

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



Sh. Bricch Bhan S/o Sh.Saroop Chand,
R/o House No.33, Kahangarh Road,
Patran, District- Patiala.

Complainant

Versus

Public Information Officer,
O/o Punjab Pollution Control Board
Regional Office, Patiala.

Respondent

Complaint Case No. 1210/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
05.07.2018	Nil	Nil	Nil	22.11.2018

Present: Sh. Bricch Bhan, Appellant is absent.
Sh. Surinderjit Singh, Asstt. Environmental Engineer, for respondents.

ORDER:

The case has been committed to this Bench on demission of office by the former Commissioner, Smt. Viney Kumar Mehra. It transpires that a show cause notice was issued to the Executive Engineer, Punjab Pollution Control Board for having delayed the information beyond stipulated period.

The case has come up today. The reply to the show cause notice in the shape of an affidavit has been filed by the concerned Executive Engineer. The respondent represented by Sh.Surinderjit Singh, A.E.E., submits that the delay is unintentional as the original application of the complainant was misplaced in the office. On receipt of the notice of the Commission, the record of the same has been dug out and the requisite information has been provided promptly. He regrets delay. There is nothing on record to suggest that the information has been delayed out of malice or mala fide intention.

The complainant is absent. The Commission presumes that he is satisfied with the information provided to him. The show cause notice is filed and the complaint is **disposed of**.

27.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh.D.C. Gupta, IDAS (Retd.),
R/o # 778, Urban Estate,
Phase-I, Patiala.

Complainant

Versus

Public Information Officer,
O/o SOS Children's Village,
Rajpura, Distt. Patiala.

Respondent

Complaint Case No.384/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
24.01.2018	Nil	Nil	Nil	02.04.2018

Present: Sh.D.C. Gupta, complainant is absent.
Sh.Anoop Singh, Village Director, SOS Children Village, Rajpura-for
respondent.

ORDER:

This is a long standing case which has been transferred from the bench of Mrs. Viney Kapoor Mehra on demission of her office. The respondents are an N.G.O., their being a public authority is disputed. It is desirable to be determined on the touch-stone of law as laid down before adjudicating on their culpability.

The complainant is absent. The respondents, in any case, have provided him the information. It relates to the establishment of a Kinder Garten school within their premises. The Commission feels on perusal of the record that the complainant has sufficiently been informed. The absence of the complainant or communication without notice to the communication is also suggestive of the fact that he is satisfied with the information provided to him. The complainant, as such, is disposed of and the show cause notice issued to the respondents is filed.

Disposed.

27.06.2019

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Sh. Kewal Kumar,
S/o Sh. Bishan Dass,
R/o Gaushala Road,Gidderbaha,
Distt.Sri Muktsar Sahib

Complainant

Versus

Public Information Officer,
O/o The Chairman,
Punjab Pollution Control Board
Patiala.

Respondent

Complaint Case No.679/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
20.03.2018	Nil	Nil	Nil	20.06.2018

Present: Sh.Kewal Kumar, Complainant in person.
Shri Ravi Pal, Assistant Environmental Engineer.

ORDER:

The complainant is aggrieved with the operation of a Snuff Manufacturing Unit situated in the residential area. He has since been approaching the respondents to have it removed as the same is a major source of nuisance to him and other inhabitants. He is seeking to know the action having been taken on various complaints made by him. The respondent represented by Sh.Ravi Pal, Assistant Environmental Engineer, Punjab Pollution Control Board, Regional Office, Bathinda submits that category of the aforesaid unit has been shifted from White to Red category by the Punjab Pollution Control Board which empowers them to order the removal of such a unit from the residential area.

The Commission feels that no material information has been withheld by the respondents. It is not in the jurisdiction of Commission to pass executive instructions. However, the Commission takes liberty to observe that the respondents should pro-actively act to remove a genuine grievance of the citizens promptly. Hopefully, as assured by the respondents, suitable action shall be taken to redress the grievance of the complainant.

Disposed.

27.06.2019

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Ms. Aarti Sharma,
R/o # H-5/341, Alfa Lane,
Batala Road, Amritsar

Complainant

Versus

Public Information Officer,
O/o Pradhan, The Scheduled Caste
Land Owning Society, Distt. Faridkot.

Respondent

Complaint Case No.277/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
27.03.2017	Nil	Nil	Nil	26.02.2018

Present: The complainant Ms. Aarti Sharma is absent.
None is present on behalf of the respondents.

ORDER:

None is present. From the perusal of the file, it transpires that the case has already been taken to the logical ends towards providing the information and imposition of penalty. No further action is called for.

Disposed.

27.06.2019

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Smt. Gurdev Kaur,
W/o Late Sh. Kehar Singh,
Mohalla Shaheed Bhagat Singh Nagar,
Duarewana Road, Kotkapur.

Complainant

Versus

Public Information Officer,
O/o Pradhan, The Scheduled Caste
Land Owning Society, Distt. Faridkot.

Respondent

Complaint Case No.608/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
26.03.2018	Nil	Nil	Nil	05.05.2018

Present: Smt. Gurdev Kaur, complainant is absent.
None is present on behalf of the respondent.

ORDER:

None is present.

The case shall be heard on 08.08.2019 at 11.30 AM.

27.06.2019

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Sh. Palwinder Singh,
S/o Sh. Jasbir Singh,
R/o Vill. Gaggomahal, Tehsil Ajnala,
District Amritsar

Complainant

Versus

Public Information Officer,
O/o Civil Surgeon,
Amritsar.

Respondent

Complaint Case No.1018/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
29.05.2018	Nil	Nil	Nil	24.09.2018

Present: Sh.Palwinder Singh, complainant is absent.
Sh.Navdeep Singh, Clerk, O/o Civil Surgeon, Amritsar.

ORDER:

The complainant has sought information about the details of persons who had lost their vision in a botched up Eyes Operation Camp held at Village Gaggo Mahal, Tehsil Ajnala, District Amritsar in 2014. The details of the compensation afforded to the victims by the District Administration have also been sought.

The respondents say that the information has been provided, copy of which figures in the record of Commission. The complainant is consistently absent. The Commission is satisfied that he has been suitably informed. No intervention of the Commission is desirable.

Disposed.

27.06.2019

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Smt. Harinder Kaur,
W/o Sh. Paramjit Singh,
R/o Village-Babak,
Tehsil-Tanda, District-Hoshiarpur.

Complainant

Versus

Public Information Officer,
O/o Superintendent,
Civil Hospital, Faridkot.

Respondent

Complaint Case No.1228/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
23.10.2018	Nil	Nil	Nil	03.12.2018

Present: Sh. Harvinder Singh on behalf of the appellant Smt. Harinder Kaur.
Sh. Gurpreet Singh, Clerk, O/o Supdt., Civil Hospital, Faridkot.

ORDER:

The respondent, represented by Sh. Gurpreet Singh, Clerk submits that the information sought pertaining to the birth of a female child as enumerated in the application could not be immediately traced despite their best efforts. He assures the Commission that they shall make another sincere attempt to search and provide it.

The matter shall be heard on **08.08.2019 at 11.30 AM.**

27.06.2019

Sd/-
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Sh. Surinder Kumar,
S/o Sh. Diwan Singh,
R/o Village Andana, Tehsil Moonak
District Sangrur

Complainant

Versus

Public Information Officer,
O/o Distt. Development & Panchayat Officer,
Sangrur.

Respondent

Complaint Case No.97/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
08.04.2017	Nil	Nil	Nil	24.08.2018

Present: The complainant Sh. Surinder Kumar is absent.
None is present on behalf of the respondents.

ORDER:

None is present. From the perusal of the file, it transpires that the case has already been taken to the logical ends towards providing the information and imposition of penalty. No further action is called for.

Disposed.

27.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Surjit Singh S/o Late Sh.Gokal Singh,
R/o V.P.O. Jarag, Tehsil Payal,
District- Ludhiana.

Complainant

Versus

Public Information Officer,
O/o Director, Public Instruction (EE),
Punjab, Vidya Bhawan, Block-E,6th Floor,
Phase-8, SAS Nagar (Mohali)

Respondent

Complaint Case No.1065/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
01.09.2018	Nil	Nil	Nil	03.10.2018

Present: Sh.Surjit Singh, complainant is present.
Sh.Santokh Singh, Superintendent and Sh.Jatinder Singh, Sr. Assistant-
O/o DPI (EE), Punjab, Mohali –for respondents.

ORDER:

The appellant is a disgruntled retired employee of the Education Department who has a grievance feigned or actual about fixation of his seniority during the year 1992. It transpires that he is filing repeated applications in hordes which are vexatious and harassing to the public authority. The maxim is that repeated applications seeking similar information are dismissed and ignored in public interest as these needlessly waste not only the time of the Commission but also the resources of the State.

In the instant case, the representations of the complainant have duly been considered by the competent officers and decided on merits. Even so, if he intends to challenge it, he should pursue it at the right forum as there is duly defined mechanism and hierarchy in the Department. RTI Commission is not the forum to deal with such issues. The complainant, is misusing, rather abusing the Act and causing grave damage to the public interest.

The complaint is dismissed with the direction to the Deputy Registrar that any application, in future, on this subject, from the complainant, should not be entertained.

Disposed.

27.06.2019

Sd/-
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State Information Commissioner

CC: Deputy Registrar, PSIC for necessary action.

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Sh. Vinay Sophat,
R/o # 136/1, Block-12,
Shahpur Road, Ludhiana

Complainant

Versus

Public Information Officer,
O/o Director, Public Instruction (Colleges),
Punjab, Vidya Bhawan, Block-E, 7th Floor,
Phase-8, SAS Nagar (Mohali)

Respondent

Complaint Case No.154/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
27.11.2017	Nil	Nil	Nil	03.01.2018

Present: The complainant Sh. Viney Sofat is absent.
None is present on behalf of the respondents.

ORDER:

None is present. From the perusal of the file, it transpires that the case has already been taken to the logical ends towards providing the information and imposition of penalty. No further action is called for.

Disposed.

27.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Kuldip Singh Garcha,
Executive Engineer
Panchayati Raj Public Works Division.
S.A.S. Nagar (Mohali)

Appellant

Versus

Public Information Officer,
O/o.Chief Engineer (PR),
Panchayati Raj Public Works, Punjab,
Vikas Bhawan, Phase-8, SAS Nagar(Mohali).

First Appellate Authority,
O/o Chief Engineer, (PR),
Panchayati Raj, Public Works,
Vikas Bhawan, Phase-8, SAS Nagar(Mohali)

Respondent

Appeal Case No.1499/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
04.06.2018	20.7.2018	08.02.2019	--Nil	23.04.2019

Present: Sh. Kuldip Singh, Apellant is present.
Sh. Sarabjit Singh, Senior Assistant – for the respondents.

ORDER:

The appellant is seeking the copies of his Annual Confidential Reports from 2013-14 to 2016-2017. The appellant admits having received the ACRs for the years 2013-14, 2015-16 & 2016-17. The respondents say that the ACR relating to the year 2014-15 is not available in the record. The appellant says that the same has been malafidely mis-placed to harm his career and promotion prospects. The Commission is not inclined to accept the version of the respondents unless the record has been destroyed according to the retention policy or its loss has been duly reported earlier.

The Commission directs the PIO to arrange to provide the same within 10 days from the receipt of the order positively, failing which, it shall be presumed that the information is being withheld willfully and the penal consequential action shall follow.

To come up on **08.08.2019 at 11.30 AM.**

27.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Jog Raj
President, Gram Vikas Sabha
Village Karnana, Tehsil Nawanshahar,
Dist. S.B.S. Nagar (Nawanshahar)

Appellant

Versus

Public Information Officer,
O/o.Block Development & Panchayat
Officer (Election Cell), Banga,
District SBS Nagar(Nawanshahar).

First Appellate Authority-cum-
Distt. Development & Panchayat Officer,
SBS Nagar(Nawanshahar).

Respondents

Appeal Case No.1501/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
27.12.2018	26.02.2019	27.02.2019	Nil	23.04.2019

Present: Sh.Jog Raj, appellant is present.
Sh.Harvinder Singh, Tax Collector, O/o BDPO Banga – for respondents.

