

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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Sh. Gurinder Singh Bajwa,
Gobind Nagar, Kahnuwan Road,
Batala.

...Appellant

Vs

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

First Appellate Authority-cum-
O/o Deputy Commissioner,
Gurdaspur.

.....Respondent

AC.No. 4111 of 2019

PRESENT : (i) Sh. Sukhjeet Singh on behalf of the appellant.
(ii) Sh.Amanpal Singh, DRO-cum-PIO, O/o D.C. Gurdaspur.

ORDER:

1. The RTI application is dated 05.05.2018 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 18.06.2019 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 19.12.2019 by the Commission.

3. The appellant has authorized Sh. Sukhjeet Singh to appear on his behalf for today's hearing. A letter dated 02.12.2019 is available on record wherein the appellant has stated that he has been informed by the respondents regarding the non-availability of Jamabandi record from 1947 to 1959 in respect of Village Sahabpur whereas they have provided him the Jamabandi for the year 1961. He has further stated therein that the Jamabandi record of Village Batala Garbi is not available with them. The representative of the appellant Sh. Sukhjeet Singh also states that till date, no information regarding the Jamabandi record of both the villages referred to above, has been provided by the PIO and reiterates what the appellant has stated in his letter dated 02.12.2019.

4. Sh.Amanpal Singh, DRO-cum-PIO, O/o D.C. Gurdaspur comes present and states that they have already informed the appellant vide letter dated 09.12.2019 that the Jamabandi record

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AC.No. 4111 of 2019

for the period 1947 to 1959 in respect of village Sahabpur is not available and that the Jamabandi record for the year 1960-61 has been provided to the appellant. He also states that in respect of village Batala Garbi, no Jamabandi record for the period 1947 to 1961 is available with them. He further states that the appellant was also given an opportunity to inspect the record in Sadar Record Room on any working day between 09.12.2019 to 12.12.2019, but the appellant has not come to inspect the record. He also refers to the letter dated 13.12.2019 written to the Commission explaining the same position which is available on record.

5. After hearing both the parties, it is observed that as given in writing by the respondents, the Jamabandi record of Village Sahabpur for the period 1947 to 1959 and of village Batala Garbi from 1947 to 1961 is not available with the respondents. As such, the same cannot be supplied to the appellant.

6. In view of the above, no further action is called for. The case is **closed and the appeal is disposed off**. Copies of the order be sent to the parties.

**Chandigarh
19.12.2019**

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

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Sh. Bharat Bhushan Mattu,
C.Add.H.No.153, Akash Nagar,
Near Green Land School,
P.O: Netaji Nagar, Salem Tabri,
Distt:Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o District Education Officer (Ele.Edu.),
SBS Nagar.

First Appellate Authority-cum-
O/o Director, Public Instruction I(Ele.Edu),
SAS Nagar, MOhali.

.....Respondent

AC.No. 4071 of 2019

PRESENT : (i) Sh.Bharat Bhushan Mattu, appellant is absent.
(ii) Smt.Sukhvinder Kaur, Supdt. O/o DPI (EE) is present on behalf of the PIO.

ORDER:

1. The RTI application is dated 30.07.2019 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 06.09 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 19.12.2019 by the Commission.

3. The appellant is absent but he has intimated his inability to come present in today's hearing as he is undergoing treatment due to a chronic disease. Vide this letter, he has also requested for the supply of information on points 1,2,4(a)&(b) and 5(a).

4. Mrs. Sukhvinder Kaur, Supdt. is present on behalf of PIO. On the asking of the court, she states that the information has been supplied to the appellant, a copy of which is also shown in the court which is voluminous. A letter dated 10.12.2019 is also available on record intimating the Commission regarding the supply of said information by all the BPEOs of District SBS Nagar to the appellant.

5. The appellant is advised that in case he is not satisfied with the information, he should visit the office of DPI (Ele.Edu.), Punjab on any working day and contact the PIO or

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AC.No. 4071 of 2019

Mrs. Sukhvinder Kaur, Supdt. who will make it sure to let the appellant inspect the entire relevant record and copies of the deficient information, if so identified by the appellant, may be supplied to him to his satisfaction under intimation to the Commission, before the next date of hearing.

6. The PIO in the office of DPI (EE), Punjab is directed to ensure the inspection of record by the appellant and full compliance of the directions made by the Commission.

7. The matter is adjourned. To come up for further hearing on **27.01.2020 at 11.30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
19.12.2019**

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

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Sh. Kuljit Singh, S/o Sh. Harcharan Singh,
VPO: Mahiraj Patti, Karam Chand,
Tehsil: Rampura Phul, Distt:Bathinda.

...Appellant

Vs

Public Information Officer,
O/o District Education Officer (SE),
Hoshiarpur.

First Appellate Authority-cum-
O/o Director, Public Instruction (SE),
Punjab, Mohali.

...Respondent

AC.No. 4100 of 2019

PRESENT : (i) Sh. Kuljit Singh, the appellant.
(ii) Smt. Deepti, Clerk O/o DEO (SE), Hoshiarpur is present on behalf of the PIO.

ORDER:

1. The RTI application is dated 01.08.2019 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 13.10.2019 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 19.12.2019 by the Commission.
3. The appellant comes present. On behalf of respondents, Smt. Deepti Sharma, Clerk, O/o DEO (SE), Hoshiarpur, having been authorized vide letter dated 19.12.2019, comes present for the hearing. She states that the information sought by the appellant has been supplied vide letter dated 16.12.2019. She also produces a copy of the same before the Court which is taken on record.
4. The letter dated 16.12.2019 is shown to the appellant. On perusal, he shows his dissatisfaction over the information supplied.
5. On discussing with both the parties, it is directed that the appellant shall visit the office of DPI (S.E.) in the Private Aided Schools Branch on any working day. The PIO concerned in the office of DPI (SE), Punjab will make it sure to get the entire relevant record inspected by the Appellant. The appellant, after inspection, will identify the information he desires and the PIO will ensure to supply the requisite information to the appellant before the next date of hearing under intimation to the Commission.

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AC.No. 4100 of 2019

6. The matter is adjourned. To come up for further hearing on **07.01.2020 at 11.30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
19.12.2019**

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

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Sh. Ranvir Singh, S/o Sh. Sukhdev Singh,
H.No.25, Street No.19, Bhakar Enclave,
Patiala.

.....Appellant

Vs

Public Information Officer,
O/o DPI(SE),
Punjab, Chandigarh.

First Appellate Authority-cum-
O/o DPI(SE),
Punjab, Chandigarh.

.....Respondent

AC.No. 4075 of 2019

PRESENT: (i) Sh.Ranvir Singh, Appellant.
(ii) Sh. Charanjit Singh, O/o DPI (SE), Pb. on behalf of the PIO.

ORDER

1. The RTI application is dated 31.07.2019 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 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 19.12.2019 by the Commission.

3. The appellant Sh.Ranvir Singh comes present.

4. Sh.Charanjit Singh on behalf of PIO/respondents comes present and states that the requisite information has been supplied to the appellant. On the asking of the Court, the appellant also confirms to having received the information. He also gives in writing that he has received the information on 27.11.2019 and requests for closure of the case.

5. In view of the above, no further action is called for. The case is closed and the appeal is **disposed off**. Copies of the orders be sent to the parties.

Chandigarh
19.12.2019

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

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SECTOR 16, CHANDIGARH.

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Ms. Harleen Kaur,
R/o H.No.246-A, New Shampur Colony,
Near Shahai Palace, Village:Shampura,
Tehsi; & DlStt: Roopnagar.

.....Appellant

Vs

Public Information Officer,
O/o Govt. Girls Senior Secondary School,
Roopnagar.

First Appellate Authority-cum-
O/o District Education Officer (SE),
Roopnagar.

.....Respondent

AC.No. 4072 of 2019

PRESENT: (i) Sh. Jaspreet Singh on behalf of the appellant.
(ii) Mrs. Anju Choudhary, Principal, GSSS, Ropar,PIO

ORDER

1. The RTI application is dated 05.09.2019 whereby the complainant has sought information as mentioned in her RTI application. She filed First Appeal with the First Appellate Authority (hereinafter FAA) on 07.10.2019 and 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 19.12.2019 by the Commission.

3. The representative of the appellant Sh.Jaspreet Singh comes present and produces the letter of appellant dated 13.12.2019 stating therein that she cannot attend the hearing today and also stating that direction be issued to the respondents to supply the information.

4. Smt. Anju Choudhary, PIO comes present and states that whatever information is available with the School, has been supplied and produces a copy of the same before the Court. She also hands over a copy of the information to the representative of appellant. The PIO also gives in writing that besides the documents/information supplied, no other information pertaining to the RTI application of the appellant is available in the record of their school,.

5. In view of the above, it is established that 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
19.12.2019
Sh. Vinay Sophat,

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

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136/1, Block-12, Shah Pur Road,
Ludhiana.

...Complainant

Vs

Public Information Officer,
O/o Principal Secretary,
Deptt of Higher Education,
Punjab, Chandigarh.

Remanded Back
First Appellate Authority,
O/o Principal Secretary,
Deptt of Higher Education,
Punjab, Chandigarh.

.....Respondent

CC No. 956 of 2019

PRESENT: (i) Sh. Ghanshyam Dass for the Complainant.
(ii) Sh. Jaswinderjit Singh, Sr. Asstt., O/o Principal Secretary, Higher Education
is present on behalf of the PIO.

ORDER

1. The RTI application is dated 29.08.2019 vide which the complainant has sought information as enumerated in his RTI application. He filed complaint in the Commission on 05.11.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 19.12.2019 by the Commission.
3. The representative of the Complainant comes present and produces authority letter to appear on behalf of the Complainant which is taken on record.
4. On the asking of the Court, Shri Jaswinderjit Singh, Sr.Asstt.who comes present on behalf of the PIO, produces a letter dated 09.12.2019 stating therein that after considering the matter, the complainant has already been intimated vide letter dated 15.11.2019 to the effect that the matter, being a third party information and cannot be shared under Section 11(3) of the RTI Act.
5. The representative of the complainant expresses dissatisfaction to the reply given by the PIO/respondent.
6. From perusal of the record as available on the file, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the complainant.

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C.C No. 936of 2019

7. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant case.

8. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

9. In view of the above, the case is **disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh
19.12.2019**

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

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Sh. Gurnam Singh (S.S.Master),
Govt. Girls Sr. Sec. School,
Guruharsahai, Distt:Ferozepur.

.....Complainant.

Vs

Public Information Officer,
O/o Principal Secretary,
Deptt. Of Education, Punjab,
Chandigarh.

.....Respondent

C.C.No. 951 of 2019

PRESENT:

- (i) Sh. Gurnam Singh, the Complainant.
- (ii) None is present on behalf of the PIO/Respondent.

ORDER

1. The RTI application is dated 05.03.2019 vide which the appellant has sought information as enumerated in his RTI application and filed complaint in the Commission on 31.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 19.12.2019 by the Commission.
3. Though none is present on behalf of the PIO/respondents, however, a letter dated 18.12.2019 has been received from them stating therein that an Appeal Case No.800/2019 seeking the same information at Sr.No.3 & 4 of the letter dated 05.03.2019 of the complainant, has been provided to the complainant vide Govt. letter dated 12.12.2019, copy of which is enclosed with the letter dated 18.12.2019. As a result, the said case has been disposed of by the court of Ld. State Information Commissioner, Shri Pawan Kumar Singla vide order dated 18.12.2019. The respondents have also requested for disposal of the case on that basis.
4. On the asking of the Court, Shri Gurnam Singh, Complainant affirms to having received the requisite information to his satisfaction.
5. In view of the above, on perusal of the information provided and the documents enclosed therewith, this Court is satisfied that the information, in question, is the same as was asked for vide AC No.800/2019 and as such, the information in the instant case stands already supplied to the complainant. Accordingly, the Complainant Case is hereby **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
19.12.2019

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

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Sh. Gurnam Singh (S.S.Master),
Govt. Girls Sr. Sec. School,
Guruharsahai, Distt:Ferozepur.

.....Complainant.

Vs

Public Information Officer,
O/o Principal Secretary,
Deptt. Of Education, Punjab,
Chandigarh.

Remanded Back

First Appellate Authority,
O/o Principal Secretary,
Deptt. Of Education, Punjab,
Chandigarh.

.....Respondent

C.C.No. 952 of 2019

PRESENT:

- (i) Sh. Gurnam Singh, the Complainant.
- (ii) Sh. Maninder Singh, Sr.Asstt., O/o Director General, School Education is present on behalf of the PIO/Respondent.

ORDER

1. The RTI application is dated 16.08.2019 vide which the appellant has sought information as enumerated in his RTI application. He filed complaint in the Commission on 31.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act)..
2. Notice of hearing was issued to the parties for 19.12.2019 by the Commission.
3. None is present on behalf of the PIO/respondents. A letter dated 18.12.2019 has been received from the office of Director General School Education, Punjab, SAS Nagar that the request of complainant regarding information on Point No.1 has been rejected under Section 8(h) of RTI Act. Information sought vide point No.2 & 3 pertains to the Director, Public Instruction (SE), Punjab and hence, the application has been transferred to them for action under Section 6(3) of the RTI Act.
4. On the asking of the Court, Shri Gurnam Singh, Complainant expresses his dissatisfaction on the response to his RTI application.
5. From perusal of the record as available on the file, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the complainant.

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C.C No. 952 of 2019

6. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant case.

7. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

8. In view of the above, the case is **disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh
19.12.2019**

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

PUNJAB STATE INFORMATION COMMISSION

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Sh. Manpreet Singh,
113, Phase-3B-1,
Mohali.

...Appellant

Vs

Public Information Officer,

O/o Director,
Food Civil Supplies and Consumer Affairs Deptt.
Punjab, Chandigarh.

First Appellate Authority-cum-

O/o Director,
Food Civil Supplies and Consumer Affairs Deptt.,
Punjab, Chandigarh.

Public Information Officer,

O/o Principal Secretary, Deptt. Of
Food Civil Supplies and Consumer Affairs,
Punjab, Chandigarh.

First Appellate Authority-cum-

O/o Principal Secretary, Deptt. Of
Food Civil Supplies and Consumer Affairs,
Punjab, Chandigarh.

...Respondents

AC.No. 4066 of 2019

Along with

AC. No. 4068 of 2019

PRESENT: (i) Sh. Manpreet Singh, the appellant.
(ii) None on behalf of the PIO/Respondents.

ORDER

1. The RTI applications are dated 18.07.2019 vide which the appellant has sought information as enumerated in his RTI applications. First appeals were filed with the First Appellate Authority (hereinafter FAA) on 17.09.2019 and Second Appeals were 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 19.12.2019 by the Commission.

3. Since similar information has been sought by the appellant by filing both the Appeal Cases, as such, both the appeal cases are clubbed together for hearing.

4. The appellant states that till date, no information has been provided to him by the PIOs and there is also no response to his appeals filed with the First Appellate Authority (FAA).

5. None is present from the office of the Principal Secretary, Food, Civil Supplies and Consumer Affairs, Punjab or from the office of Director, Food, Civil Supplies and Consumer Affairs, Punjab. The Commission takes a serious view of the same.

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AC.No. 4066 of 2019

Along with

AC. No. 4068 of 2019

6. The PIOs in both the cases are directed to supply the information asked for by the appellant under intimation to the Commission by registered post and must ensure to come present before the Commission on the next date of hearing.

7. The matter is adjourned. To come up for further hearing on **27.01.2020 at 11.30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
19.12.2019**

Sd/-

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

Note:

The representative of the PIO, O/o Director, Food, Civil Supplies & Consumer Affairs, Punjab appears after the hearing was over. He produces letter dated 11.12.2019 wherein it has been stated that the enquiry into the complaint made by appellant against employees of PUNGRAIN and Punjab Agro is pending due to which his application has been rejected under Sections 8(1)(d) and 8(1)(h) of RTI Act. It has further been stated that appeal made to the First Appellate Authority has also been dismissed. The PIO has also prayed to excuse his absence being busy in the Hon'ble High Court and to give next date of hearing. The letter produced by the representative of PIO is taken on record.

**Chandigarh
19.12.2019**

Sd/-

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

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