

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

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Sh. Satish Chander
S/o Sh. Subhash Chander,
R/o H. No. 1555, Sector- 23 –B,
Chandigarh.

.....Appellant
Vs

Public Information Officer,
O/o Superintendent,
Punjab Public Service Commission,
Patiala.

First Appellate Authority,
O/o Secretary,
Punjab Public Service Commission,
Patiala.

.....Respondents

Appeal Case No. 3605 of 2019
(Video Conference Proceedings)

Present:- Shri Satish Chander, appellant, in person, at Chandigarh.

Ms. Rajni, Superintendent Grade-1, on behalf of the respondents
through Video Conference Facility at Patiala.

ORDER

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 called FAA) on 06.08.2019 and second appeal was filed in the Commission on 01.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The representative of the respondents states that they have provided information regarding summary sheets of nine Annual Confidential Reports disclosing procedure for calculation of numbers vide their letter dated 30.08.2019 alongwith a copy of the proceedings of meeting held on 3.4.2014, vide which it was decided that no information concerning correspondence and noting sheets is to be supplied and regarding supply of copies of ACRs, this information cannot be supplied being third party information.

Contd.....p/2

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3. After hearing the representative of the respondents, it is observed that supply of copies of ACRs have been denied being third party information and copies of summary sheets of all the nine employees have been supplied to the appellant i.e. information relating to point No.3 of appellant's application to his satisfaction. The information can be denied under the RTI Act, 2005 only, if it falls in Section 8, 9 and 11 of the Act. Therefore, before any final view is taken by the Commission on the validity of minutes of the meeting dated 3.4.2014. Punjab Public Service Commission is directed to reconsider/re-examine legality of its decision dated 3.4.2014 and inform the Commission before the next date of hearing. Appellant is also advised to submit his observations in writing with regard to the stand taken by Punjab Public Service Commission.

4. The case is adjourned to 18.11.2019 at 3.30 P.M. with the direction to the parties to appear either through Video Conference Facility available in the office of the Deputy Commissioner, Patiala or at Chandigarh as per their convenience.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Gagandeep Singh Threeka,
SCO- 26, Shant Park,
Main Sua Road, Threeke,
Ludhiana. 142028

.....Appellant

Vs

Public Information Officer,
O/o Supdt. Grade- 1,
Revenue & Rehabilitation Department Punjab,
O/o Financial Commissioner Revenue Punjab,
Civil Secretariat -1, Chandigarh.

First Appellate Authority,
O/o Supdt. Grade- 1,
Revenue & Rehabilitation Department Punjab,
O/o Financial Commissioner Revenue Punjab,
Civil Secretariat -1, Chandigarh.

.....Respondents

Appeal Case No. 3545 of 2019 **(Through Video Conference Facility)**

Present:- Shri Gagandeep Singh Thareeke, appellant.
Shri Rupinder Pal, Superintendent-cum-APIO on behalf of the
respondents at Chandgiarh.

ORDER

The RTI application is dated 24.06.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 30.07.2019 and second appeal was filed in the Commission on 24.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided to him till date.
3. Shri Rupinder Pal, Superintendent –cum-APIO appearing on behalf of the respondents at Chandigarh places a copy of the complete information on the

Contd.....p/2

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case file. He further states that he has brought one more copy of complete information to be handed over to the appellant, who is present through Video Conference Facility at Ludhiana.

4. The representative of the respondents is directed to send the same to the appellant through registered post. The appellant is advised to go through the same and revert back to the authorities, in case of deficiencies, within seven days from its receipt and the respondents are directed to remove the same on its receipt from the appellant before the next date of hearing, which is fixed for 13.11.2019.

5. To come up on 13.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Sukhdev Raj S/o Sh. Satpal,
R/o Village- Betu Qadim, PO- Khunder Uttar,
District- Ferozepur. 152023.Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block- Mamdot,
District- Ferozepur.

First Appellate Authority,
O/o Deputy Commissioner,
Administrative Complex,
Ferozepur.Respondents

Appeal Case No. 3546 of 2019
(Through Video Conference Facility)

Present:- None is present on behalf of the appellant.