ORDER:

The appellant is seeking information about the documents attached with the nomination papers filed by one Shri Balram Singh with the Returning Officer of Gram Panchayat, Karnana, Block Banga, District SBS Nagar (Nawanshahar) for the election of a Panch held during the year 2018. The respondents say that the documents in question, are in a sealed cover in the office of BDPO Banga and as such, cannot be provided.

The Commission is not inclined to accept this contention. The nomination papers and the information contained therein, in fact, is to be pro-actively brought to public notice by the Returning Officer as per the dictates of Election Commissions in India. There is no provision under the RTI Act which entitles them to withhold the information except in case of stay from the Court or pendency of the issue in an Election Petition. That not being the case, the respondents are directed to provide certified copies of the documents available with the respondents by following the procedure as laid down in Panchayat Election Rules.

To come up on **08.08.2019 at 11.30 AM.**

27.06.2019

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State Information Commissioner

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Sh. Anoop Khullar
S/o Sh.Som Nath Khullar,
R/o H.No.1089, Sector-51,
Chandigarh.

Complainant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Council, Amloh,
District Fatehgarh Sahib.

Respondent

Complaint Case No.385/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
12.02.2019	Nil	Nil	Nil	18.04.2019

Present: Sh. Anoop Khullar, complainant is present.
Sh.Amarjit Singh, J.A.,M.C. Amloh, Distt. Fatehgarh Sahib
– for respondents.

ORDER:

The representative of the respondents Shri Amarjit Singh, J.A. is present. He submits that the PIO as well as the Dealing Assistant are on leave. He requests for an adjournment.

The matter shall be heard on **08.08.2019 at 11.30 AM.**

Meanwhile, the respondents are directed to provide the information complete in all respects to the complainant under intimation to the Commission well before the next date.

27.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Anoop Khullar
S/o Sh.Som Nath Khullar,
R/o H.No.1089, Sector-51,
Chandigarh.

Complainant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Fatehgarh Sahib.

Respondent

Complaint Case No.389/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
04.02.2019	Nil	Nil	Nil	22.04.2019

Present: Sh. Anoop Khullar, complainant is present.
Sh. Vikas Deep, Sadar Kanungo, O/o D.C. Fatehgarh Sahib for respondents.

ORDER:

Heard.

The complainant is seeking copies of the complaints made against him for his alleged involvement for the loss of documents on the basis of which Mutation No.460 in the revenue estate of Amloh was sanctioned. He also complains that his version has not been taken in the enquiry into the complaint. The respondents submit that an enquiry into the matter is pending, it shall not be appropriate to divulge the information. They are taking shelter of Section 8(1)(h) of the RTI Act.

The Commission partially accepts the submissions made by the respondents. It directs them to give him an appropriate opportunity of being heard, complete the enquiry at the earliest and thereafter, share the entire information with him. With these observations, the matter is **disposed of.**

27.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Anoop Khullar
S/o Sh.Som Nath Khullar,
R/o H.No.1089, Sector-51,
Chandigarh.

Complainant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Council, Amlah,
District Fatehgarh Sahib.

Respondent

Complaint Case No.390/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
19.03.2019	Nil	Nil	Nil	22.04.2019

Present: Sh.Anoop Khullar, complainant is present.
Sh.Amarjit Singh, Junior Assistant, M.C. Amlah – for respondents.

ORDER:

The representative of the respondents Shri Amarjit Singh, J.A. is present. He submits that the PIO as well as the Dealing Assistant are on leave. He requests for an adjournment.

The matter shall be heard on **08.08.2019 at 11.30 AM.**

Meanwhile, the respondents are directed to provide the information complete in all respects to the complainant under intimation to the Commission well before the next date.

27.06.2019

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Sh. Gagandeep Singh Janjua,
R/o Village Turan, PO Kumbh,
Tehsil Amloh ,Distt.Fatehgarh Sahib

Appellant

Versus

Public Information Officer,
O/o Distt. & Session Judge,
Barnala.

First Appellate Authority
O/o District & Session Judge,
Barnala

Respondent

Complaint Case No.3516/2017

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
14.08.2017	Nil	21.09.2017	Nil	04.12.2017