

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

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APPEAL CASE NO. 178 OF 2019

Shri Hardeep Singh
S/o Sh. Harnam Singh,
Mandi Hazoor Singh,
Tehsil & Distt. Fazilka.

...Appellant

Versus

Public Information Officer

O/O The Block Development & Panchayat Officer,
Fazilka.

First Appellate Authority,

O/O The District Development & Panchayat Officer,
Fazilka.

...Respondents

PRESENT: Sh. Hardeep Singh, Appellant, in person.
Shri Partap Singh, BDPO-cum-PIO and Shri Sandeep Kumar, APIO, MANREGA,
Fazilka on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 19.09.2019.

2. The Appellant appears and reiterates his earlier stand that no information has been provided to him by the Respondents till date.

3. Shri Partap Singh, BDPO-cum-PIO and Shri Sandeep Kumar, APIO, MANREGA, Fazilka, appear in the court and state that order dated 19.09.2019 only is received and no orders of previous hearings have been received by them. Shri Partap Singh, BDPO-cum-PIO, who has been transferred from Fazilka and Shri Parvesh Singh, BDPO-cum-PIO who has joined at Fazilka, are directed to supply the sought for information, duly attested, to the appellant by registered post within 15 days under intimation to the Commission. Shri Partap Singh, the previous BDPO, Fazilka, is directed to submit an Affidavit duly attested by the Notary explaining his position in reply to the show cause notice issued to him in the instant case. He is also directed to submit a copy of the *Treasury Challan vide which the penalty amount of Rs.10,000/= has been deposited under the Head "0070- Other Administrative Services – 60 Other Services- 800 Other Receipts- 86 Fee under RTI Act, 2005"*. He is also directed to submit a copy of Bank Draft/Cheque vide which compensation amount of Rs.4000/- is paid from the Public Authority Fund/Account to the appellant, on the next date of hearing.

4. Shri Parvesh Singh, the present BDPO-cum-PIO, Fazilka, is directed to be present, **in person**, in the court on the next date of hearing and in case of non-appearance, strict action as per provisions of the RTI Act 2005, shall be initiated against him.

5. The case is adjourned to **10-12-2019 at 12.30PM**. Copies of the order be sent to the parties.

Chandigarh
22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 179 OF 2019

Shri Hardeep Singh
S/o Sh. Harnam Singh,
Mandi Hazoor Singh,
Tehsil & Distt. Fazilka.

...Appellant

Versus

Public Information Officer

O/O Block Development & Panchayat Officer,
Fazilka.

First Appellate Authority,

O/O District Development & Panchayat Officer,
Fazilka.

...Respondents

PRESENT: Sh. Hardeep Singh, Appellant, in person.
Shri Partap Singh, BDPO-cum-PIO and Shri Sandeep Kumar, APIO, MANREGA,
Fazilka on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 19.09.2019.

2. The Appellant appears and reiterates his earlier stand that no information has been provided to him by the Respondents till date.

3. Shri Partap Singh, BDPO-cum-PIO and Shri Sandeep Kumar, APIO, MANREGA, Fazilka, appear in the court and state that order dated 19.09.2019 only is received and no orders of previous hearings have been received by them. Shri Partap Singh, BDPO-cum-PIO, who has been transferred from Fazilka, submits an Affidavit explaining his position in reply to the show cause notice issued to him. Keeping this in view, show cause notice issued to him stands dropped.

4. Shri Parvesh Singh, who has recently joined as BDPO-cum-PIO at Fazilka, is directed to supply the sought for information to the appellant within 15 days by Registered Post under intimation to the Commission. He is also directed to be present, **in person**, along with a copy of the demanded information, duly attested, in the court on the next date of hearing and in case of non-appearance, strict action as per provisions of the RTI Act 2005, shall be initiated against him.

5. The case is adjourned to **10-12-2019 at 12.30PM**. Copies of the order be sent to the parties.

Chandigarh
22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 575 OF 2019

Advocate Anil Kumar Singh,
Office-B-1/0002, B-1/0003,
Bus Stand, VPO Rahon,
Tehsil Nawanshahar.

...Appellant

Versus

Public Information Officer

O/o The Executive Officer,
Municipal Council,
RAHON, Tehsil Nawanshahar.

First Appellate Authority,

O/o The Deputy Director,
Local Bodies, JALALDHAR.

Present : Adv. Anil Kumar Singh, Appellant, in person
Shri Raman Manro, Accountant-cum-APIO, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 12.09.2019.

2. The appellant states that the respondent-PIO has not supplied the remaining sought for information till date.

3. Shri Raman Manro, Accountant-cum-APIO, appears in the court on behalf of the respondents states that all the information as per RTI application of the Appellant has already been supplied to him.

