



Jaswinder Singh S/o Sh. Jagjit Singh,
Village – Sidhupur Kalan,
Tehsil - Khamano,
Distt. – Fatehgarh Sahib (Punjab)

V/s

....Appellant

(Regd. Post) Public Information Officer,
O/o The Sub Divisional Engineer,
Water Supply & Sanitation,
Sub-Division- 02,
S. A. S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Executive Engineer,
Water Supply & Sanitation,
Division - 03,
S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 3396 of 2019

Present : None on behalf of the appellant.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 05.12.2018. First appeal is dated 14.12.2018. Second appeal has been received in the Commission on 11.04.2019.

This case was reallocated to the Bench of the undersigned vide Office-order dated 02.03.2021.

On the last date of hearing, held on 26.05.2021,

- i) Ms. Simran Kaur, Sub Divisional Engineer, stated that the requisite information was supplied to the appellant alongwith a reply in an affidavit dated 24.11.2020 (signed by herself).
- ii) Sh. Rajesh Dhiman, Advocate, who appeared on behalf of Sh. Kanwalvir Singh Kang, Advocate (representative of the appellant, Sh. Jaswinder Singh) sought an adjournment in this case as Sh. Kanwalvir Singh Kang, Advocate representative of the appellant) is not well.
- iii) The request was granted.
- iv) Another opportunity was given to the parties to represent this case in person or through their representative, on the next date fixed for hearing so that the facts of this case could be cleared.

Sh. Rajesh Dhiman, Advocate, who appeared on behalf of Sh. Kanwalvir Singh Kang, Advocate (representative of the appellant, Sh. Jaswinder Singh) could not make himself audible during the proceedings of the instant appeal case due to technical fault in connection of network.

The respondent PIO (Ms. Simran Kaur, Sub Divisional Engineer) through a reply vide letter no. 15810 dated 30.07.2021, which has been received in the Commission through an e-mail, has intimated the Commission that she is unable to attend today's hearing and seeks an adjournment in this case.

Nevertheless, both the parties (Appellant and concerned respondent PIO) are advised to represent this case in person on the next date fixed for hearing through facility of Software/application 'CISCO Webex Meetings' or the case would be decided on merits.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Jaswinder Singh S/o Sh. Jagjit Singh,
Village – Sidhupur Kalan,
Tehsil - Khamano,
Distt. – Fatehgarh Sahib (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Sub Divisional Engineer,
Water Supply & Sanitation,
Sub-Division- 02,
S. A. S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Executive Engineer,
Water Supply & Sanitation,
Division - 03,
S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 3397 of 2019

Present : None on behalf of the appellant.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 06.12.2018. First appeal is dated 14.12.2018. Second appeal has been received in the Commission on 03.04.2019.

This case was reallocated to the Bench of the undersigned vide Office-order dated 02.03.2021.

On the last date of hearing, held on 26.05.2021,

- i) Ms. Simran Kaur, Sub Divisional Engineer, stated that the requisite information was supplied to the appellant alongwith a reply in an affidavit dated 24.11.2020 (signed by herself).
- ii) Sh. Rajesh Dhiman, Advocate, who appeared on behalf of Sh. Kanwalvir Singh Kang, Advocate (representative of the appellant, Sh. Jaswinder Singh) sought an adjournment in this case as Sh. Kanwalvir Singh Kang, Advocate representative of the appellant) is not well.
- iii) The request was granted.
- iv) Nevertheless, another opportunity was given to the parties to represent this case in person or through their representative, on the next date fixed for hearing so that the facts of this case could be cleared

Sh. Rajesh Dhiman, Advocate, who appeared on behalf of Sh. Kanwalvir Singh Kang, Advocate (representative of the appellant, Sh. Jaswinder Singh) could not make himself audible during the proceedings of the instant appeal case due to technical fault in connection of network.

The respondent PIO (Ms. Simran Kaur, Sub Divisional Engineer) through a reply vide letter no. 15810 dated 30.07.2021, which has been received in the Commission through an e-mail, has intimated the Commission that she is unable to attend today's hearing and seeks an adjournment in this case.

Nevertheless, both the parties (Appellant and concerned respondent PIO) are advised to represent this case in person on the next date fixed for hearing through facility of Software/application 'CISCO Webex Meetings' or the case would be decided on merits.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

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Davinder Pal Singh
S/o Sh. Gurdip Singh,
H. No. 94, New Officer's Colony,
Patiala - 147001(Punjab)

....Appellant

V/s

(Regd. Post) Public Information Officer,
O/o The Secretary
to Government. of Punjab,
Deptt. of Local Government,
(LG-3 Branch),
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 641 of 2021

Present : Sh. Davinder Pal Singh, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 04.11.2020. First appeal is dated 12.12.2020. Second appeal has been received in the Commission on 25.01.2021.

On the last date of hearing, held on 10.05.2021,

- i) The respondent PIO through a reply vide letter no. 730 dated 31.03.2021 signed by PIO office of Local Government – 3 Branch, had intimated the Commission that the required information was given to the appellant vide letter no. 2936 dated 24.11.2020. It, alongwith annexure, is taken on record.
- ii) The appellant was not present and an opportunity was given to the appellant to point out deficiencies, if any, in the information already supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned. He is also advised to represent this case in person or through his representative on the next date fixed for or the case would be decided on merits.
- iii) The respondent PIO through a reply vide letter no. 1445 dated 26.07.2021 signed by PIO office of Local Government – 3 Branch, which has been received in the Commission vide Diary No. 16329 dated 27.07.2021, has intimated the Commission that a reply has already been given to the appellant vide letter no. 2936 dated 24.11.2020 with Property Tax Notification 31.12.2014, 24.03.2015, 21.09.2016 and 01.04.2020. It is taken on record.

The appellant, Sh. Davinder Pal Singh, who appeared in person in today's hearing, states that he has only received copy of notification, through which it is not clear whether it is for Commercial Buildings, Multi-Storey Complexes or Mall etc. as demanded by him through RTI request.

The respondent PIO was not present on the last date of hearing, held on 10.05.2021 and he is again not present in today's hearing. The Commission took a serious view of this casual approach of the respondent PIO.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Secretary to Government. of Punjab, Deptt. of Local Government (LG-3 Branch) as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant under the provisions of the RTI Act, 2005.

He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed through facility of Software/application 'CISCO Webex Meetings', it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. A copy of this order be sent to him through registered post.

Last opportunity is given to the respondent-PIO concerned to send a reply, in response to each and every query raised through RTI request, to the appellant with a copy to the Commission. If any information, to any query/queries raised by the appellant through RTI request, is not available or not maintained in the official record, he/she (respondent-PIO concerned) will send/file a reply, in writing, to the particular query/queries, to the appellant with a copy to the Commission, by the next date of hearing, failing which action would be initiated against him under the provisions of the RTI Act.

An opportunity is also given to the appellant to confirm whether he has received the information/reply or not.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Rajinder Pal Sharma,
Street No. 04, Farid Nagar,
T – Point, G. T. Road,
Rampura Phul – 151103
Distt. - Bathinda (Punjab)

....Appellant

V/s

(Regd. Post) i) Public Information Officer,
O/o The Secretary to
Government of Punjab,
Deptt. of Irrigation, Punjab,
Pb. Mini Secretariat, Sector 9, Chandigarh

(Regd. Post) ii) Public Information Officer,
O/o The Chief Engineer/Canals,
Water Resource Department, Punjab,
Sector 18, Chandigarh

(Regd. Post) iii) Public Information Officer,
O/o S. D. O.,
Bathinda Canal Division,
Bathinda

First Appellate Authority,
O/o The Chief Secretary to
Government of Punjab,
Pb. Civil Secretariat, Chandigarh

...Respondents

Appeal Case No. 2107 of 2020

Present : Sh. Rajinder Pal Sharma, the appellant in person.
i) Sh. Inderjit Singh, Senior Assistant O/o Secretary, Deptt. Of Irrigation (Works Branch) ;
ii) Sh. Gurpal Singh, S.D.O. O/o Bathinda Canal Division , Bathinda, for the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.
The RTI request is dated 25.09.2019. First appeal is dated Nil. Second appeal has been received in the Commission on 07.08.2020.