Shri Dilbagh Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

The RTI application is dated 25.05.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 09.07.2019 and second appeal was filed in the Commission on 24.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant is absent without intimation.

3. The respondent-PIO states that he asked the information-seeker on his mobile on many occasions to collect the information from him but the appellant has failed to collect the same.

4. Last opportunity is given to the appellant to collect the information from the respondent-PIO and send his observation to the respondent-PIO after perusing the same within seven days and the respondents are directed to remove the same on its receipt from the appellant before the next date of hearing.

5. To come up on 13.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ferozepur.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Sherry Sandhu, Advocate,
R/o House No. 249- A,
Shashtri Nagar,
Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o District Revenue Officer,
Mini Secretariat,
Ludhiana.

First Appellate Authority,
O/o Addl. Deputy Commissioner,
Mini Secretariat,
Ludhiana.

.....Respondents

Appeal Case No. 3554 of 2019
(Through Video Conference Facility)

Present:- Shri Sherry Sandhu, Advocate,
Shri Darshan Kumar, Sadar Kanungo, on behalf of the respondents.

ORDER

The RTI application is dated 13.02.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 08.04.2019 and second appeal was filed in the Commission on 24.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided to him till date. On the other side, the representative of the respondents states that complete information has been supplied to him and nothing is pending which could be supplied to him.

3. After hearing both the parties, Commission comes to the conclusion that nothing will come out without perusing original record. Accordingly, both the parties are directed to come with their original record for the perusal of the Commission at Chandigarh.

4. To come up on 13.11.2019 at 11.00 A.M. at Chandigarh.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Amin Chand S/o Late Sh. Tek Chand,
R/o House No. 205,
Ghumar Mandi,
District- Ludhiana.

.....Appellant
Vs

Public Information Officer,
O/o Tehsildar (East),
District- Ludhiana.

First Appellate Authority,
O/o Deputy Commissioner,
Administrative Complex,
District- Ludhiana.

.....Respondents

Appeal Case No. 3562 of 2019

Present:- Shri Amin Chand, appellant.

None on behalf of the respondents.

ORDER

The RTI application is dated 12.02.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 22.07.2019 and second appeal was filed in the Commission on 24.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that he has sought information concerning action taken on his complaint filed on 15.01.2019 but till date no reply has been received from the respondents.

3. None is present on behalf of the respondents without any intimation. Viewing the absence of the respondents seriously, the PIO is directed to supply the requisite information to the complainant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

4. To come up on 13.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

CC : The District Revenue Officer, Ludhiana (by name) for information and to ensure the presence of PIO or his representative during proceedings in future.

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Sh. Sukhwinder Singh
S/o Sh. Jarnail Singh,
R/o Village- Roshanwala, PO – Nashirawala,
District – Moga.Appellant

Vs

Public Information Officer,
O/o Panchayat Secretary, Roshanwala,
C/o Block Development & Panchayat Officer,
Block- kot Ise Kha, Distt. Moga.

First Appellate Authority,
O/o Block Development & Panchayat Officer,
Block- kot Ise Kha, Distt. MogaRespondents

Appeal Case No. 3567 of 2019 (Video Conference Proceedings)

Present:- Shri Sukhwinder Singh, appellant.
Shri Parpinder Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

The RTI application is dated 03.01.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 02.08.2019 and second appeal was filed in the Commission on 24.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that partial information has been provided to him.
3. The appellant is advised to send deficiencies, in writing, in the information provided to him within seven days. On receipt of the deficiencies from the appellant, the respondents are directed to remove the same or give appropriate reply whether the information can be supplied as per the provisions of the RTI Act, 2005 or not before the next date of hearing.
4. To come up on 13.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Moga.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Pardeep Singh S/o Sh. Jagmel Singh,
R/o Ward No. 9, Near Vishawkarma Gurudwara,
Sardulgarh -151507, District – Mansa.

.....Appellant

Vs

Public Information Officer,
O/o Director, Punjab Govt.,
Rural Development & Panchayat Department,
Vikas Bhawan, Phase VIII, S.A.S. Nagar.

First Appellate Authority,
O/o Director, Punjab Govt.,
Rural Development & Panchayat Department,
Vikas Bhawan, Phase VIII, S.A.S. Nagar.

.....Respondents

Appeal Case No. 3577 of 2019
(Through Video Conference Facility)

Present:- Shri Pardeep Singh, appellant.
None on behalf of the respondents.

ORDER

The RTI application is dated 13.09.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 08.12.2018 and second appeal was filed in the Commission on 19.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided to him by the respondents till date.

3. None is present on behalf of the respondents without any intimation. Viewing the absence of the respondents seriously, the PIO is directed to supply the requisite information to the appellant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

4. The case is adjourned to 13.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Mansa.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

CC : The Director Rural Development and Panchayats, Punjab,
Vikas Bhawan, Phase VIII, Mohali (by name) for information and to ensure the presence of PIO or his representative during proceedings in future.

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Sh. Sukhchain Singh S/o Ajit Singh,
R/o Sonam Mohalla, Ward No.11,
Fatehgarh Churian ,
Tehsil- Batala, District – Gurdaspur.

.....Appellant

Vs

Public Information Officer,
O/o Personal Department,
(PCS Branch), Civil Secretariat,
Punjab, Chandigarh.

First Appellate Authority,
O/o Chief Secretary, To Govt. Pb.,
Personal Department,
Civil Secretariat,
Punjab, Chandigarh.

.....Respondents

Appeal Case No. 3631 of 2019

Present:- Shri Sukhchain Singh, appellant.

Shri Manoj Garg, Senior Assistant, PCS Branch, Personnel
Department on behalf of the respondents.

ORDER

The RTI application is dated 20.05.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 19.07.2019 and second appeal was filed in the Commission on 26.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The instant case is transferred to the Registry Branch to put up for reallocation to some other Bench of the Commission due to administrative reasons.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Jagar Singh S/o Sh. Rabbi Singh,
R/o Village- Sri Nagar, PO – Raisal,
Tehsil – Nabha, District - Patiala.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block – Nabha,
District- Patiala.

Public Information Officer,
O/o District Development & Panchayat Officer,
Mini Secretariat,
District- Patiala.

.....Respondents

Complaint Case No. 849 /2019 & Complaint Case No.848/2019
(Video Conference Proceedings)

Present:- None on behalf of the complainant.

Shri Jatinder Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

The RTI application is dated 13.05.2019 vide which the complaint appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 24.09.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. In the above mentioned two complaint cases, similar information has been sought (in one case from Block Development and Panchayats Officer, Nabha and in another case from District Development and Panchayats Officer, Patiala). The information is to be supplied by Panchayat Secretary. Hence, both these cases are clubbed.

3. The complainant is absent without intimation.

4. The representative of the respondents states that he has joined recently and no information has been supplied to the complainant in both these cases.

5. The respondents are directed to take appropriate action on his application for seeking information under the provisions of the RTI Act, 2005 and send reply to the complainant under intimation to the Commission within seven days. On receipt of the reply from the respondents, the complainant is advised to peruse the same and revert back to the authorities in case of deficiencies as early as possible.

6. To come up on 18.11.2019 at 03.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Jung Bahadur Goyal, IAS(Retd.),
S/o Ruldhu Ram,
R/o H. No. 1595, Sector- 38-B,
Chandigarh.

.....Complainant

Vs

Public Information Officer,
O/o Secretary to Govt. of Punjab,
(Personnel Department),
Punjab Civil Secretariat,
Chandigarh.

.....Respondent

Complaint Case .No. 861 of 2019

Present:- Shri Jung Bahadur Goyal, appellant, alongwith Advocate Ramanek Kaur Sandhu.

Shri Jatinder Singh, Senior Assistant, on behalf of the respondents.

ORDER

The RTI application is dated 02.09.2019 vide which the complaint appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 03.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The representative of the respondents places reply dated 22.10.2019 on the record of the case file of the Commission with a copy to the appellant.

3. After perusal of the reply dated 22.10.2019, the appellant states that he is satisfied with the information/reply given by the respondents concerning points at Sr. No.1, 3 and 5. He further states that the respondents have sought exemption under Section 8(1)(h) for supply of information concerning points at Sr. No.2 and 4 of his application . The appellant states that time be given to him for filing his observations concerning points at Sr. No.2 and 4.

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4. Time is granted to the appellant to file his observations within seven days with respect to the exemption claimed by the respondents concerning points at Sr. No.2 and 4. The representative of the respondents also assures that they shall submit counter reply on behalf of the respondents to that before the next date of hearing to the appellant with a copy to the Commission.

5. To come up on 13.11.2019 at 3.00 P.M. at Chandigarh.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Sanjay Kumar S/o Sh. Des Raj,
R/o H. No.678, Block- I,
BRS Nagar, Ludhiana.

.....Complainant

Vs

Public Information Officer,
O/o Director Land Record, Pb,
Kapurthala Road, Jalandhar.

.....Respondent

Complaint Case .No. 862 of 2019

(Video Conference Proceedings)

Present:- Shri Sanjay Kumar, complainant.

Shri Sanjeev Sharma, Deputy Director (Land Records), Punjab, Jalandhar.

ORDER

The RTI application is dated 02.09.2019 vide which the complaint appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 03.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been received from the respondents.

3. The respondent-PIO states that they have already sent a reply to the appellant vide their letter 5.10.2018 stating that no record has been handed over by the Rehabilitation Department, Punjab concerning Shri Jaswant Rai s/o Shri Ganesh Dass, Property No.B-4-893, Nabha Street, Wait Ganj, Ludhiana.

4. After hearing both the parties and going through the record available on the case file, it is revealed that when the respondents have given in writing that they have checked their record and it is found that no record has been handed over by the Rehabilitation Department, Punjab concerning the abovesaid property. Nothing can be done by this Commission, when the respondent-PIO has given in writing that they have not received any challan/file from the Rehabilitation Department. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Kulwant Singh
S/o Sh. Pritam Singh,
VPO- Pohir,
Tehsil & District -Ludhiana.
141204.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block –Dehlon, Tehsil & District –Ludhiana.

.....Respondent

Complaint Case No. 865 of 2019

(Video Conference Proceedings)

Present:- None on behalf of the complainant.

Shri Gurinder Singh, BDPO, Dehlon –cum-PIO.

ORDER

The RTI application is dated 05.07.2019 vide which the complaint appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 27.09.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant is absent but he has requested for adjournment of the case as he has to appear before Civil Court at Malout. He further requested that information received by him on 22.10.2019 is incomplete.

3. The respondent-PIO states that he has sent complete information to the appellant through registered post on 19.10.2019.

4. After hearing the respondent-PIO and going through the record available on the case file, it is observed that as per the version of the complainant, the information supplied to him is incomplete. The appellant is advised to go through the same and point out deficiencies in writing to the appellant within one week from today. On receipt of the deficiencies in the information supplied to him, the respondents are directed to remove the same before the next date of hearing, which is fixed for 13.11.2019.

5. To come up on 13.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Gurvir Singh S/o Hardiyal Singh,
R/o Village- Bhagwanpur alias Khatriwala,
Tehsil- Samana, District - Patiala.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block – Samana, District- Patiala.

.....Respondent

Complaint Case .No. 866 of 2019 (Video Conference Proceedings)

Present:- Shri Gurvir Singh complainant, at Chandigarh.

Shri Balwinder Singh, GRS (Narega) on behalf of the respondents.

ORDER

The RTI application is dated 02.09.2019 vide which the complaint appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 03.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided to him till date.

3. The representative of the respondent states that the information sought by the complainant is available on the website.

4. After hearing both the parties, the complainant is advised to visit the office of the respondent-PIO on 29.10.2019 at 11.00 A.M. and get the information downloaded with the help of Shri Balwinder Singh, GRS on the spot. The respondent-PIO is directed to take appropriate action on RTI application of the complainant under the provisions of the RTI Act, 2005 , in case any information is not available on the website and give specific reply to the complainant, whether the information can be supplied or not. On receipt of the reply from the respondent-PIO, the complainant is advised to go through the same and revert back to the authorities, in case of deficiencies as early as possible and respondent-PIO is further directed to remove the deficiencies on its receipt from the complainant.

5. The case is adjourned to 18.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated: 24.10.2019.

Sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.