

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Lajpat Rai, S/o Sh.HarbansLal,
H No-B-3/287, Romana Street,
Jaito, Distt. Faridkot.

... Appellant

Versus

Public Information Officer,
O/o Deputy Director,
Local Audit, Bathinda.

First Appellate Authority,
O/o Deputy Director,
Local Fund, Bathinda.

...Respondent

AppealCase No. 2646 of 2020

PRESENT: Sh.Lajpat Rai as the Appellant
Sh.Ashwani Kumar, Regional Dy Director, Local Audit for the Respondent

ORDER:

The appellant through RTI application dated 24.01.2020 has sought information regarding copy of letter including enquiry report sent by Head office Examiner (Sharanjeet Singh) Local Fund Account Chandigarh-letter No.5 dated 30.01.2019 and 21.021.2020 filed against MC Jaitu and other information as enumerated in the RTI application concerning the office of Deputy Director, Local Audit, Bathinda. The appellant was not satisfied with the reply of the PIO dated 18.02.2020 after which the appellant filed a first appeal before the First Appellate Authority on 20.02.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Bathinda. The respondent present has sought some more time to provide the information on the plea that some of the information has to be collected from their Head Office and since the head office is closed due to the staff having found corona positive, the information has been delayed.

Having gone through the RTI application, the Commission observes that a lot of information that the appellant has asked is merely allegation of fraud and in question form. The section 2 of the RTI Act clearly defines "information" to include "any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be access by a public authority under any other law for the time being in force".

I direct the PIO to go through the RTI application and provide only that information, which constitutes the information under the RTI Act.

The information will be provided within 15 days with a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **11.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda

Chandigarh
Dated 23.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Atul Bansal,
R/o H NO-2,, Model Road,
Street No-1, Nabha.

... Appellant

Versus

Public Information Officer,
O/o AFSSO,
Food Civil Supplies Deptt,
Nabha, Distt Patiala.

First Appellate Authority,
O/o District Controller,
Food Civil Supply and Consumer Affairs.
Patiala.

...Respondent

Appeal Case No. 3618 of 2020

**PRESENT: None for the Appellant
Gurmeet Singh, Legal Assistant for the Respondent**

ORDER:

The appellant through RTI application dated 27.07.2020 has sought information regarding details of food grains and seeds distributed during the period of Coronn in the months of April, May & June under Central/State schemes in Nabha – list of beneficiaries – stocks provided to all MCs and other information as enumerated in the RTI application concerning the office of AFSSO, Food & Civil Supplies Department, Nabha. The appellant was not provided the information since the appellant had not attached ID proof after which the appellant filed a first appeal before the First Appellate Authority on 08.09.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Patiala. The respondent present pleaded that since the appellant had not attached the ID proof, the appellant was asked vide letter dated 07.09.2020 to send ID proof which he provided on 17.09.2020 and the information has been provided to the appellant vide letter dated 29.09.2020 by AFSSO Nabha. The respondent further informed that the information is available on their website.

The appellant is absent and vide email has sought exemption. Having gone through the RTI application and the reply of the PIO, following was concluded:

- Point-1 - The reply is not clear. The PIO is directed to relook and provide information
- Point-2 - Information is available on the website (epos.punjab.gov.in)
- Point-3 - No food grain/pulses has been distributed and no information is available.

The appellant is directed to point out the discrepancies if any in writing to the PIO and the PIO is directed to remove the same.

The case is adjourned. To come up for further hearing on **09.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Patiala.

**Chandigarh
Dated 23.03.2021**

**Sd/-
(Khushwant Singh)
State Information Commissioner**

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Sector 16, Chandigarh.

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Sh. Jaspreet Singh,
2041/5, Lahill Colony,
Patiala .

... Appellant

Versus

Public Information Officer,
O/o District Controller,
Food Supplies and consumer Affairs,
Patiala.

First Appellate Authority,
O/o Food Civil Supplies and Consumer Affairs,
Pb, Chandigarh.

...Respondent

Appeal Case No. 3532 of 2020

PRESENT: Sh.Jaspreet Singh as the Appellant
Sh.Gurmeet Singh, Legal Assistant for the Respondent

ORDER:

The appellant through RTI application dated 17.06.2020 has sought information regarding stock detail in Samana center from 01.01.2012 to 31.03.2020 – officials responsible for look after of the stock – shifting of stock from year 2017 to 15.06.2020 alongwith gate pass – name of official deputed for shifting of stock – details of godowns hired from year 2017 to 15.06.2020 and other information as enumerated in the RTI application concerning the office of District Controller, Food Supplies and Consumer Affairs Patiala. The appellant was not provided the information since the appellant did not deposit requisite fee asked for by the PIO vide letter dated 06.07.2020 after which the appellant filed a first appeal before the First Appellate Authority on 03.08.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Patiala. The appellant claims that the PIO has not provided the information.

The respondent present pleaded that they received the RTI application from the appellant on 18.06.2020 and since the information is voluminous and was to be called from different branches, after calling the details of information, the appellant was asked vide letter dated 06.07.2020 to deposit requisite fee of Rs.30000/- which the appellant did not deposit.

The respondent further informed that some of the information regarding points 3 & 6 relates to 3rd parties since the appellant has asked for complete files of the shellers in the area which includes personal information of the owners of the rice shellers.

Having gone through the RTI application and hearing both the parties, the appellant is directed to inspect the record by visiting the office of the PIO on 05.04.2021 at 12.00 Noon and get the relevant information after depositing the requisite fee as per the RTI Act. The PIO is directed to allow inspection of the record and provide the relevant information to the appellant except information on points 3 & 6, the decision on which will be taken at the next date of hearing.

The case is adjourned. To come up for further hearing on **09.06.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 23.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Brahmjot Singh,
4877/1, Namdar Khan Road,
Opposite Bindi Clinic, Patiala.

... Appellant

Versus

Public Information Officer,
O/o District Election Officer,
O/o DC, Patiala.

First Appellate Authority,
O/o DC,
Patiala.

...Respondent

Appeal Case No. 3398 of 2020

PRESENT: Sh.Brahmjot Singh as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 07.05.2019 has sought information regarding action taken report against employees absent on rehearsals of Parliamentary election 2019 dated 21.04.2019 & 05.05.2019 at Govt Kirti College Nial, Patran – copy of order or notice sent against employees absent and exchanged with other employees and other information as enumerated in the RTI application concerning the office of District Election Officer, O/o DC Patiala. The appellant was not satisfied with the reply of the PIO dated 22.07.2020 after which the appellant filed a first appeal before the First Appellate Authority on 08.07.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Patiala. The appellant claims that the PIO has supplied incomplete information since the PIO has sent copies of notices issued to 23 employees as against 256 employees regarding point-1 and the PIO has not supplied the information on point-2.

The PIO is directed to provide complete information on point-1 within 15 days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **09.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 23.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Sukhdev Singh,
Village Chahal, P.O Bhadson,
Tehsil Nabha, Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o NaibTehsildar, Bhadson,
Tehsil &Distt Patiala.

First Appellate Authority,
O/o SDM, Nabha,
Distt Patiala.

...Respondent

Appeal Case No. 2882 of 2020

PRESENT: Sh.Sukhdev Singh as the Appellant
Sh.Gurvinder Singh, Reader/Tehsildar Bhadson for the Respondent

ORDER:

The appellant through RTI application dated 18.06.2020 has sought information regarding notices issued for demarcation fixed on 17.06.2020, 09.09.2019 & 20.07.2018 to the persons responsible for unauthorized encroachment of panchayat land as per order of DC Patiala for getting the panchayat land vacated and other information as enumerated in the RTI application concerning the office of Naib Tehsildar Bhadson, Distt.Patiala. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 22.07.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Patiala. The appellant claims that the PIO has not provided the information.

The respondent present pleaded that the notice dated 17.06.2020 & 20.07.2018 was marked by the DC Patiala to the Kanoongo and the report received from Kanoongo, was sent to BDPO, and the reply was sent to the appellant. The respondent further informed that the information presently is in the custody of BDPO Nabha.

The BDPO Nabha is absent.

Since there has been an enormous delay in providing the information and dilly-dallying regarding the custody of the information, I am appointing the SDM, Nabha as the deemed PIO in this case.

SDM, Nabha is directed to procure the information from whoever has the custody of the sought information, and provide the same as per the RTI Act.

The case is adjourned. To come up for further hearing on **09.06.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 23.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Kuldeep Khan, S/o Sh. Asgar Khan,
Lachkani, P.O Lang, Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o DC,
Patiala.

First Appellate Authority,
O/o DC,
Patiala.

...Respondent

Appeal Case No. 3087of 2020

PRESENT: Sh.Kuldeep Khan for the Appellant
Sh.Navneet Gupta, Panchayat Secretary, O/o BDPO and Sh.Soni Singh,
Gram Rojgar Sahayak-MANREGA for the Respondent

ORDER:

The appellant through an RTI application dated 26.02.2020 has sought information regarding grants received from the Central Govt (from 01.01.2019 till date) in village Lachkari alongwith purpose of grant – grants received under MANREGA – grant received from Education Board for Govt. Senior Secondary School Lachkari 7 Primary school and Harijan children - grant received from health department – grant received from MLA/Minister fund – grants received from MP Fund – grant received from DC Patiala & Social Welfare Fund – auction held from 01.01.2014 for Panchayat Land and the utilisation of fund and other information as enumerated in the RTI application concerning the office of DC Patiala. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 20.08.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Patiala. The respondent present from the office of BDPO informed that the information regarding points 1 and 3 to 9 has been provided to the appellant. The respondent present from the office of MANREGA informed that the information on point-2 has also been provided.

The appellant has confirmed receiving the information.

However, the appellant has brought to the notice of the commission that the person representing the office of MANREGA may not be a competent authority to certify RTI documents. That the respondent who has certified the documents provided under the RTI Act is a Gram Rojagar Sahayak.

I see merit in the appellant's observation and hence am marking this case to the Deputy Commissioner, Patiala with the direction to file a suitable reply that whether the above-mentioned designations (Panchayat Secretary and Gram Rojagar Sahayak) are competent authorities to represent a public authority in the Information Commission.

If not, appropriate orders be passed to ensure that each Public authority appearing in the commission must be represented by the PIO, or a duly competent and authorised representative. There has been a constant slide in the rank of the officials appearing at the hearings at the commission, which must be rectified to uphold the true spirit of the RTI Act.

The case is adjourned. To come up for further hearing on **09.06.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Patiala.

Sd/-

Chandigarh
Dated 23.03.2021

(Khushwant Singh)
State Information Commissioner