

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



APPEAL CASE NO. 487 OF 2021

Shri Sawinder Singh, (98148 24772)
S/o Shri Bal Singh,
R/o Village & Post Office Shutrana,
Tehsil Patran, District Patiala.

...Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Patran, District Patiala.

First Appellate Authority
O/o District Development and Panchayat Officer,
Patiala.

...Respondents

HEARD Through CISCO WEBEX/TELEPHONE

PRESENT: Shri Sawinder Singh, Appellant.
Shri Jarnail Singh, Panchayat Secretary for the Respondents (94785 62960)

ORDER (SEVENTH HEARING):

The RTI application is dated 04.02.2020 vide which the Appellant has sought information from the PIO O/o Block Development and Panchayat Officer, Patran, District Patiala on the following points in his RTI application: -

“ਮਾਨਯੋਗ ਡਾਇਰੈਕਟਰ, ਪੈਂਡੂ ਵਿਕਾਸ ਤੇ ਪੰਚਾਇਤ ਵਿਭਾਗ, ਪੰਜਾਬ ਵੱਲੋਂ ਜਾਰੀ ਹੁਕਮ ਨੰ 7415 ਮਿਤੀ 18/09/18 ਤੇ ਆਪ ਵਲੋਂ ਹੁਣ ਤੱਕ ਜੋ ਕਾਰਵਾਈ ਅਮਲ ਵਿੱਚ ਲਿਆਂਦੀ ਹੈ (ATR) ਦੇ ਮੁਕੰਮਲ ਵੇਰਵੇ ਜਾਰੀ ਕੀਤੇ ਜਾਣ। ਆਪ ਜੀ ਦੀ ਜਾਣਕਾਰੀ ਹਿੱਤ ਹੁਕਮ ਦੀ ਕਾਪੀ ਨਾਲ ਨੱਥੀ ਹੈ, ਜੀ।”

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 09.03.2020, the Appellant filed Second Appeal in the Commission on 23.04.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties.

The case is fixed for today. The Respondent states that remaining information has already been supplied to the appellant and he has acknowledged the same.

The Appellant confirms that he has received the information and gives his consent to close the case.

In the light of above, no further cause of action is left in the instant Appeal Case, the case is **Disposed of and closed**. However, the Respondent is warned to be careful in future while dealing with the RTI applications. Copies of the order be sent to the parties.

Chandigarh
17.05.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

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APPEAL CASE NO. 1832 OF 2021

Shri Karamjit Singh, (99156 27404)
S/o Shri Pritam Singh,
R/o Village Thulliwal, District Barnala.

...Appellant

Versus

Public Information Officer,
O/o Secretary,
Thulliwal Multipurpose Agriculture
Cooperative Society Limited,
Thulliwal, District Barnala.

First Appellate Authority
O/o Assistant Registrar,
Cooperative Societies, Barnala.

...Respondents

HEARD Through CISCO WEBEX/TELEPHONE

PRESENT: None on behalf of the Appellant.
Shri Jang Singh, Secretary on behalf of the PIO (98760 50705) along with
Shri Sanju Singh, Sr. Assistant on behalf of the FAA (70093 71416)

ORDER (FOURTH HEARING):

The RTI application is dated 29.11.2020 vide which the Appellant has sought information from the PIO O/o Secretary, Thulliwal Multipurpose Agriculture Cooperative Society Limited, Thulliwal, District Barnala on the following points in his RTI application: -

"Subject matter of information: *Loss and profit of the Thulliwal Co. Society.*

The period to which the information relates: *started to till date.*

Specify details of information required: *Please give the information of Co. Society Thuliwal when the Society started and the loss/profit of Society every year and reason of loss also mention the name of Society employees and committee members time to time every year also give the detail of Audit Report every year."*

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 25.02.2021, the Appellant filed Second Appeal in the Commission on 29.04.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties.

The case is fixed for today. The Respondent states that requisite information has already been supplied to the appellant and he has acknowledged the same.

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APPEAL CASE NO. 1832 OF 2021

The Appellant is absent from hearing through Webex. As such he is contacted on mobile phone and he confirms that he has received the information and gives his consent to close the case.

In the light of above, no further cause of action is left in the instant Appeal Case, the case is **Disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh
17.05.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

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APPEAL CASE NO. 2084 OF 2021

Smt. Neelam Handa, (78890 84560)
W/o Sh. Naresh Kumar Handa,
R/o # 1715/16, Ajit Nagar, Near Bank Colony,
Haibowal Kalan, District Ludhiana – 141001

...Appellant

Versus

Public Information Officer,
O/o District Treasury Officer,
District Administrative Complex, Ludhiana.

First Appellate Authority
O/o District Treasury Officer,
District Administrative Complex, Ludhiana.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None on behalf of the Appellant.
Ms. Harjinder Kaur, Treasury Officer for the Respondents (81460 66667)

ORDER (FIFTH HEARING):

The RTI application is dated 07.01.2021 vide which the Appellant has sought information from the PIO O/o District Treasury Officer, District Administrative Complex, Ludhiana on the following points in his RTI application: -

"Subject matter of information: *G.R./Transaction Number required.*

The period to which the information relates: *2019-2020*

Specify details of information required: *District Treasury Office, Ludhiana does not have the record of a deposit of Rs. 1,25000/- made by me on 4 Oct 2019 with State Bank of India (MOPS CPV1664764 beneficiary: Punjab Government and Merchant Reference No. 973914) bank receipt and RTI copy has been attached. As per District Treasury Office official website the transaction is successful (copy attached) but as per District Treasury office they had not received this amount. I had paid this amount to get it paid to the hon'ble court via refund voucher.*

Please elaborate:

1. *What is the Gr no./Transaction number as per District Treasury Office, Ludhiana?*
2. *When the payment will be made to Hon'ble Court?*
3. *Why the record of this transaction not maintained by District Treasury Office?*

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APPEAL CASE NO. 2084 OF 2021

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 25.02.2021, the Appellant filed Second Appeal in the Commission on 29.04.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties.

The case is fixed for today. The Respondent states that requisite information has already been supplied to the appellant vide letter dated 04.01.2022 and compensation amount of Rs. 5000/- has been paid to her vide Banker Cheque No. 240993, dated 18.02.2022. Copy of the same is taken on record.

The Appellant is absent for today's hearing. However, on the last date of hearing she has confirmed the receipt of information.

In the light of above, no further action is required in the instant Appeal Case, the case is **Disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
17.05.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

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APPEAL CASE NO. 2537 OF 2021

Shri Ajay Nand/Ajay Kumar Mehta, (98146 46309)
S/o Late Shri Nand Kishore,
R/o # C-118, East Mohan Nagar,
Chamrang Road, Amritsar.

...Appellant

Versus

Public Information Officer,
O/o Punjab State Information Commission,
Sector – 16, Chandigarh.

First Appellate Authority
O/o Punjab State Information Commission,
Sector – 16, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Ajay Kumar Mehta, Appellant (On Telephone).
Ms. Sukhbeer Kaur, APIO on behalf of the Respondents.

ORDER (THIRD HEARING):

The RTI application is dated 12.01.2021 vide which the Appellant has sought information from the PIO O/o Punjab State Information Commission, Chandigarh on the following points in his RTI application: -

“ਬੇਨਤੀ ਹੈ ਕਿ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ ਪੰਜਾਬ ਵਿੱਚ ਮੌਜੂਦਾ ਤੈਨਾਤ (1) Preety Chawla, (2) Avtar Singh Kaler, (3) Khuswant Singh, (4) Pawan Kumar Single, (5) Suresh Arora Chief, ਨਾਲ ਸੰਬੰਧਿਤ ਸੂਚਨਾ ਦੀ ਤਸਦੀਕਸੂਦਾ ਕਾਪੀਆਂ ਹੇਠ ਲਿਖੇ ਲੈਣ ਬਾਬਤ ਬੇਨਤੀ ਪੱਤਰ।

- 1) ਉਕਤ ਕਮਿਸ਼ਨਰਾਂ ਦੇ ਮੌਜੂਦਾ ਕਾਰਜਕਾਲ ਦੌਰਾਨ ਦੇ ਇਹਨਾਂ ਦੇ ਖਿਲਾਫ ਜੋ ਸ਼ਿਕਾਇਤਾਂ ਪ੍ਰਾਪਤ ਹੋਈਆਂ ਇਸ ਦੀਆਂ ਕਾਪੀਆਂ ਦਿਤੀਆਂ ਜਾਣ।
- 2) ਉਕਤ ਕਮਿਸ਼ਨਰਾਂ ਦੇ ਖਿਲਾਫ ਜੋ ਨੋਟਿਸ ਅਤੇ ਅਦਾਲਤਾਂ ਵਲੋਂ ਕੀਤੇ ਸਮਨ ਪ੍ਰਾਪਤ ਹੋਏ ਇੱਸ ਦੀਆਂ ਕਾਪੀਆਂ ਅਤੇ ਇਸ ਨਾਲ ਨੱਥੀ/ਸੰਬੰਧਿਤ ਸਮੂਚੇ ਰਿਕੌਰਡ ਦੀਆਂ ਕਾਪੀਆਂ ਦਿਤੀਆਂ ਜਾਣ।
- 3) ਅਦਾਲਤ ਖੁਸ਼ਵੰਤ ਸਿੰਘ ਅਪੀਲ ਕੇਸ ਨੰ 190/2020 ਵਿੱਚ ਪ੍ਰਾਰਥੀ ਵਲੋਂ ਦਿਤੀ ਐਪਲੀਕੈਸ਼ਨ ਰਾਹੀਂ Post No. RP92633664IN Dt. 26.8.2020 To EP594072285IN Dt. 15.10.20 To E-mail-Dt. 30.11.20 ਕਾਪੀਆਂ ਅਤੇ ਇਸ ਨਾਲ ਨੱਥੀ/ਸੰਬੰਧਿਤ ਸਮੂਚੇ ਰਿਕੌਰਡ ਦੀਆਂ ਕਾਪੀਆਂ ਦਿਤੀਆਂ ਜਾਣ।
- 4) ਅਪੀਲ ਕੇਸ ਨੰ 190/2020 ਵਿੱਚ ਉਤਰਵਾਦੀ PIO & 1 Appellate Authority ਵਲੋਂ ਜੋ ਜਵਾਬ ਦਿਤੇ ਗਏ ਹਨ ਇੱਸ ਦੀਆਂ ਕਾਪੀਆਂ ਦਿਤੀਆਂ ਜਾਣ।

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 25.02.2021, the Appellant filed Second Appeal in the Commission on 29.04.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties.

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- 02 -

APPEAL CASE NO. 2537 OF 2021

The case is fixed for today. The Respondent appears in person and states sufficient information/reply has already been supplied to the appellant vide letter no. PSIC/RTI/11/2021/1407, dated 01.09.2021 and relevant extract of the above said letter reproduced as under: -

"Shri Ajay Nand filled RTI application which was received by the Commission vide diary No. 1213 dated 15-1-2021 (Annexure-1)

2. *As per his RTI application, the information requested by the application at Sr. No. 1 & 2 of his RTI application related to the supplies of photocopies of complaints received and action taken by the Commission against Smt Preety Chawla, S.Avtar Singh Kaler, S.Khushwant Singh, Dr.Pawan Kumar Singla, SICS and Shri Suresh Arora, Hon'ble CIC. As per judgement in Civil Appeal No. 22 of 2009 dated 8-12-2017 of Hon'ble Supreme Court of India, the complaints/notice and summons etc received and action taken by the office is matter between employee and employer which constitute personal information. Hence the information can not be supplied. The applicant was informed accordingly vide office letter No PSIC/RTI/1/2021 dated 4-12-2021. In this connection, it is further mentioned that in Girish Ramchandra Deshpande Vs Central Information Commissioner & others (SPL (Civil) No.27734 of 2012, the Hon ble Supreme Court of India has also passed order dated 3-10-2012 as under:*

"The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information" the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right.

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APPEAL CASE No. 2537 OF 2021

Further, the Govt of Punjab. Department of Governance Reforms & Public Grievances (GR-1 Branch), vide notification No.4/5/2021 4GR1/1/22567/2021 dated 9-8-2021 has informed that the Hon'ble Supreme Court of India vide decision dated 13-11-2019 in Civil Appeal No. 10044 of 2010 has defined "Personal Information" under RTI Act, 2005 and such information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. (copy enclosed),

In view of the personal information and also no larger public interest is involved, the requisite information was not supplied to the applicant.

3. *Regarding information with regard to point No. 3 & 4, the desired information in Appeal Case No. 190/2020 related to the bench of Shri Khushwant Singh, Ld. SIC and has since been supplied by hand."*

The Appellant is unable to attend hearing through Webex. As such he is contacted on mobile phone and he states that he has received the information relating to point no. 3 and 4 but no information regarding point no. 1 and 2 of his RTI application and expresses his dissatisfaction.

After perusal of the case file and hearing both the parties, it is revealed that information sought by the appellant related to point no. 1 and 2 in which action taken by the office is matter between Employee and Employer, which constitute personal information and information relating to point no. 3 and 4 of the RTI application of the appellant has already been provided which he has acknowledged.

In the aforementioned, the Bench observes that no further action is required in the instant Appeal Case, the case is **Disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh
17.05.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

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APPEAL CASE NO. 3560 OF 2021

Shri Jaswinder Singh, (85588 03887)
Additional District & Session Judge,
Gurdaspur,
R/o 7, Jail Road, Gurdaspur.

...Appellant

Versus

Public Information Officer,
O/o XEN/Executive Engineer,
P.W.D. (B&R),
Gurdaspur.

First Appellate Authority
O/o XEN/Executive Engineer,
P.W.D. (B&R),
Gurdaspur.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Jaswinder Singh, Appellant.
Shri Amit Kumar, Sr. Assistant on behalf of the PIO.

ORDER (SIXTH HEARING):

The RTI application is dated 18.03.2021 vide which the Appellant has sought information from the PIO O/o XEN/Executive Engineer, P.W.D. (B&R), Gurdaspur on the following points in his RTI application: -

1. *Copies of NIQ Register for the financial year 2019-2020 and for the year 2020-2021(Till date).*
2. *Copies of Tender Register for the financial year 2019-2020 and for the year 2020-2021(Till date).*
3. *Copies of Estimates prepared for the repair work of House No.7, Jail Road, Gurdaspur done during the period from 01/04/2019 to 18/03/2021.*
4. *How much total expenditure was incurred on the repair work of the aforesaid house?*
5. *Detail of each repair work carried out in the house along with bills submitted by each contractor.*
6. *Copies of quotations received at the time of purchase of material which was used at the time of repair in the aforesaid house.*
7. *What process was followed for allocation of work to the contractors? Kindly provide copies of the documents prepared for aforesaid purpose.*
8. *Documents regarding the expenses incurred on the repair work done from 1st April, 2019 to 18/03/2021 of the houses allotted to the Judicial Officers at Gurdaspur.*

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- 02 -

APPEAL CASE NO. 3560 OF 2021

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 28.05.2021, the Appellant filed Second Appeal in the Commission on 05.08.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties.

The case is fixed for today. The Respondent states that requisite information has already been supplied to the appellant and compensation amount of Rs. 10000/- has been paid to the appellant and penalty amount of Rs. 10000/- paid in the State Treasury through E-Challan Receipt no. 2199163, dated 26.04.2022. Copy of the same is taken on record.

The Appellant confirms that he has received the information along with compensation amount and gives his consent to close the case.

In the light of above, no further action is required in the instant Appeal Case, the case is **Disposed of and closed.** Copies of the order be sent to the parties.

**Chandigarh
17.05.2022**

Sd/-
(Maninder Singh Patti)
State Information Commissioner

Copy is intimation and further necessary Action: - (Regd. Post)

- 1) **The Superintending Engineer, (By Name)**
O/o P.W.D. (B&R),
Gurdaspur.
- 2) **The Superintending Engineer, (By Name)**
O/o Construction Division,
P.W.D. (B&R), Malerkotla,
District Sangrur.
- 3) **The Drawing & Disbursing Officer,**
O/o Construction Division,
P.W.D. (B&R), Malerkotla,
District Sangrur.
- 4) **Shri Manmohan,**
XEN / Executive Engineer
O/o Construction Division,
P.W.D. (B&R), Malerkotla,
District Sangrur.