On the last date of hearing, held on 10.05.2021,

- i) The appellant stated that he could not point-out deficiencies in the supplied information as directed vide orders dated 08.02.2021 and sought an adjournment in this case so that deficiencies could be pointed-out.
- ii) An opportunity was given to the appellant to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.
- iii) As none was present for the respondent, another opportunity was given to the PIOs of i) office of Secretary to Government of Punjab, Deptt. of Irrigation, Punjab, Chandigarh ; ii) office of Chief Engineer/Canals, Water Resource Department, Punjab and iii) office of S. D. O. office of Bathinda Canal Division, Bathinda to represent this case to represent this case in person or through their representative on the next date fixed with the directions to supply the information, after removing the deficiencies, (whichever query/queries relates to their office), to him by registered post with a copy to the Commission.
- iv) An opportunity is also given to the appellant to confirm whether he received the information or not.

Sh. Inderjit Singh, Senior Assistant office of Secretary, Deptt. Of Irrigation (Works Branch), Punjab, Chandigarh, who appeared on behalf of the respondent PIO in today's hearing, states that a reply from office of Bathinda Canal Division, Bathinda was given to the appellant vide letter no. 8511 dated 17.11.2020. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 82 dated 08.02.2021. It, alongwith annexure, is placed in the case-file.

Sh. Gurpal Singh, S. D. O. office of Bathinda Canal Division, Bathinda, who appeared in today's hearing, states that a reply was given to the appellant vide letter no. 8511 dated 17.11.2020, which is placed in the case-file.

The appellant, Sh. Rajinder Pal Sharma, who appeared in person in today's hearing, states that he has pointed out certain deficiencies in the supplied information.

Sh. Gurpal Singh, S. D. O., states that no such (above-said) letter has been received in the office till date.

An opportunity is given to the appellant to visit the office of the respondent PIO today itself i. e. 02.08.2021 to hand over the letter, through which deficiencies have been pointed out, so that the same could be removed.

Another opportunity is given to the respondent PIO concerned to supply the information, after removing the deficiencies, which would be pointed out by the appellant, to him with a copy to the Commission.

An opportunity is also given to the appellant to confirm whether he has received the information, which would be supplied to him by the respondent PIO after inspection, or not.

The Superintendent office of Secretary, Deptt. of Irrigation (Works Branch), Punjab, Chandigarh, through a letter no. 409/1 dated 28.07.2021 has requested for exemption of personal appearance in further hearing of this case. It is taken on record.

The request is granted and office of office of Secretary, Deptt. of Irrigation (Works Branch), Punjab, Chandigarh, is exempted from personal appearance in further hearings of this case.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Satish Kumar
S/o Sh. Des Raj,
Village – Badal,
P. O. – Badal, Tehsil – Malout,
Distt. – SriMuktsar Sahib(Punjab) ...Complainant

V/s

(Regd. Post) Public Information Officer,
O/o The Principal,
Rural Institute for Vocational Training,
Badal (Malout),
Distt. – SriMuktsar Sahib(Punjab) ...Respondent

Complaint Case No. 1005 of 2019

Present : Sh. Satish Kumar , the complainant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 27.09.2019. The complaint has been received in the Commission on 25.11.2019.

On the last date of hearing, held on 10.05.2021,

- i) The complainant stated that information (already) supplied to him by the respondent PIO is not as per queries raised by him through RTI request as he demanded information of employees, whose services were regularized during the period from 09, October 2016 to 25th October, 2016 but the respondent given him a copy of information for the period of year 2015.
- ii) Sh. Rajan Doda, Clerk, stated that Sh. Parampal Singh, Principal (the concerned PIO) is not able to attend today's hearing due to 'Covid Duty' and requested on his (the concerned PIO's) behalf for an adjournment in the instant complaint case.
- iii) Last opportunity was given to the respondent-PIO concerned to send a reply, in response to each and every query raised through RTI request, to the complainant with a copy to the Commission. If any information, to any query/queries raised by the complainant through RTI request, is not available or not maintained in the official record, he/she (respondent-PIO concerned) was directed to send/file a reply, in writing, to the particular query/queries, to the complainant with a copy to the Commission.
- iv) An opportunity was given to the complainant, to confirm whether he received the information/reply or not.

The complainant, Sh. Satish Kumar, who appeared in person in today's hearing, states that information (already) supplied to him by the respondent PIO is not as per queries raised by him through RTI request as he has demanded information of employees, whose services have been regularized during the period from 09, October 2016 to 25th October, 2016 but the respondent has given him a copy of information for the period of year 2015.

Contd...2/-

Neither the respondent PIO nor any of his representative is present in today's hearing. He has also not sent any intimation regarding his non-availability. The Commission took a serious view of this casual approach of the respondent PIO, moreover, the requisite information has not been supplied by the respondent PIO to the information seeker even after the directions were given by the Commission vide orders dated 10.05.2021.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Principal, Rural Institute for Vocational Training, Badal (Malout), Distt. – SriMuktsar Sahib, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant under the provisions of the RTI Act, 2005.

He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed through facility of Software/application 'CISCO Webex Meetings', it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. A copy of this order be sent to him through registered post.

Last opportunity is given to the respondent-PIO concerned to send a reply, in response to each and every query raised through RTI request, to the complainant with a copy to the Commission. If any information, to any query/queries raised by the complainant through RTI request, is not available or not maintained in the official record, he/she (respondent-PIO concerned) will send/file a reply, in writing, to the particular query/queries, to the complainant with a copy to the Commission, by the next date of hearing, failing which action would be initiated against him under the provisions of the RTI Act.

An opportunity is also given to the complainant, to confirm whether he has received the information/reply or not.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road,
Mandi Mullanpur,
Distt. – Ludhiana -141101(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Director,
Local Government, Punjab,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

(Regd. Post) Public Information Officer,
O/o The Senior Town Planner
O/o The Director,
Local Government, Punjab,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

Encl : RTI request

First Appellate Authority,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

...Respondents

Appeal Case No. 684 of 2021

Present : Sh. Rakesh Kumar Gupta, Advocate, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 20.01.2021, which was filed in the office of the respondent PIO under Section 7 (1) of the RTI Act, 2005. First appeal is dated 25.01.2021. Second appeal has been received in the Commission on 09.02.2021 under 'Life and Liberty' clause, which was allocated to the Bench of the undersigned to be considered under General category vide Office-note dated 11.02.2021.

On the last date of hearing, held on 10.05.2021,

- i) The appellant stated that no information was supplied to him by the respondent PIO.
- ii) The respondent PIO through a reply vide letter no. 681 dated 23.03.2021 signed by Superintendent-cum-PIO, Local Government-3 Branch, had intimated the Commission that RTI request dated 20.01.2021 of the appellant was transferred to Public Information Officer office of Senior Town Planner office of Local Government Punjab under Section 6 (3) of the RTI Act with an intimation to the appellant.
- iii) As the information demanded by the appellant through RTI request, relates with office of Senior Town Planner, hence, Public Information Officer office of Senior Town Planner office of Local Government Punjab was impleaded as necessary party in this case. A copy of the order was sent to him alongwith RTI request through registered post with the directions to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request with a copy to the Commission.

- iv) As the RTI request was not transferred to the concerned office within stipulated time as provisions of the RTI Act, hence, the Public Information Officer of office of Superintendent-cum-PIO, Local Government-3 Branch was directed to represent this case in person or through his representative on the fixed date of hearing fixed through facility of Software/application 'CISCO Webex Meetings' so that the facts of this case could be cleared.

The respondent PIO through a reply vide letter no. 2184 dated 22.06.2021 signed by Assistant Town Planner (Town Planning Wing) office of Local Government Punjab, which has been received in the Commission through an e-mail, has intimated the Commission that the requisite information has already been supplied to the appellant through an e-mail. It, alongwith a copy of supplied information, is taken on record.

The appellant, Sh. Rakesh Kumar Gupta, Advocate, who appeared in person in today's hearing, states that he has seen the e-mail (sent by the respondent PIO) just now and seeks time to go through the supplied information so that deficiencies, if any, could be pointed out.

An opportunity is given to the appellant to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent PIO concerned.

Another opportunity is also given to Public Information Officer office of Senior Town Planner of office of Local Government Punjab to represent this case in person or through his representative on the next date of hearing fixed through facility of Software/application 'CISCO Webex Meetings' positively.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road, Mandi Mullanpur,
Distt. – Ludhiana -141101(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

First Appellate Authority,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

...Respondents

Appeal Case No. 685 of 2021

Present : Sh. Rakesh Kumar Gupta, Advocate, the appellant in person.
i) Sh. Rajeev Saggar, Superintendent-cum-PIO(C. V. O. Cell), in person ;
ii) Sh. Navdeep Sharma, Chief Sanitary Inspector (C. V. O. Cell) , for the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.
The RTI request is dated 16.01.2021, which was filed in the office of the respondent PIO under Section 7 (1) of the RTI Act, 2005. First appeal is dated 25.01.2021. Second appeal was received in the Commission on 09.02.2021 under 'Life and Liberty' clause, which was allocated to the Bench of the undersigned to be considered under General category vide Office-note dated 11.02.2021.

On the last date of hearing, held on 10.05.2021,

- i) The appellant, Sh. Rakesh Kumar Gupta, Advocate, stated that no information was supplied to him by the respondent PIO so far.
- ii) Sh. Navdeep Sharma, Chief Sanitary Inspector of (C. V. O. Cell), stated that a reply was sent to the appellant vide letter dated 03.05.2021.
- iii) The appellant stated that no such reply (as mentioned above) was received by him from the respondent PIO.
- iv) An opportunity was given to the respondent PIO concerned to send the above mentioned reply again to the appellant through an e-mail.
- v) An opportunity was given to the appellant to confirm whether he received the reply or not.

Sh. Rajeev Saggar, Superintendent-cum-PIO(C. V. O. Cell), who appeared in person with Sh. Navdeep Sharma, Chief Sanitary Inspector in today's hearing, states that in compliance to the order dated 10.05.2021, the required information has already been sent to the appellant vide letter no. 1407 dated 19.04.2021. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 1408 dated 19.04.2021, which has been received in the Commission vide Diary No. 9842 dated 03.05.2021. It is taken on record.

The appellant, Sh. Rakesh Kumar Gupta, Advocate, who appeared in person in today's hearing, states that he has pointed out certain deficiencies in the supplied information through a letter dated 30.07.2021. It has been received in the Commission through an e-mail. It is taken on record.

Sh. Rajeev Saggar, Superintendent, states that no such (above-said) letter has been received in the office till date.

An opportunity is given to the appellant to send the above-said letter (through which deficiencies have been pointed out) again to the PIO concerned well in time so that the same could be removed by the respondent PIO concerned.

Another opportunity is given to the respondent PIO concerned to supply the information, after removing the deficiencies, which would be pointed out by the appellant, to him by registered post or through an e-mail.

An opportunity is also given to the appellant to confirm whether he has received the information (which would be supplied by respondent PIO) or not.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road,
Mandi Mullanpur,
Distt. – Ludhiana -141101(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

First Appellate Authority,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

...Respondents

Appeal Case No. 686 of 2021

Present : Sh. Rakesh Kumar Gupta, Advocate, the appellant in person.
Sh. Ramaninder Singh, APIO, on behalf of the respondent..

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 18.01.2021, which was filed in the office of the respondent PIO under Section 7 (1) of the RTI Act, 2005. First appeal is dated 25.01.2021. Second appeal was been received in the Commission on 09.02.2021 under 'Life and Liberty' clause, which was allocated to the Bench of the undersigned to be considered under General category vide Office-note dated 11.02.2021.

On the last date of hearing, held on 10.05.2021,

- i) Sh. Ramaninder Singh, APIO, stated that a reply was sent to the appellant vide letter no. 388 dated 18.02.2021 through registered post. Through that letter, the appellant was intimated that the information demanded through RTI request is regarding enquiry reports on certain letters, which are not available in the official-record as never received in the office.
- ii) The appellant stated that no such reply (as mentioned above) was received by him from the respondent PIO.
- iii) An opportunity was given to the respondent PIO concerned to send the reply again to the appellant through registered post.
- iv) An opportunity was given to the appellant to confirm whether he received the reply or not.

Sh. Ramaninder Singh, APIO, who appeared on behalf of the respondent PIO in today's hearing, states that in compliance to the order dated 10.05.2021, the required information has been sent to the appellant vide letter no. 1124 dated 07.06.2021, intimating that the information demanded by him (the appellant) through RTI request is regarding enquiry reports on certain letters, which are not available in the official-record as never received in the office. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 1125 dated 07.06.2021, which has been received in the Commission vide Diary No. 12828 dated 15.06.2021. It is taken on record.

The appellant, Sh. Rakesh Kumar Gupta, Advocate, who appeared in person in today's hearing, states that through a letter dated 23.06.2021, he has provided list of complaints, regarding which information has been sought by him, to the respondent PIO. It (letter dated 23.06.2021) has been received in the Commission through an e-mail. It is taken on record.

Sh. Ramaninder Singh, APIO, states that no such (above-said) letter dated 23.06.2021 has been received in the office till date.

An opportunity is given to the appellant to send the above-said letter dated 23.06.2021 again to the PIO concerned well in time so that the same could be replied by the respondent PIO concerned.

Another opportunity is given to the respondent PIO concerned to send a reply to the letter dated 23.06.2021 of the appellant, to him by registered post or through an e-mail.

An opportunity is also given to the appellant to confirm whether he has received the information (which would be supplied by respondent PIO) or not.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road,
Mandi Mullanpur,
Distt. – Ludhiana -141101(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

First Appellate Authority,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

... Respondents

Appeal Case No. 687 of 2021

Present : Sh. Rakesh Kumar Gupta, Advocate, the appellant in person.
Sh. Ramaninder Singh, APIO, on behalf of the respondent..

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 17.01.2021, which was filed in the office of the respondent PIO under Section 7 (1) of the RTI Act, 2005. First appeal is dated 25.01.2021. Second appeal was been received in the Commission on 09.02.2021 under 'Life and Liberty' clause, which was allocated to the Bench of the undersigned to be considered under General category vide Office-note dated 11.02.2021.

On the last date of hearing, held on 10.05.2021,

- i) Sh. Ramaninder Singh, APIO, stated that a reply was sent to the appellant vide letter no. 388 dated 18.02.2021 through registered post. Through that letter, the appellant was intimated that the information demanded through RTI request is regarding enquiry reports on certain letters, which are not available in the official-record as never received in the office.
- ii) The appellant stated that no such reply (as mentioned above) was received by him from the respondent PIO.
- iii) An opportunity was given to the respondent PIO concerned to send the reply again to the appellant through registered post.
- iv) An opportunity was given to the appellant to confirm whether he received the reply or not.

Sh. Ramaninder Singh, APIO, who appeared on behalf of the respondent PIO in today's hearing, states that in compliance to the order dated 10.05.2021, the required information has been sent to the appellant vide letter no. 1124 dated 07.06.2021, intimating that the information demanded by him (the appellant) through RTI request is regarding enquiry reports on certain letters, which are not available in the official-record as never received in the office. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 1125 dated 07.06.2021, which has been received in the Commission vide Diary No. 12828 dated 15.06.2021. It is taken on record.

The appellant, Sh. Rakesh Kumar Gupta, Advocate, who appeared in person in today's hearing, states that through a letter dated 23.06.2021, he has provided list of complaints, regarding which information has been sought by him, to the respondent PIO. It (letter dated 23.06.2021) has been received in the Commission through an e-mail. It is taken on record.

Sh. Ramaninder Singh, APIO, states that no such (above-said) letter dated 23.06.2021 has been received in the office till date.

An opportunity is given to the appellant to send the above-said letter dated 23.06.2021 again to the PIO concerned well in time so that the same could be replied by the respondent PIO concerned.

Another opportunity is given to the respondent PIO concerned to send a reply to the letter dated 23.06.2021 of the appellant, to him by registered post or through an e-mail.

An opportunity is also given to the appellant to confirm whether he has received the information (which would be supplied by respondent PIO) or not.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road,
Mandi Mullanpur,
Distt. – Ludhiana -141101(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

(Regd. Post) Public Information Officer,
O/o The Senior Town Planner
O/o The Director,
Local Government, Punjab,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

Encl : RTI request

First Appellate Authority,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Plot No. 03,
Sector 35 - A, Chandigarh

...Respondents

Appeal Case No. 688 of 2021

Present : Sh. Rakesh Kumar Gupta, Advocate, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 20.01.2021, which was filed in the office of the respondent PIO under Section 7 (1) of the RTI Act, 2005. First appeal is dated 25.01.2021. Second appeal was been received in the Commission on 09.02.2021 under 'Life and Liberty' clause, which was allocated to the Bench of the undersigned to be considered under General category vide Office-note dated 11.02.2021.

On the last date of hearing, held on 10.05.2021,

- i) The appellant, Sh. Rakesh Kumar Gupta, Advocate, stated that no information was supplied to him by the respondent PIO so far.
- ii) The respondent PIO through a reply vide letter no. 681 dated 23.03.2021 signed by Superintendent-cum-PIO, Local Government-3 Branch, had intimated the Commission that RTI request dated 20.01.2021 of the appellant was transferred to Public Information Officer office of Senior Town Planner office of Local Government Punjab under Section 6 (3) of the RTI Act with an intimation to the appellant.

Contd...2/-

As the information demanded by the appellant through RTI request, relates with office of Senior Town Planner, hence, Public Information Officer office of Senior Town Planner office of Local Government Punjab was impleaded as necessary party in this case. A copy of the order was sent to him alongwith RTI request through registered post with the directions to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request with a copy to the Commission.

As the RTI request was not transferred to the concerned office within stipulated time as provisions of the RTI Act, hence, the Public Information Officer of office of Superintendent-cum-PIO, Local Government-3 Branch was directed to represent this case in person or through his representative on the next date fixed so that the facts of this case could be cleared. A copy of this order be sent to him through registered post.

The respondent PIO through a reply vide letter no. 2184 dated 22.06.2021 signed by Assistant Town Planner (Town Planning Wing) office of Local Government Punjab, which has been received in the Commission through an e-mail, has intimated the Commission that the requisite information has already been supplied to the appellant through an e-mail. It, alongwith a copy of supplied informtion, is taken on record.

The appellant, Sh. Rakesh Kumar Gupta, Advocate, who appeared in person in today's hearing, states that he has seen the e-mail (sent by the respondent PIO) just now and seeks time to go through the supplied information so that deficiencies, if any, could be pointed out.

An opportunity is given to the appellant to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent PIO concerned.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Rakesh Kumar Gupta, Advocate
8/237, Jagraon Road,
Mandi Mullanpur,
Distt. – Ludhiana -141101(Punjab)

....Appellant

V/s

(Regd. Post) Public Information Officer,
O/o The Sub Divisional Engineer,
Punjab Water Supply
and Sewerage Board,
Sub-Division - Jagraon,
Distt. - Ludhiana (Punjab)

Encl : RTI request

First Appellate Authority,
O/o The Sub Divisional Engineer,
Punjab Water Supply
and Sewerage Circle,
Ludhiana(Punjab)

...Respondents

Appeal Case No. 690 of 2021

Present : Sh. Rakesh Kumar Gupta, Advocate, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 09.03.2020. First appeal is dated 18.03.2020. Second appeal has been received in the Commission on 09.02.2021.

On the last date of hearing, held on 10.05.2021,

- i) The appellant, Sh. Rakesh Kumar Gupta, Advocate, stated that no information has been supplied to him by the respondent PIO so far.
- ii) Neither the respondent PIO nor any of his representative was present and a show cause notice under Section 20 (1) of the RTI Act was issued to Public Information Officer concerned of office of Sub Divisional Engineer, Punjab Water Supply and Sewerage Board, Sub-Division - Jagraon, Distt. - Ludhiana, under the provisions of the RTI Act, 2005.
- iii) An opportunity was given to the respondent PIO concerned to supply the certified copies of the required information to the appellant through registered post.
- iv) An opportunity was given to the appellant to confirm whether he received the information (which would be supplied by the respondent) or not. He was also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

The appellant, Sh. Rakesh Kumar Gupta, Advocate, who appeared in person in today's hearing, states that no information has been supplied to him by the respondent PIO so far.

Neither the respondent PIO office of Executive Engineer, Punjab Water Supply and Sewerage Board, Sub-Division – Jagraon, District Ludhiana nor any of his representative is present in today's hearing. He has also not sent any intimation regarding his non-availability.

After examining the documents placed on record, it is found that a show-cause notice was issued vide orders dated 10.05.2021 with the directions to the concerned PIO to appear before the Commission personally but he did not attend the hearing fixed for today through facility of Software/application 'CISCO Webex Meetings', moreover, he has also not sent any document, showing that the requisite information has been supplied to the appellant, which reflects that he is trying to delay in supplying the required information to the information-seeker. The Commission took a serious view of this casual approach of the respondent PIO.

For making delay in supplying the requisite information to the information-seeker under Section 20 (1) of the RTI Act, a penalty of Rs. 5,000/- (Rupees Five Thousand Only) is imposed upon the concerned Public Information Officer of office of Executive Engineer, Punjab Water Supply and Sewerage Board, Sub-Division – Jagraon, District Ludhiana. A copy of this order be sent to him through registered post.

The amount of penalty will be deposited in the treasury of Punjab Government under the head.....

Major Head .. 0070 -Other Administrative Services
Sub-Major Head .. 60 - Other Services
Minor Head .. 800 - Other Receipts
Sub-Head .. 86 - Fee under the Right to Information Act, 2005
Detailed Head .. 0070 Other Administrative Services
60 Other Services- 800- Other Receipts-
86- Fees under the Right to Information Act, 2005

And a copy of challan receipt be sent to the Commission on the next date of hearing.

Another opportunity is also given to the respondent PIO to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request through registered post or e-mail with a copy to the Commission, by the next date of hearing.

An opportunity is also given to the appellant to confirm whether he has received the information (which would be supplied by the respondent) or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Rakesh Kumar Gupta, Advocate
8/237, Jagraon Road,
Mandi Mullanpur,
Distt. – Ludhiana -141101(Punjab)

....Appellant

V/s

(Regd. Post) Public Information Officer,
O/o The Executive Engineer,
Punjab Water Supply
and Sewerage Board,
Division Ludhiana (Punjab)

Encl : RTI request

First Appellate Authority,
O/o The Sub Divisional Engineer,
Punjab Water Supply
and Sewerage Circle,
Ludhiana(Punjab)

...Respondents

Appeal Case No. 1070 of 2021

Present : Sh. Rakesh Kumar Gupta, Advocate, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 09.03.2020. First appeal is dated 18.03.2020. Second appeal has been received in the Commission on 24.02.2021.

On the last date of hearing, held on 10.05.2021,

- i) Sh. G. P. Singh, Executive Engineer appeared for the respondent side.
- ii) The appellant has requested that similar information was demanded in another case i.e. A. C. 690 of 2021 and same date of hearing be fixed for both the cases, accordingly, the case is fixed for hearing for today to decide the issue whether the said cases are to be clubbed or not.

The appellant, Sh. Rakesh Kumar Gupta, Advocate, who appeared in person in today's hearing, states that the RTI request is addressed to Executive officer, Nagar Council, Mullanpur Dakha and further it was transferred under Section 6 (3) of the RTI Act to office of Executive Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana vide letter no. 378 dated 13.03.2020.

After going through the documents placed in the instant appeal case-file i. e. A. C. 1070 of 2021, it emerges that RTI request of the appellant has been transferred to office of Punjab Water Supply and Sewerage Board, Division Ludhiana and in another case i. e. . C. 690 of 2021, the RTI request is addressed to Punjab Water Supply and Sewerage Board, Sub-Division – Jagraon of Distt. – Ludhiana.

Contd...2/-

Neither the respondent PIO office of Executive Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana nor any of his representative is present in today's hearing. He has also not sent any intimation regarding his non-availability. The Commission took a serious view of this casual approach of the respondent PIO.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Sub Divisional Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant under the provisions of the RTI Act, 2005.

Moreover, as the information demanded by the appellant through RTI request relates with office of Executive Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana. A copy of this order be sent to PIO office of Executive Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana alongwith RTI request through registered post with the directions to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request through registered post or e-mail with a copy to the Commission, by the next date of hearing.

The Public Information Officer of office Executive Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana is also directed to represent this case in person or through his representative on the next date of hearing fixed through facility of Software/application 'CISCO Webex Meetings' to clear the facts of this case.

An opportunity is also given to the appellant to confirm whether he has received the information (which would be supplied by the respondent) or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

The case is adjourned to 13th October, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 2nd August, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Encl : RTI request

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'