4. Shri Raman Manro, Accountant-cum-APIO, is directed to submit an affidavit **signed by the Respondent-PIO duly attested by the Notary**, in the court on the next date of hearing stating that information as available on the record of the Public Authority has already been provided to the appellant and no more information is available with them.

5. The case is adjourned to **17.12.2019 at 12.30PM**. Copies of the order be sent to the parties.

Chandigarh
22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 2064 of 2018

Shri Ranjit Singh
S/o Shri Charan Singh,
491, Phase-2, Urban Estate,
Patiala.

...Appellant

Versus

Public Information Officer

O/o The XEN, Water Supply & Sanitation,
Sub Division No.8, Phase-5,
S.A.S. Nagar (Mohali).

First Appellate Authority,

O/o The SE, Water Supply & Sanitation,
SCO -158-159, Sector-34-A,
Chandigarh.

...Respondents

PRESENT:

None on behalf of the appellant.

Sh. Harvir Singh, SDE, is present on behalf of the Respondent-PIO.

ORDER:

This order may be read with reference to the previous order dated 12.09.2019.

2. Sh. Harvir Singh, SDE, appears in the court and states that the remaining sought for information has already been supplied to the Appellant by registered post on 27.08.2019.

3. The Appellant is absent for the 2nd time consecutively without any intimation to the Commission. More so, he has not pointed out any deficiencies to the Appellant and Commission as well.

4. In the scenario, it is assumed that the Appellant has received the demanded information and he is satisfied with it. As such, the Commission is not inclined to proceed further in the matter. Hence, **the instant appeal case is disposed of and closed.**

5. Copies of the order be sent to the parties.

Chandigarh
22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 3957 of 2018

Shri Ajay Jindal S/o Mohan Lal
Lakhi Colony, Street No.7,
BARNALA.

...Appellant

Versus

Public Information Officer

O/o The Sub Divisional Engineer,
Water Supply & Sanitation Board,
BARNALA.

First Appellate Authority,

O/o The Executive Engineer,
Water Supply & Sewerage Board,
SANGRUR.

... Respondents

PRESENT: Shri Ajay Jindal, Appellant, in person.
None On behalf of the respondents.

ORDER:

This order may be read with reference to the previous order dated 24.09.2019.

2. The appellant is present in the court and states that the remaining information has not been supplied by the Respondents till date.

3. The Respondent-PIO is absent today. However, a letter No.940, dated 20.09.2019 has been received in the Commission stating therein that the SDE, Sub-Division, Barnala has been transferred and yet the new incumbent has not joined in his place. He has further requested for adjournment. The letter is taken on record.

4. The case is adjourned to **20.11.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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Shri Bakhshish Singh s/o Sh. Labh Singh,
Village: Lodhipur, PO: Khunda,
Tehsil & District: Gurdaspur.

.....Appellant

Versus

Public Information Officer
O/o The Block Development & Panchayat Officer,
Gurdaspur.

First Appellate Authority,
O/o The District Development & Panchayat Officer,
Gurdaspur.
Respondents

.....

APPEAL CASE NO. 228 of 2019

Present: None on behalf both the parties.

ORDER:

This order may be read in reference to the previous order dated 12.09.2019.

2. Today both the parties are absent.
3. The Respondent PIO, O/o The Block Development and Panchayat Officer, is given one more opportunity to be present, **in person**, along with a copy of the demanded information, duly attested, and an Affidavit, duly attested by the Notary, in reply to the show cause notice issued to him in the instant case and in case of non-appearance, strict action shall be taken under RTI Act 2005.
4. The appellant is directed to be present in the court on the next date of hearing. Adjourned.
5. To come up for further hearing on **17.12.2019 at 12.30PM.**
6. Copy of order be sent to the parties.

Sd/-

Place : Chandigarh.
Dated: 22.10.2019.

(Hem Inder Singh)
State Information Commissioner

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Shri Avtar Singh Master,
SBS Nagar, Ward No. 21, Phool Town,
Rampura Phul, Distt. Bathinda.

...Appellant

Versus

Public Information Officer
O/o The Executive Officer,
Nagar Council,
Rampura Phul, Distt. Bathinda.

First Appellate Authority,
O/o The Regional Deputy Director,
Local Govt. Bathinda.

..... Respondents

APPEAL CASE NO. 478 of 2019

Present: Master Avtar Singh, appellant, in person.
Shri Surinder K. Garg, EO-cum-PIO, Rampura Phul and Shri Naib Singh,
Pump Operator on behalf of the Respondents..

ORDER:

This order may be read with reference to the previous order dated 12.09.2019.

2. The appellant appears in the court and reiterates his earlier stand that the sought for information has not been supplied by the Respondents till date.

3. Shri Surinder K. Garg, EO-cum-PIO, Rampura Phul, appears in the court and states that the demanded information is ready and the same shall be supplied to the Appellant within 2-3 days.

4, The Executive Officer-cum-PIO, Rampura Phul is directed to supply the demanded information, duly attested, to the appellant within 15 days by Registered Post under intimation to the Commission. He is also directed to submit an affidavit, duly attested by the Notary in the court on the next date of hearing, explaining his position in reply to the show cause notice issued to him. Adjourned.

5. To come up on **17.12.2019 at 12.30PM**. Copies of order be sent to the parties.

Place : Chandigarh
Dated: 22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

COMPLAINT CASE NO. 756 OF 2019

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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Sh. Amit Kumar, (Mob: 9803100777)
S/o Sh. Ramesh Kumar,
Flat C-4, Marvel Home,
Barewal Road, Ludhiana.

...Complainant

Versus

Public Information Officer,
O/o The Director,
Local Government, Punjab,
Municipal Bhawan, Sector-35,
Chandigarh-160022.

...Respondent

Present: Shri Amit Kumar, the Complainant, in person.
Shri Karanjit Singh, Building Inspector, on behalf of the Respondents.

ORDER:

Shri Amit Kumar, Complainant, appears in the court and states that the sought for information has not been supplied by the respondents till date.

2. Shri Karanjit Singh, Building Inspector, appears in the court on behalf of the Respondents and states that they had transferred the RTI application of the Complainant to O/o the Commissioner, MC, Ludhiana, vide their letter No.2524, dated 09.08.2019 and O/o the Commissioner, MC, Ludhiana, had supplied the sought for information to the Complainant vide their letter No.244/ATP-Zone-D/RTI-D, dated 27.09.2019. Copies of both the above letters taken on record.

3. Although the Complainant expresses his dis-satisfaction to the supplied information but his contention cannot be accepted in view of the *Supreme Court judgement rendered on 12-12-2011 in the Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) in para 31, wherein it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.*

4. *An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The complainant is advised to approach the first appellate authority in this behalf.*

5. Therefore, the Complaint case is disposed of and closed. Copies of order be sent to the parties.

Place : Chandigarh
Dated: 22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 757 OF 2019

Sh. Amit Kumar (Mob: 9803100777)

S/o Sh. Ramesh Kumar,

Flat C-4, Marvel Home,

Barewal Road, Ludhiana.

...Complainant

Versus

Public Information Officer,

O/o The Director,

Local Government, Punjab,

Municipal Bhawan, Sector-35,

Chandigarh-160022.

...Respondent

Present: Shri Amit Kumar, the Complainant, in person.
Shri Karanjit Singh, Building Inspector, on behalf of the Respondents.

ORDER:

Shri Amit Kumar, Complainant, appears in the court and states that the sought for information has not been supplied by the respondents till date.

2. Shri Karanjit Singh, Building Inspector, appears in the court on behalf of the Respondents and states that they had transferred the RTI application of the Complainant to O/o the Commissioner, MC, Ludhiana, vide their letter No.2524, dated 09.08.2019 and O/o the Commissioner, MC, Ludhiana, had supplied the sought for information to the Complainant vide their letter No.244/ATP-Zone-D/RTI-D, dated 27.09.2019. Copies of both the above letters taken on record.

3. Although the Complainant expresses his dis-satisfaction to the supplied information but his contention cannot be accepted in view of the *Supreme Court judgement rendered on 12-12-2011 in the Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) in para 31, wherein it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.*

4. *An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The complainant is advised to approach the first appellate authority in this behalf.*

5. Therefore, the Complaint case is disposed of and closed. Copies of order be sent to the parties.

Place : Chandigarh

Dated: 22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 758 OF 2019

Sh. Amit Kumar ()
S/o Sh. Ramesh Kumar,
Flat C-4, Marvel Home,
Barewal Road, Ludhiana.
Mo: 9803100777

...Complainant

Versus

Public Information Officer,
O/o Director,
Local Government, Punjab,
Municipal Bhawan, Sector-35,
Chandigarh-160022.

...Respondent

Present: Shri Amit Kumar, the Complainant, in person.
Shri Karanjit Singh, Building Inspector, on behalf of the Respondents.

ORDER:

Shri Amit Kumar, Complainant, appears in the court and states that the sought for information has not been supplied by the respondents till date.

2. Shri Karanjit Singh, Building Inspector, appears in the court on behalf of the Respondents and states that they had transferred the RTI application of the Complainant to O/o the Commissioner, MC, Ludhiana, vide their letter No.2524, dated 09.08.2019 and O/o the Commissioner, MC, Ludhiana, had supplied the sought for information to the Complainant vide their letter No.244/ATP-Zone-D/RTI-D, dated 27.09.2019. Copies of both the above letters taken on record.

3. Although the Complainant expresses his dis-satisfaction to the supplied information but his contention cannot be accepted in view of the *Supreme Court judgement rendered on 12-12-2011 in the Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) in para 31, wherein it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.*

4. *An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The complainant is advised to approach the first appellate authority in this behalf.*

5. Therefore, the Complaint case is disposed of and closed. Copies of order be sent to the parties.

Place : Chandigarh
Dated: 22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3080 OF 2019

Sh. Surjit Singh, (Mob: 9988013004)
H. No. 2990/76, Street No. 4,
Guru Gobind Singh Nagar, Near Mair Di Chakki,
P.O. Lohara, District Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Local Government, Punjab,
Municipal Bhawan, Sector-35,
Chandigarh-160022.

First Appellate Authority,
O/o Principal Secretary,
Local Government, Punjab,
Municipal Bhawan, Sector-35,
Chandigarh-160022.

...Respondents

Present: None on behalf of both the Appellant.
Shri Karanjit Singh, Building Inspector, on behalf of the Respondents.

ORDER:

The appellant is absent for today's hearing. However, an E-mail has been received from him in the Commission, wherein he has informed that as he has to appear in the court at Ludhiana his appearance in the Commission be exempted and further requests the court for adjournment.

2. Shri Karanjit Singh, Building Inspector, is present for today's hearing and states that the sought for information has already been supplied to the Appellant.

3. The appellant is directed to point out deficiencies, if any, in the supplied information to the Respondents. He is further advised to be present in the court on the next date of hearing to follow up his case. Adjourned.

4. To come up on **20.11.2019 at 11.30AM.** Copies of order be sent to the parties.

Place : Chandigarh
Dated: 22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3113 OF 2019

Sh. Narinder Singh Sagu,
H. No. T-4/17, Ranjit Sagar Dam Colony,
Shahpur Kandi Township,
Tehsil & District Pathankot.
Mo: 9888195927

...Appellant

Versus

Public Information Officer,
O/o XEN/Executive Engineer,
Punjab Water Supply and Sewerage Division,
Hoshiapur-145029

First Appellate Authority,
O/o Superintending Engineer,
Punjab Water Supply and Sewerage Board,
Circle Jalandhar-144001

...Respondents

Present: Shri Narinder Singh Sagu, the appellant, in person.
Shri Sanjeev Kumar, Sr. Asstt./cashier, on behalf of the Respondents.

ORDER:

Shri Narinder Singh Sagu, appellant, appears in the court and states that the sought for information has not been supplied by the Respondents till date.

2. Shri Sanjeev Kumar, Sr. Asstt./Cashier, is present in the court on behalf of the Respondents and states that vide their letter No.1404, dated 25.02.2019 they have written to deposit about Rs.10,000/- as charges for supplying the information but the appellant has not deposited the same till date.

3. The appellant states that he has already written to the Respondents to provide him the details / number of copies of the information so that he may deposit the charges accordingly but till date no reply has been received from the Respondents.

4. Shri Sanjeev Kumar, Sr. Asstt./Cashier, the representative of the Respondents is directed to provide the details/number of copies of the demanded information to the appellant within 5 days so that the appellant may deposit the same immediately.

5. The case is adjourned for further hearing on **17.12.2019 at 12.30PM**. Copies of order be sent to the parties.

Place : Chandigarh
Dated: 22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3116 OF 2019

Sh. Jarnail Singh,
S/o Sh. Thakur Singh,
R/o 23/14, Anand Nagar-B,
Tripari, Patiala-147001
Mo: 9988013004

...Appellant

Versus

Public Information Officer,
O/o Additional Chief Secretary,
Local Government, Punjab,
Municipal Bhawan, Sector-35,
Chandigarh-160022.

First Appellate Authority,
O/o Joint Commissioner,
Municipal Corporation,
Patiala.

...Respondents

Present: Shri Jarnail Singh, the appellant, in person.
Shri Parminder Singh, JE, on behalf of the Respondents.

ORDER:

Shri Jarnail Singh, appellant, appears in the court and states that the sought for information has not been supplied by the Respondents till date.

2. Shri Parminder Singh, JE, present in the court on behalf of the Respondents, is directed to supply the sought for information to the appellant by Registered Post before the next date of hearing under intimation to the Commission.

3. The case is adjourned and to come up on **17.12.2019 at 12.30AM**. Copies of order be sent to the parties.

Place : Chandigarh
Dated: 22.10.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner