amritsar” is a public authority within the meaning of Section 2(h) of the RTI Act 2005, the present appeal case is , therefore, **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.

Dated : 16.09.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Sh. AnoopLal Sharma, R/o 39/9,
Rani Ka Bagh (Near Ravi Gas Godown),
Amritsar -143001

.....Complainant

..Vs

Public Information Officer,
O/o Principal Secretary, Food Civil Supplies and Consumer Affairs,
Punjab Civil Sectt. Chandigarh

.....Respondent

CC No. 95 of 2020
(Through CISCO-WEBEX)

Present: (i) Sh. Anoop Lal Sharma, the Complainant.

(ii) For the respondent: Sh. Kamal, Supdt. (9872896062)

ORDER

This order may be read with reference to the previous order dated 20.07.2020 vide which the respondent was directed to file an affidavit.

2. The perusal of the file shows that the respondent has sent an affidavit to the Commission office vide Commission diary no. 10832 dated 28.08.2020 mentioning therein that :

*“the appellant had sent an application dated 01.11.2019 to the answering department, in which he had requested to supply him **Certified copy of Enquiry Report conducted by Sh. Amarjit Singh Karari (ADJ Retd.) against inspectors Jandiala Guru, AFSO Jandiala Guru, FSO Amritsar regarding Distribution of wheat under NFSA-2013 for the period December, 2014 to September 2015.***

That it is submitted that the case in which enquiry conducted by Sh. Amarjit Singh Katari (ADJ Retd.) related to case of Disciplinary Action, in which certain officers/officials were charge-sheeted and a regular enquiry was conducted by Sh. Amarjit Singh Katari (ADJ Retd.), The next action in this case is being taken as per the provisions of Punjab Civil Services (Punishment and Appeal) Rules 1970 and till date the case has not been decided by the competent authority.

That the information sought by the complainant was covered under the Rule 8(1)(h) of RTI Act 2005, so vide letter no. FCS-EST10MISC/1/2019-4E1/1/1503/2019 Dated 05.12.2019, the complainant was informed that the information cannot be provided to him”.

3. In view of the above, the affidavit filed by the respondent appears to be convincing, hence, 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 : 16.09.2020

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Rajwinder Singh, S/o S Kulwant Singh,
 House No 2636, Street No.1,
 Azad Nagar, Near Shimla Market, Putligarh,
 Amritsar(9872821947)

.....Complainant

..Vs

Public Information Officer,
 O/o Vigilance Bureau Range,
 Near Court Complex, Amritsar-143001

.....Respondent

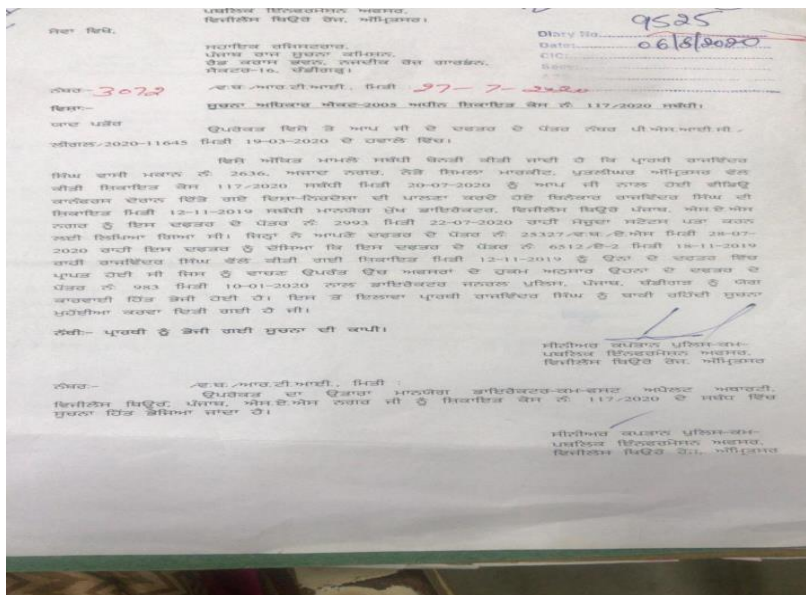
CC No. 117 of 2020

Present: (i) None is present on behalf of the complainant
 (ii) For the respondent: Smt. Meena Kumari, Sr. Assistant (98152-40898)

ORDER

This order may be read with reference to the previous order dated 20.07.2020 passed by the Commission.

2. The complainant is absent today.
3. The respondent states that the information has already been sent to the complainant. She further states that she has also sent a photocopy of the letter showing acknowledgment given by the Complainant . The reply sent by the respondent is as under:-



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CC No. 117 of 2019

4. In view of the above, 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 : 16.09.2020

(Preety Chawla)
State Information Commissioner
Punjab

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Sh Ajay Nand/ Ajay Kumar Mehta, (M:98146-46309)
C-118, East Mohan Nagar,
Chamrang Road, Amritsar

.....Appellant

..Vs

Public Information Officer,
O/o DGP, Vigilance Bureau,Pb
Vigilance Bhawan, Sector 68, SAS Nagar
First Appellate Authority
O/o DGP, Vigilance Bureau,Pb
Vigilance Bhawan, Sector 68, SAS Nagar

.....Respondent

AC No. 992 of 2020

Through CISCO WEBEX

Present: (i) Sh. Ajay Nand the appellant
(ii) For the respondent: Sh. Rajesh Kumar, SI through CISCO Webex
(9888805859)

ORDER

1. Brief facts of the case are that the appellant had filed RTI application on 10.10.2019 vide which he has sought information, which is as under:-

1. ਇਹ ਦਸਿਆ ਜਾਵੇ ਕੀ ਉਕਤ ਸ਼ਿਕਾਇਤਾ ਪ੍ਰਪਤੀ ਵਿਚੋਂ ਕਿਨੀਆ ਸ਼ਿਕਾਇਤਾ ਤੇ ਅਦਾਲਤ ਵਿਚੋਂ the prevention of corruption act 1988 ਤਹਿਤ ਸਜਾ ਹੋ ਚੁਕੀ ਹੈ ।
2. ਇਹ ਦਸਿਆ ਜਾਵੇ ਕਿਨੀਆ ਸ਼ਿਕਾਇਤਾ ਤੇ ਅਦਾਲਤ ਵਿਚੋਂ the prevention of corruption act 1988 ਤਹਿਤ ਬਰੀ ਹੋ ਚੁਕੇ ਹਨ ।
3. ਇਹ ਦਸਿਆ ਜਾਵੇ ਕਿਨੀਆ ਸ਼ਿਕਾਇਤਾ ਤੇ ਅਦਾਲਤ ਵਿਚੋਂ the prevention of corruption act 1988 ਤਹਿਤ ਪੈਂਡਿੰਗ ਚੱਲ ਰਹੇ ਹਨ ।
4. ਇਹ ਦਸਿਆ ਜਾਵੇ ਕਿਨੀਆ ਉਕਤ ਸ਼ਿਕਾਇਤਾ ਵਿਚੋਂ ਵਿਭਾਗ ਪਾਸ ਤਫਤੀਸ਼ ਲਈ ਹਜੇ ਪੈਂਡਿੰਗ ਹਨ ।
5. ਇਹ ਕਿ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਮੰਗੀ ਗਈ ਜਾਣਕਾਰੀ ਚੰਡੀਗੜ ਤੇ ਪੂਰੇ ਪੰਜਾਬ ਸਾਰੇ ਵਖਰੇ ਜਿਲੀਆ ਦੇ ਵਿਭਾਗ ਪਾਸੇ ਇਸ ਆਰ ਟੀ ਆਈ ਏਕਟ 2005 ਦੀ ਧਾਰਾ 6(3) ਤਹਿਤ ਤਬਦੀਲ ਕਰਦੇ ਹੋਏ ਉਸ ਦੀ ਉਤਾਰਾ ਜਾਨਕਾਰੀ ਹਿਤ ਮੈਨੂ ਭੇਜੀ ਜਾਵੇ ।

2. After that he filed first appeal with the First Appellate Authority (hereinafter FAA) on 18.12.2019 and second appeal was filed in the Commission on 04.03.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued for 16.06.2020.

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AC No. 992 of 2020

3. On 16.06.2020, the appellant was absent and the respondent Sh. Rajesh Kumar stated that the reply has already been sent to the appellant. On 20.07.2020, the appellant stated that he is not satisfied with the reply and both the parties were again directed to send their replies.

4. After receiving the replies of both the parties and examining the case file ,it is observed that the information demanded by the appellant Sh. Ajay Nand is not specific. During the last hearing it is clearly mentioned 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 -

(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. In view of the above, no further action is required in this Appeal Case. Accordingly, the instant Appeal Case is hereby, **disposed of and closed.**

Announced in the Court. Copy of the order be sent to the parties.

Sd/-

Dated : 16.09.2020

(Preety Chawla)
State Information Commissioner
Punjab

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Sh. Ajay Nand alias Ajay Kumar Mehta,
Late Sri Nand, R/o C-118, East Mohan Nagar,
Chamrang Road, Amritsar

.....Appellant

..Vs

Public Information Officer,
O/o District Health Officer, Amritsar

First Appellate Authority
O/o Civil Surgeon, Amritsar

.....Respondent

AC No. 4503 of 2019

Through CISCO WEBEX

Present: (i) Sh. Ajay Nand the appellant (9814646309)
(ii) For the respondent: Dr. Rajesh Kumar, M.O-cum- PIO (9888805958)

ORDER

Brief facts of the case are that the appellant had filed RTI application on 27.08.2019, vide which the appellant has sought information which is as under:-

1. ਦਫਤਰ ਸਿਹਤ ਅਫਸਰ ਵਿਭਾਗ ਦੇ ਅੰਮ੍ਰਿਤਸਰ ਜਿਲੇ ਵਿੱਚ ਅਧਿਕਾਰੀ ਅਤੇ ਕਰਮਚਾਰੀ ਕਿਲਾਫ ਹੋਇਆ। ਭ੍ਰਿਸ਼ਟਾਚਾਰ ਰੋਕ ਕਾਨੂੰਨ 1988 ਤਹਿਤ FIR ਦੀਆਂ ਕਾਪੀਆਂ ਦਿਤੀਆਂ ਜਾਣ 2005 ਤੋਂ ਲੈ ਕੇ ਅਜ ਤਕ।
 2. ਇਹ ਦਸਿਆ ਜਾਵੇ ਕਿ ਉਕਤ ਐਕਟ ਤਹਿਤ ਅੰਮ੍ਰਿਤਸਰ ਜਿਲੇ ਦੇ ਅਧਿਕਾਰੀ ਅਤੇ ਕਰਮਚਾਰੀਆਂ ਉਪਰ ਕਿੰਨੀਆਂ ਕ੍ਰਿਮਨਲ FIR ਦਰਜ ਹੋਇਆਂ ਹਨ ਦੀਆਂ ਕਾਪੀਆਂ ਦਿਤੀਆਂ ਜਾਣ।
 3. ਇਹ ਦਸਿਆ ਜਾਵੇ ਉਕਤ FIR ਵਿੱਚੋਂ ਕਿੰਨੇ ਕਰਮਚਾਰੀਆਂ ਅਤੇ ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਸਜਾ ਹੋ ਚੁਕੀ ਹੈ ਅਤੇ ਕਿੰਨੇ ਬਰੀ ਹੋ ਚੁੱਕੇ ਹਨ ਤੇ ਕਿੰਨੇ ਪੈਂਡਿੰਗ ਹਨ। ਅਤੇ ਇਹ ਪੈਂਡਿੰਗ ਕੇਸ ਕਿਹੜੀਆਂ ਅਦਾਲਤਾਂ ਵਿੱਚ ਚਲ ਰਹੇ ਹਨ ਨਾਲ ਸਬੰਧਤ ਰਿਕਾਰਡ ਦੀਆਂ ਕਾਪੀਆਂ ਦਿਤੀਆਂ ਜਾਣ।
2. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 30.09.2019 and second appeal was filed in the Commission on 04.12.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 04.02.2020
3. On 04.02.2020, the respondent was absent and it was observed that the appellant had raised many queries for which no information can be supplied and the respondent was directed to file proper reply. On 19.02.2020, the appeal case was reserved and the same was pronounced on 11.03.2020 with the direction to the respondent-PIO to inspect the FIR register to the appellant. On 16.06.2020 the appellant was absent. On 20.07.2020 the respondent was again directed to file point-wise reply.

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AC No. 4503 of 2019

4. Today the appellant Sh. Ajay Nand states that he is satisfied.
5. Since, the appellant is satisfied, 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.

Dated : 16.09.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Sh Ajay Nand/ Ajay Kumar Mehta, (M:98146-46309)
C-118, East Mohan Nagar,
Chamrang Road, Amritsar

.....Appellant

..Vs

Public Information Officer,
O/o SSP, Vigilance Bureau,
Kichlu Road, Amritsar

First Appellate Authority
O/o SSP, Vigilance Bureau,
Kichlu Road, Amritsar

.....Respondent

AC No. 993 of 2020
Through CISCO WEBEX

Present: (i) Sh. Ajay Nand the appellant
(ii) For the respondent: Smt. Meena Kumari, Sr. Assistant (9815240898)

ORDER

Brief facts of the case are that the appellant had filed RTI application on dated 29.10.2019 vide which the appellant has sought information which is as under:-

ਇਹ ਦਸਿਆ ਜਾਵੇ 2005 ਤੋਂ ਅੱਜ ਤਕ ਸਿਹਤ ਵਿਭਾਗ ਦੇ ਕਰਮਚਾਰੀਆਂ ਤੇ ਅਧਿਕਾਰੀਆਂ ਵਰਗੇ ਤੇ the prevention of corruption act 1988 ਤਹਿਤ ਕਿਨੀਆਂ FIR ਦਰਜ ਕੀਤੀਆਂ ਹਨ ਤੇ ਇਹਦਾ FIR ਨੂੰ ਸਾਲ ਅਤੇ ਨਾਮ ਦਸੇ ਜਾਣ ਤਾਂ ਜੋ ਮੈਂ FIR ਕਢਵਾ ਸਕਾਂ ਜਾਨਕਾਰੀ ਦਿਤੀ ਜਾਵੇ ।

2. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 21.12.2019 and second appeal was filed in the Commission on 04.03.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 16.06.2020 in the Commission.

3. On 16.06.2020, neither the appellant nor the respondent was present. On 20.07.2020, the respondent was directed to provide complete information to the appellant. The perusal of the file shows that the respondent has sent his/her reply vide Commission diary no. 9168 dated 30.07.2020 that the information has been sent to the appellant.

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AC No. 993 of 2020

4. After hearing both the parties and examining the case file, it is observed that the information, as exists, in the record has been given to the appellant by the respondent. However, it is found that the appellant has raised queries in his RTI. The appellant may take note that the information which only, exists, in the record can be supplied, and the queries are not to be replied.

5. In view of the above, no cause of action is left in this Appeal Case. Accordingly, the instant Appeal Case is hereby, **disposed of and closed.**

Announced in the Court. Copy of the order be sent to the parties.

Dated : 16.09.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab