

# PUNJAB STATE INFORMATION COMMISSION

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

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Sh. Mandeep Singh Sibian,  
r/o House No. 22, Street No. 4  
Anand Nagar-B Patiala  
9465044564

....Appellant

Vs

Public Information Officer  
o/o Secretary, Higher Education,  
Punjab Civil Secretariat-1, Chandigarh.

First Appellate Authority  
o/o Secretary  
Higher Education,  
Punjab Civil Secretariat-1, Chandigarh.

....Respondents

Appeal Case No. 3248 of 2021  
(Video Conference Proceedings)

Present:- Sh. Mandeep Singh Sibian, appellant.  
Ms Simarpreet Kaur 9988444535 on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 21.12.2021 vide which the case was adjourned for today i.e. 31.12.2021 on the request of the appellant. The appellant has sought the following information :-

I wish to seek information as under:

1. Certified copy of the order vide no. 3/27/2019-5 edu1/1700-1702 dated 17.07.2020 regarding filing of complaints against Dr. Sangeeta Handa (Retd. Principal, Government Mohindra College, Patiala).
2. Certified copy of entire file as per column no. 1 containing file notings, enquiry committee report, statements etc.
3. Certified copies of all the complaints against which the order of column no. 1 was issued.

2. The representative of the respondent states that the requisite information has been provided to the appellant except the partial information pertaining to Point No. 2 & 3 of the RTI application being the matter between the employee and the employer. She also states that the appellant worked on contract in the College Higher Education Institute Society (HEIS) and his services were terminated by the Chairperson, HEIS/Principal, Government Mohindra College, Patiala in the year 2020.

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Appeal Case No. 3248 of 2021

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She further requested that it is not in the public interest to provide the remaining information pertaining to Point No. 2 & 3 of the RTI application being the 3<sup>rd</sup> party information since the matter is between the employee and the employer. However, the appellant states that he has received the information pertaining to Point No. 1 of the RTI application and is satisfied with the same. The appellant further states that the deficiencies has already been sent to the respondent regarding Point No. 2 & 3 of the RTI application but the same has not been removed so far and further requested that the directions may be issued to the respondent-Public Information Officer to supply the complete information.

3. It is appropriate to consider the submissions made by the parties as per the case of **Canara Bank Rep. by its Deputy Gen. Manager v. C.S. Shyam & Anr.** decided by the Hon'ble Supreme Court of India in Civil Appeal No.22 of 2009 decided on 31<sup>st</sup> August, 2017. In this, the information was sought by the appellant on 15 parameters which were related to the various aspects of transfers of clerical staff and staff of the Bank with regard to individual employees. The crux of the judgement is that the information was rightly denied by the Public Authority under Section 8(1)(j) of the Right to Information Act, 2005.

4. It is pertinent to mention here that as per the **Girish Ramchandra Deshpande's** vs. CIC and others (SLP (C) no. 27734/2012) decided by the Hon'ble Supreme Court of India, the petitioner sought information of the employee and in which it was held as under:-

*"12. We are in agreement with the CIC and the courts below that the details called for by the petitioner i.e. copies of all memos issued to the third*

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*respondent, show-cause notices and orders of censure/punishment, etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act.*

*The performance of an employee/officer in an organisation is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression “personal information”, the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual.*

*Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer or the appellate authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right.”*

5. The aforementioned principle of law applies to the facts of this case as well. Therefore, keeping in view the above and after consideration of the submissions made by the parties, the Commission is of the view no further action is required to be taken in this case. Hence, the case is disposed of and closed.

Dated:31.12.2021

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Sh. Resham Singh, S/o Sh. Sukhdev Singh,  
R/o Village Swaddi Khurd, PO Bodhalwala,  
Tehsil Jagraon, Distt Ludhiana. M : 9877797182

Appellant

Vs

Public Information Officer,  
O/o DC, Ludhiana.

First Appellate Authority,  
O/o DC, Ludhiana.

Public Information Officer,  
o/o Tehsildar, Jagraon.

Respondents

Appeal Case No. 4275/2021  
(Video Conference Proceedings)

Present:- None on behalf of the appellant.

Sh. Daljit Singh and Sh. Kanwaljit Singh Reader to Tehsildar, Jagraon 9988100655 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 22.12.2021 vide which the directions were issued to the respondent-Public Information Officer o/o the Tehsildar, Jagraon to provide up to date status of the complaints as has been sought by the appellant before the next date of hearing. The case was adjourned for today i.e. 31.12.2021.

2. The appellant has sought the following information:-

- a) ਇਹ ਕਿ ਮੇਰੇ ਵੱਲੋਂ ਮਿਤੀ 16-4-2021 ਨੂੰ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਵਿੱਚ ਦਿੱਤੀਆਂ ਦੋ ਦਰਖਾਸਤਾਂ ਡਾਇਰੀ ਨੰ: 1197706 ਅਤੇ 1197664 ਮਿਤੀ 19-04-2021 (ਕਾਪੀਆਂ ਨੱਥੀ) ਉਪਰ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਵੱਲੋਂ ਅੱਜ ਤੱਕ ਜੋ ਵੀ ਕਾਰਵਾਈ ਕੀਤੀ ਗਈ ਹੈ, ਉਨ੍ਹਾਂ ਦੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਨਕਲਾਂ।
- b) ਇਹ ਕਿ ਉਕਤ ਦੋਵੇਂ ਦਰਖਾਸਤਾਂ ਸਬੰਧੀ ਕੀਤੇ ਪੱਤਰ ਵਿਹਾਰ ਦੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਨਕਲਾਂ।
- c) ਇਹ ਕਿ ਉਕਤ ਦੋਵੇਂ ਦਰਖਾਸਤਾਂ ਸਬੰਧੀ ਪੜਤਾਲੀਆ ਅਫਸਰ ਵੱਲੋਂ ਬਣਾਈ ਗਈ ਰਿਪੋਰਟ ਅਤੇ ਕੀਤੀ ਗਈ ਡਫਤਰੀਆਂ ਦੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਨਕਲਾਂ।

3. The respondent Public Information Officer cum Tehsildar Jagraon has sent a letter no. 414 dated 28.12.2021 through whatsapp, which is taken on the record. The representative of the respondents states that the information has already been supplied to the appellant and regarding the status of the complaints as has been sought by the appellant, he states that the Sub Divisional Magistrate, Jagraon sent the letter no. 350 dated 13.10-2021 in original to the Executive Officer Jagraon for further necessary action vide endorsement letter no. 926/reader dated 16.12.2021.

4. The respondent has updated the status of the complaint in compliance of the order dated 22.12.2021. The letter so received from the respondent is being sent to the appellant along with this order. Keeping in view the above, the Commission observes that no further action is required to be

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Appeal Case No. 4275/2021

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taken in this case. Hence, this case is disposed of and closed. As the appellant is not present today, therefore, the liberty is granted to him to approach the Commission within two weeks from the issue of this order in case of any submission for consideration.

sd

Dated: 31.12.2021

(Suresh Arora)  
Chief Information Commissioner, Punjab.

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Sh. Jagir Singh, s/o Sh. Surmukh Singh,  
Village Majwind, PO Kathunangal  
Teh. Majitha, Distt. Amritsar.

Appellant

Vs

Public Information Officer,  
o/o Deputy Commissioner, Amritsar.

First appellate Authority,  
o/o Divisional Commissioner, Jalandhar.

Sh. Jasbir Singh Sandhu,  
Tehsildar Majitha, Distt. Amritsar.

Respondents

Appeal Case No. 5215 of 2021

Present: Sh. Jagjit Singh on behalf of the appellant. (On webex)  
Shri Arvind Pal Singh Distt. Revenue Officer on behalf of the respondents on  
telephone.

Order

This order may be read with reference to the previous order dated 23.12.2021. The  
appellant has sought the following information.

1. ਮਿਤੀ 27-05-2021 ਨੂੰ ਚੀਫ ਇਨਫਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨਰ ਪੰਜਾਬ ਸ਼੍ਰੀ ਸੁਰੇਸ਼ ਅਰੋੜਾ ਜੀ ਵੱਲੋਂ ਦਿਤੇ ਹੁਕਮ ਅਨੁਸਾਰ ਆਪ ਜੀ ਵੱਲੋਂ ਜੋ ਕਾਰਵਾਈ ਕੀਤੀ ਗਈ ਉਸ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਭੇਜੀ ਜਾਵੇ।
- 2 . ਮਿਤੀ 27-05-2021 ਨੂੰ ਚੀਫ ਇਨਫਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨਰ ਪੰਜਾਬ ਸ਼੍ਰੀ ਸੁਰੇਸ਼ ਅਰੋੜਾ ਜੀ ਵੱਲੋਂ ਦਿਤੇ ਹੁਕਮ ਦੇ ਲੜੀ ਨੰਬਰ 7 ਅਨੁਸਾਰ, It is apparent that harassment has been caused to the appellant regarding entry of intkal No. 848 in the Jamabandi 2018-19 due to the non-handing over of the official record and Non dealing of his application regarding entry of intkal No.848. Keeping in view the mandate of RTI Act.2005 i.e. **transparency and accountability**, it appear **be a fit case to fix the responsibility and take necessary action as per Law**. Hence a copy of this order is being sent to the Deputy Commissioner, Amritsar for information in this regard."
- ਚੀਫ ਇਨਫਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨਰ ਪੰਜਾਬ ਸ਼੍ਰੀ ਸੁਰੇਸ਼ ਅਰੋੜਾ ਜੀ ਵੱਲੋਂ ਦਿਤੇ ਹੁਕਮ ਦੇ ਲੜੀ ਨੰਬਰ 7 ਅਨੁਸਾਰ ਆਪ ਜੀ ਵੱਲੋਂ ਜਿਸ ਅਧਿਕਾਰੀ ਦੀ ਜਿਮੇਵਾਰੀ ਨਿਰਧਾਰਿਤ ਕੀਤੀ ਗਈ ਉਸ ਦਾ ਨਾਮ ਅਤੇ ਅਹੁਦਾ ਅਤੇ ਕਨੂੰਨ ਦੀ ਜਿਸ ਧਾਰਾ ਦੇ ਤਹਿਤ ਕਾਰਵਾਈ ਕੀਤੀ ਗਈ ਉਸਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਭੇਜੀ ਜਾਵੇ।
3. ਮਾਨਯੋਗ ਅਦਾਲਤ ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ ਚੰਡੀਗੜ੍ਹ ਵੱਲੋਂ ਮਿਤੀ 08-01-2018 ਨੂੰ ਦਿਤੇ ਗਏ ਹੁਕਮ ਅਨੁਸਾਰ ਪਿੰਡ ਮੱਝਵਿੰਡ ਦਾ ਇੰਤਕਾਲ ਨੰਬਰ 848 ਮਿਤੀ 31-08-2018 ਨੂੰ ਮਨਜ਼ੂਰ ਹੋ ਚੁਕਾ ਹੈ। ਨਵੀਂ ਜਮਾਬੰਦੀ 2018-19 ਵਿਚ ਕੀਤੇ ਅਮਲ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਭੇਜੀ ਜਾਵੇ।

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Appeal case No. 5215 of 2021

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The case was adjourned on the request of Tehsildar Majitha for today i.e. 31.12.2021

2. The appellant states that he has received the information but the respondent has not updated the current status of order 27.5.2021.

3. The respondent Public Information Officer, Tehsildar Majitha has sent the information to the appellant vide letter no. 376 dated 23.12.2021 with a copy to the Commission, which is taken on record. Also the District Revenue Officer-cum-Public Information Officer o/o Deputy Commissioner, Amritsar sent an email dated 31.12.2021 vide which it has informed that the file has been put up to the Deputy Commissioner, District Amritsar for issuance of show cause notice to Sh. Ajay Kumar, Naib Tehsildar, Tarantaran, which is taken on record. The respondent Public Information Officer states that the information along with the present up to date status has already been provided to the appellant concerning his RTI application and requested to close the case.

4. After going through the letters sent by the respondents, it is observed that the point wise information pertaining to the RTI application has been provided by the respondents to the appellant. Copies of reply so received from the respondent-Public Information Officers are being **sent along with the orders.**

5. Keeping in view the above, the Commission is of the view that no further action is required to be taken in this case. Hence, this case is disposed of and closed.

Dated:31.12.2021

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.



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Smt. Kamaldeep Kaur, W/o Sh. Ajaipal Singh,  
VPO - Gumtala, Opp. Gov.  
Dispensary Ward No 5,  
Amritsar.M : 9872139640

Appellant

Vs

Public Information Officer,  
O/o SDM-2, Amritsar.  
First Appellate Authority  
O/o SDM -2, Amritsar.

Sh. Manjit Singh  
Public Information Officer-cumTehsildar,  
Amritsar-2, District Amritsar

Respondents

Appeal Case No. 4502/2021  
(Video Conference/ Telephone Proceedings)

Present:- Smt. Kamaldeep Kaur, appellant.

Sh. Gurbax Singh Sr. Asstt. on behalf of the respondents. 9781700067.

## ORDER

This order may be read with reference to the previous order dated 22.12.2021. The appellant has sought 6 points information in her RTI application which is shown as below:

- ਬਨਤੀ ਹੈ ਕਿ ਹੇਠ ਲਿਖੀ ਸੂਚਨਾ ਦੀਆਂ ਤਸਦੀਕ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।
1. ਇੰਤਕਾਲ ਨੰਬਰ 41925 ਦੀ ਦਰਜ ਦੀ (ਤਾਰੀਖ, ਮਹੀਨਾ, ਸਾਲ) ਦੀ ਫ਼ਰਦ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ ✓
  2. ਕੋਟ ਕਾਰਡਰ, ਪੱਤਰ, ਨੋਟਿਸ ਜਿਸ ਕਿਸੇ ਡਿਪਾਰਟਮੈਂਟ ਅਫਸਰ ਦੇ ਆਰਡਰ ਤੇ ਇਹ ਇੰਤਕਾਲ ਕੀਤਾ ਗਿਆ ਹੈ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ। ✓
  3. ਜਿਸ ਪਟਵਾਰੀ ਵਲੋਂ ਇਹ ਦਰਜ ਕੀਤਾ ਗਿਆ ਹੈ ਉਸ ਦਾ ਨਾਮ ਅਤੇ ਇਸ ਸਮੇਂ ਦੇਰਾਨ ਕਿਸ ਜਗ੍ਹਾ ਇੰਊਟੀ ਤੇ ਹੋ ਵੇਰਵੇ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ।
  4. 41925 ਇੰਤਕਾਲ ਨੰਬਰ ਜਿਨ੍ਹਾਂ ਅਫਸਰਾਂ ਵੱਲੋਂ ਮਨਜ਼ੂਰੀ(ਪਾਸ ਕੀਤਾ) ਤੇ ਦਸਖਤ ਕੀਤੇ ਗਏ ਹਨ ਦੇ ਨਾਂ ਆਰਦਰ ਇਸ ਸਮੇਂ ਦੇਰਾਨ ਕਿਸ ਜਗ੍ਹਾ ਦਿੱਤੀ ਜਾਵੇ ਜੀ।
  5. 98753,99/40,99/44,99/48 ਦੀ 2020/21 ਦੀ ਜਮਾਬੰਦੀ ਫਰਦ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ। ✓
  6. ਸਾਲ 2019,20,21 ਵਿੱਚ ਇਮਪਰੂਮੈਂਟ ਟਰੱਸਟ ਦੇ ਨਾਮ ਤੇ ਕਿਰਣ ਕਲੋਨੀ ਗੁਮਟਾਲਾ ਬਾਈ ਪਾਸ (AJNALA ROAD EXPANSION SCHEME) ਵਿੱਚ ਕੁੱਲ ਕਿੰਨੀ ਜਮੀਨ(ਨੰਬਰ ਤੇ ਰਕਬਾ) ਦੇ ਇੰਤਕਾਲ ਕੀਤਾ ਗਏ ਹਨ ਵੇਰਵੇ ਫਰਦ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ।

The appellant received the information during the course of last hearing and requested to adjourn the case. The case was adjourned for today i.e. 31.12.2021.

2. The representative of the respondents states that the information was provided to the appellant during the last hearing but she was not satisfied with the information pertaining to the point no. 2,4,5 and 6 which has now been provided to the appellant today through whatsapp and the attested copies of the same will be sent to the appellant through registered post with which the appellant agreed to and is satisfied with the same. He also tenders unconditional apology regarding delay in this case and requested to withdraw the show cause notice issued to the respondent Public Information Officer Sh. Manjit Singh, Tehsildar.

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Appeal Case No. 4502/2021

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3. The appellant states that she has received the information pertaining to point no. 2,4,5 and 6 through whatsapp and requested the Commission to provide the attested copies of the same from the respondent Public Information Officer.

4. That the appellant has submitted that she has received the information through whatsapp as has been sought by her and is satisfied with the same. Therefore, the respondent Public Information Officer is hereby, directed to send the attested copies of the information to the appellant pertaining to Point No. 2,4,5 and 6 through registered post immediately. In view of the information provided by the respondent and the submissions made by him, the show cause notice issued to the respondent Public Information Officer Sh. Manjit Singh, Tehsildar in this case, is hereby, withdrawn.

5. According to the submissions made by the appellant, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed. However the liberty is granted to the appellant to approach the Commission within two weeks from the issue of this order in case she does not receive the same.

sd

Dated: 31.12.2021

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.