

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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Sh. Prem Kumar Rattan
House No. 78/8, Park Road,
New Mandi, Dhuri, District Sangrur

.....Appellant

Vs

Public Information Officer,
o/o Tehsildar, Tappa,
District Barnala
First Appellate Authority
o/o SDM, Tappa, District Barnala

.....Respondent

AC No. 4144 of 2018

Present: Sh. Prem Kumar Rattan the appellant
For the respondent : Sh. Kanwaldeep Singh Brar, Naib Tehsildar-cum-
APIO, Sh. Om Parkash, Junior Assistant

ORDER

This order may be read with reference to the previous order dated 23.10.2019 vide which the appellant stated that he had received the information but he has not received the compensation.

2. Today, respondent has brought compensation in cash, which is handed over to the appellant.

3. Since, the order of the Commission has been complied with, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 30.10.2019

(Preety Chawla)
State Information Commissioner

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Sh. Surjit Singh, S/o Shri Swain Singh
R/o Village Devi Das, PO Baja Chak
Tehsil Mukherian, Distt. Hoshiarpur

.....Complainant

Vs

Public Information Officer,
O/o B DPO, Block Mukerian
Distt.Hoshiarpur

.....Respondent

CC.No. 540 of 2019

Present: (i) Sh. Surjit Singh the complainant
(ii) None is present on behalf of the respondent

ORDER

- This order may be read with reference to the previous order dated 10.09.2019
2. The complainant states that he has received the information, but the same is not attested.
 3. Respondent is absent.
 4. Last opportunity is given to the respondent to provide attested copy of the information to the Complainant before the next date of hearing, otherwise show cause will be issued to him.
 5. To come up on **28.11.2019 at 11.00 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 30.10.2019

(Preety Chawla)
State Information Commissioner

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Sh Gurpreet Singh,
#03, GF, Gandhi Vanita Ashram,
Kapurthala Chowk, Jalandhar
(M:9876173913)

.....Appellant

Vs

Public Information Officer,
O/o District Programme Officer,
Ferozpur

First Appellate Authority,

O/o Director,

Social Security and Women and Child Development, MohaliRespondent

AC .No. 1308 of 2019

Present: None is present on behalf of the appellant
For the respondent : Smt. Rattandeep Sandhu, DPO-cum-PIO

ORDER

This order may be read with reference to the previous order dated 18.09.2019 vide which Smt. Rattandeep Sandhu, DPO was directed to come present.

2. The appellant is absent today. He has informed on phone that he is unable to attend today's hearing.

3. Today, Smt. Rattandeep Sandhu, DPO is appearing and states that the information, as exists, in the record has already been sent to the appellant. She has also brought another copy of information today in the commission.

4. The same is taken on record. The appellant can collect the same from the Commission office on any working day.

5. In view of the above, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 30.10.2019

(Preety Chawla)
State Information Commissioner

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Sh. Gursewak Singh, S/o Shri Karam Singh
Village Saidpura, Tehsil Khamanoo
PO Badhi, Distt. Fatehgarh Sahib

.....Complainant

Vs

Registered post: Public Information Officer,
O/o Tehsildar, Khamanoo
Distt. Fatehgarh Sahib

.....Respondent

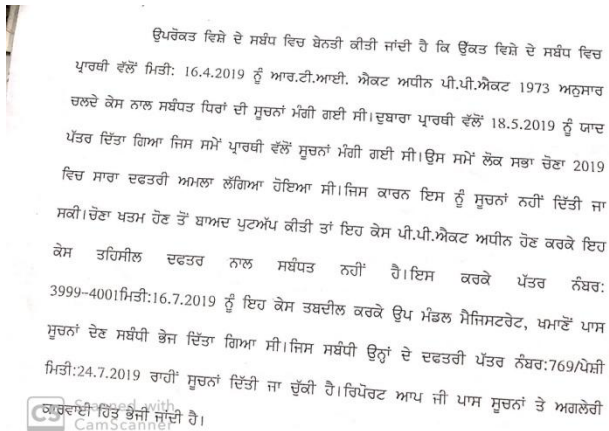
CC.No. 552 of 2019

Present: (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Gurdeep Singh, Clerk

ORDER

This order may be read with reference to the previous order dated 10.09.2019
vide which neither the complainant nor the respondent .

2. Today again the complainant is not present.
3. Respondent files his reply which is as under:-



4. After gone through the reply, it is observed that the RTI of the complainant is concerned with the PIO, o/o SDM, Khamano. Hence, the complainant is directed to file fresh RTI with the concerned department.

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CC.No. 552 of 2019

5. In view of the foregoing, no cause of action is left, the complaint filed by the complainant is therefore **disposed of and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 30.10.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Manjit Singh, S/o Shri Nagahi Singh
 Head Analyst Retd. Food and Supply Department
 Flat No. 16, D-1, First Food, Ankasha Apartment, Prashant Vihar
 Baltana, ZirakpurComplainant

Vs

Public Information Officer,
 O/o District Controller Food Civil and Consumer Affairs
 LudhianaRespondent

CC.No. 199 of 2019

Present: (i) Sh. Manjit Singh the complainant
 (ii) For the respondent: Sh. Nirpaksh Mattu, AFSSO

ORDER

This order may be read with reference to the previous order dated 18.09.2019 vide which the respondent was absent.

2. Today the complainant states that he is not satisfied with the information provided by the respondent.
3. Respondent states that the information, as exists, in their record has already been sent to the complainant. He also files his written reply which is as under:-

ਪੰਜਾਬ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ ਫੋਨ ਨੰ. 199 ਦੇ ਮੁਕੱਦਮੇ
 ਨੰ. 199/2019 ਦੇ ਆਰਡਰ ਨੂੰ ਪੜ੍ਹ ਕੇ ਮੈਂ ਨਿਰਪਾਕਸ਼ ਮੱਟੂ ਨੂੰ
 ਮੈਂ 7/8/19 ਨੂੰ ਫੋਨ ਕਰ ਕੇ ਮੈਂ 104-2009 ਟੂ 31-3-2011 ਓਰ
 ਮੈਂ ਨਿਰਪਾਕਸ਼ ਮੱਟੂ ਨੂੰ ਮੈਂ ਮੁਕੱਦਮੇ ਦੇ ਮੁਕੱਦਮੇ ਨੂੰ 2630
 ਮੈਂ ਨਿਰਪਾਕਸ਼ ਮੱਟੂ ਨੂੰ ਮੈਂ ਮੁਕੱਦਮੇ ਦੇ ਮੁਕੱਦਮੇ ਨੂੰ 2630
 ਮੈਂ ਨਿਰਪਾਕਸ਼ ਮੱਟੂ ਨੂੰ ਮੈਂ ਮੁਕੱਦਮੇ ਦੇ ਮੁਕੱਦਮੇ ਨੂੰ 2630

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CC.No. 199 of 2019

4. After hearing both the parties and gone through the above mentioned reply filed by the respondent, it is observed that the information, as exists in the record has been provided to the complainant. Regarding remaining information the respondent has given in writing that such information is not available in their office record.

5. I have gone through the reply and have agreed with the same. Since, the information as exists in their record has been provided to the Complainant and the remaining information is not available in their office record, no cause of action is left.

6. Moreover the Complainant may take note that this is the complaint case and there is decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, 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 which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

7. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Sd/-

Chandigarh
Dated: 30.10.2019

(Preety Chawla)
State Information Commissioner

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Sh Manjit Singh, S/o Shri Nagahi Singh
 Head Analyst Retd. Food and Supply Department
 Flat No. 16, D-1, First Food, Ankasha Apartment, Prashant Vihar
 Baltana, ZirakpurComplainant

Vs

Public Information Officer,
 O/o District Controller Food Civil and Consumer Affairs
 LudhianaRespondent

CC.No. 200 of 2019

Present: (i) Sh. Manjit Singh the complainant
 (ii) For the respondent: Sh. Nirpaksh Mattu, AFSSO

ORDER

This order may be read with reference to the previous order dated 18.09.2019 vide which the respondent was absent.

2. Today the complainant states that he is not satisfied with the information provided by the respondent.
3. Respondent states that the information, as exists, in their record has already been sent to the complainant. He also files his written reply which is as under:-

(Handwritten text in Gurmukhi script, likely a reply from the respondent, mentioning dates and details of information provided.)

(Additional handwritten text in Gurmukhi script, possibly a signature or further details.)

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CC.No. 200 of 2019

4. After hearing both the parties and gone through the above mentioned reply filed by the respondent, it is observed that the information, as exists in the record has been provided to the complainant. Regarding remaining information the respondent has given in writing that such information is not available in their office record.

5. I have gone through the reply and have agreed with the same. Since, the information as exists in their record has been provided to the Complainant and the remaining information is not available in their office record, no cause of action is left.

6. Moreover the Complainant may take note that this is the complaint case and there is decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, 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 which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

7. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Sd/-

Chandigarh
Dated: 30.10.2019

(Preety Chawla)
State Information Commissioner

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Sh Ramandeep Singh Ahluwalia ,
Ward No.18, Street No-2,
Kartar Nagar, Amlah Road,
Khanna, Distt –Ludhiana-141401

.....Complainant.

Vs

Public Information Officer,
O/o EO, MC, Khanna
Distt Ludhiana

First Appellate Authority,
Regional Deputy Director,
Urban Local Government,
Ludhiana

.....Respondent

AC No. 4220 of 2018

Present: (i) Sh. Ramandeep Singh Ahluwalia the appellant
(ii) For the respondent : Sh. Harmel Singh, JE

ORDER

This order may be read with reference to the previous order dated 14.10.2019.

2. Today neither the Appellant nor the Respondent is present today. However, an e-mail has been received from the Appellant stating that due to his ill-health he shall not be able to attend the hearing today. A copy of the same is taken on record.

3. Hence, an opportunity is given to both the Appellant to appear before the Commission and state their case. To come up on **26.11.2019 at 11:00 AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 30.10.2019

(Preety Chawla)
State Information Commissioner

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Sh. Devi Dayal, Shri Babu Ram,
Village Kahangarh Road,
Patran, Distt. Patiala

.....Appellant

Vs

Registered post : Public Information Officer,
O/o EO, MC, Patran, Distt. Patiala

First Appellate Authority
O/o EO, MC, Patran, Distt. Patiala

.....Respondent

AC.No. 1837 of 2019

Present: (i) Sh Devi Dayal, Appellant.
(ii) For the Respondent: Sh Tara Chand, JE

ORDER

This order may be read with reference to the previous order dated 18.09.2019.

2. The Respondent states that the information has been already provided to the Appellant.
3. The Appellant states that the information provided to him is not correct and he is not satisfied with the same.
4. After hearing both the parties and going through the case file, it is ascertained that the information has not been provided to the Appellant. Hence, the Respondent is directed to call the Appellant on any working day with prior appointment. The appellant is directed to visit the office of the respondent, inspect the relevant records, and obtain the information.
5. To come up on **28.11.2019 at 11:00 AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated:30.10.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Nishant rishi,
S/o Late Sh. N.N.Rishi
Chamber No.360, Lawyer's Chamber,
Yadvinder Complex, District Court,
Patiala

-----Appellant

Vs.

Public Information Officer,
O/o Commissioner,
MC, Patiala

-----Respondent

Complaint Case No.424 of 2019

Present: None for the parties.

ORDER

This order may be read with reference to the previous order dated 10.09.2019

2. Today, neither the complainant nor the respondent is present.

3. The perusal of the file shows that the respondent has sent the information to the complainant on 02.09.2019. The complainant is absent today for second consecutive hearing without any intimation. Therefore, it is presumed that he is satisfied with the information provided by the respondent.

4. Since, the information has been sent by the respondent, no cause of action is left, the complaint filed by the complainant is therefore **disposed of and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 30.10.2019

(Preety Chawla)
State Information Commissioner

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Registered post

Sh.Prem Kumar Rattan,
House No. 78/8, Park Road,
New Mandi, Dhuri,
Distt Sangrur

.... Appellant

Versus

Public Information Officer,
O/o Nagar council, Bhadaur,
Distt. Barnala

First Appellate Authority
O/o Deputy Director Local Government ,
Patiala

..Respondent

AC No. 2571 of 2018

Present: (i) Sh Prem Kumar Rattan, Appellant
(ii) None for the Respondent

ORDER

This order may be read with reference to the previous order dated 10.09.2019.

2. No one has appeared on behalf of the Respondent today.
 3. The Appellant states that the complete information has not been provided to him so far.
 4. The perusal of the file shows that no one has appeared on behalf of the Respondent today.
- Moreover, the complete information has not been provided to the Appellant. In view of the above, **PIO- O/o Nagar council, Bhadaur, Distt. Barnala** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission and does not avail himself of the opportunity of

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AC No. 2571 of 2018

personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

5. To come up on **26.11.2019 at 11:00AM for further proceedings**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 30.10.2019

(Preety Chawla)
State Information Commissioner

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Sh.Prem Kumar Rattan,
House No. 78/8,Park Road,
New Mandi, Dhuri,
Distt Sangrur

Registered post

.... Appellant

Versus

Public Information Officer,
O/o Nagar council, Bhadaur,
Distt. Barnala

First Appellate Authority
O/o Deputy Director Local Government ,
Patiala

..Respondent

AC No. 2570 of 2018

Present: (i) Sh Prem Kumar Rattan, Appellant
(ii) None for the Respondent

ORDER

This order may be read with reference to the previous order dated 10.09.2019.

2. No one has appeared on behalf of the Respondent today.
 3. The Appellant states that the complete information has not been provided to him so far.
 4. The perusal of the file shows that no one has appeared on behalf of the Respondent today.
- Moreover, the complete information has not been provided to the Appellant. In view of the above, **PIO- O/o Nagar council, Bhadaur, Distt. Barnala** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission and does not avail himself of the opportunity of

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AC No. 2570 of 2018

personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

5. To come up on **26.11.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 30.10.2019

(Preety Chawla)
State Information Commissioner

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Sh. Prem Kumar Rattan,
H.No. 78/8, Park Road,
New Mandi, Dhuri, District Sangrur
Vs.

-----Appellant

Public Information Officer,
O/o Police Commissioner, Ludhiana
First Appellate Authority
o/o Police Commissioner, Ludhiana

-----Respondent

Appeal Case No. 4147 of 2018

Present : (i) Sh Prem Kumar Rattan, Appellant
(ii) For the Respondent: Sh Pawandeep Singh, SI & Smt Usha Rani, SI

ORDER

This order may be read with reference to the previous order dated 30.09.2019.

2. The Respondent states that he has brought some information today. Copy of the same is handed over to the Appellant. Further he has given in writing as under:-

ਪਿਛੋਕੜ ਵਿੱਚ ਮਦਦੀ ਖੇਤਰੀ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ
ਕੋਲਾ ਡੇਵੀ. ਸ਼ੁੱਕਰਾ ਜੀ ਸ਼ੁੱਕਰਾਗੀ ਮੰਗ ਹੀਰੀ ਹਾਰੀ ਮੀ
ਸ਼ੁੱਕਰਾ ਮਦਦਗੀ ਡੇਵੀ ਮ ਸ਼ੁਕਰਾ 30/09/19 ਮਿਲੀਪਤ
ਤੇ ਰੇ ਖਤਾ ਨੰਬਰ 38171 ਮਿਲੀ 11-10-2019 ਸਮੁੱਚਾ
ਸ਼ੁਕਰਾ ਦੇ ਪਿਠੀ ਗਰੀ ਮੰਗਤੇ ਕਿਸੇ ਤੇ ਨਿਰਾਧੁ ਤੇ
ਮੀ ਸ਼ੁਕਰਾਗੀ ਕਰੀਏ



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Appeal Case No. 4147 of 2018

Copy of the same is handed over to the Appellant.

3. In view of the above, no further cause of action is left. Therefore, the Appeal filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 30.10.2019

Sd/-
(Preety Chawla)
State Information Commissioner