



Sh. Jasbir Kaur, S/o Sh. Surjeet Singh,
VPO Bhorachhi Rajputa Patii Jhiri Nangal,
Tehsil Baba Bakala, Distt. Amritsar.

..... Complainant

Versus

Public Information Officer,
O/o Asst, XEN, PSPCL,
Butari (sub Division), Raiya Division,
Distt. Amritsar.

...Respondent

Complaint Case No. 332 of 2019

PRESENT: None for the Complainant
None for the Respondent

ORDER:

The case was last heard on 27.08.2019. The respondent present pleaded that the information has been provided to the complainant. The complainant had received the information and was satisfied.

The Commission observed that there has been an enormous delay of 8 months in providing the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on** an affidavit.

Hearing dated 02.12.2019:

The information stands provided. The respondent is absent nor has sent any reply to the show cause notice. The PIO is given one more opportunity to file a reply on the show cause notice and be present on the next date of hearing otherwise the Commission will assume that the PIO has nothing to say in the matter, and will take appropriate action as per the provision under section 20 of the RTI Act.

To come up for further hearing on **17.02.2010 at 11.00 AM.**

Sd/-

Chandigarh
Dated: 02.12.2019

(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Suresh Aggarwal, S/o ShPrem Chand,
R/o H NO-2585/2-A, Jagar Nagar,
BastiJodhwal,Ludhiana.

... Appellant

Versus

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

First Appellate Authority,
O/o District Revenue Officer,
Ludhiana.

...Respondent

Appeal Case No. 173 of 2019

Present: Sh.Suresh Aggarwal as the Appellant
None for the Respondent

ORDER:

The case was first heard on 26.02.2019 by Sh.S.S.Channay, Chief Information Commissioner. The respondent was absent. The appellant informed that he has received a letter from the office of TehsildarLudhiana(East) vide which a report of patwari was sent to him. The appellant was not satisfied and informed that a survey was conducted and some encroachment was removed but complete information has not been provided to him so far. The Tehsildar Ludhiana (West) was directed to submit a detailed status report.

The case was again heard on 09.04.2019 by Sh.S.S.Channay, Chief Information Commissioner. The respondents present informed that the information has been provided to the appellant. The appellant was not satisfied with the information regarding point-1. The respondent was directed to provide the complete information before the next date of hearing.

The case was last heard by this bench on 06.08.2019. The respondent present pleaded that the concerned Kanoongo had called the appellant to specify the area for which the information is being sought since the area of BudhaNala is spread in whole of the city.

Hearing both the parties, the PIO was directed to provide whatever document is available with them for the area of BudhaNala under the jurisdiction of Tehsildar (East) Ludhiana. Further since the appellant also asked for inspection of the file, the PIO was directed to allow the appellant to inspect the file on 20.08.2019 at 11.00 AM, if such file exists and provide the relevant information.

Appeal Case No. 173 of 2019

Hearing dated 02.12.2019:

The appellant claims that the PIO has not provided the information. The respondent is absent. The Commission observes that there has been an enormous delay in providing the information. The Commission has taken a serious view of this and directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide the information to the appellant within 10 days.

To come up for further information on **17.02.2020 at 11.00 AM.**

Chandigarh
Dated 02.12.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

Note: Sh. Iqbal Singh Kanoongo, Mangat Area and Smt. Rajni Bala, Sr Assistant O/o Tehsildar (East) appeared late and assured to provide the information to the appellant within 10 days. They were informed about the status of the case.



Sh. Suresh Aggarwal, S/o ShPrem Chand,
R/o H NO-2585/2-A, Jagar Nagar,
BastiJodhwal,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Zone-D, Ludhiana.

First Appellate Authority,
O/o Municipal Corporation,
Head Office, Mata Rani Chowk,
Ludhiana.

...Respondent

Appeal Case No. 177 of 2019

Present: Sh.SureshAggarwal as the Appellant
Sh.Harjit Singh, Draftman-ATP-Zone-D, MC Ludhiana for the Respondent

ORDER:

The case was first heard on **10.04.2019**. The respondent present from building branch Zone-A MC Ludhiana pleaded that the record relating to the information regarding points 1,3,5,6 & 7 is not available with them. The respondent present for PIO-cum-ATP Zone-D pleaded that the information regarding points 2,4 & 8 is not available with them and regarding points 3&5, the area comes under the jurisdiction of B & R Branch of Zone-B and Zone-A.

Since as per the respondents, the information was available with B & R Branch of MC Ludhiana, DRO and Irrigation department, the PIO-B&R Branch of MC, Ludhiana, PIO-DRO Ludhiana and PIO-O/o Irrigation department Ludhiana were impleaded in the case and directed to look at the RTI application and provide the information concerning before the next date of hearing.

The case was again heard on **11.06.2019**. The appellant claimed that despite order of the Commission, the information has not been provided by the concerned PIOs. The Commission received a letter on 30.04.2019 from the APIO-B&R Zone-B, MC Ludhiana stating that the information sought relates to their building branch. The respondent present from building branch of MC Ludhiana pleaded that the information concerning them has been provided to the appellant and remaining information has to be provided by the PIOs of A & D Zone.

The Commission observed that the file is moving from one desk to the other and no-one knows under whose custody the information lies. The Commissioner, MC Ludhiana was directed to look at the RTI application on urgent basis and get the information from the PIO under whose custody the information lies. After hearing both the parties, the following was concluded:

- Point-2 Partial information provided, remaining to be provided by the PIO, Zone-A, PIO- Zone-D, PIO-Drawing Branch, MC Ludhiana and PIO-Irrigation Department, Ludhiana

- Point-3 Partial information provided, remaining to be provided by PIO, Zone-A, PIO- Zone-D, PIO-Drawing Branch, MC Ludhiana
- Point-1 To be provided by PIO-Drawing Branch, MC Ludhiana
- Points-4,5&6 Available on website
- Point-7 To be provided by PIO-Zone-A, MC Ludhiana

The PIO-Zone-A, MC Ludhiana, PIO-Zone-D, MC Ludhiana, PIO-Drawing Branch, MC Ludhiana and PIO-Irrigation Department, Ludhiana were directed to look at the RTI application and provide the information concerning them to the appellant.

The case was last heard on **06.08.2019**. The respondents present informed that they have provided the information to the appellant concerning them and remaining information relates to the building branch Zone-D and PIO-Tehbazari.

The respondent from building branch, Zone-D and PIO-Tehbazari were absent. The Commission observed that partial information regarding point-2 has been provided and remaining pertains to the building branch Zone-D and Tehbazari. The PIO-Zone-D, and PIO-Tehbazari, MC Ludhiana were given one last opportunity to look at the RTI application and provide the information regarding point-2 to the appellant, within 15 days and send a compliance report to the Commission otherwise the Commission will be constrained to take action in terms of provisions of the RTI Act. Rest of the points stands settled.

Hearing dated 02.12.2019:

The respondent present pleaded that they have already provided the available information concerning them and remaining information relates to Revenue/Irrigation department. The appellant claims that the PIO is not providing the relevant information and using delaying tactics.

The Commission observes that the department is dilly dallying the information. Having gone through the background of the case, the Commission directs the Commissioner, MC Ludhiana to have a look at the entire RTI application and take adequate steps for the provision of the information. The Commissioner, MC Ludhiana is also directed to send a consolidated reply to the Commission on the matter at the next date of hearing.

To come up for further hearing on **17.02.2020 at 11.00 AM**.

Chandigarh
Dated 02.12.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: The Commissioner, MC Ludhiana

- **PIO-Building Branch, MC-Zone-D Ludhiana**
- **PIO-Superintendent, Tehbazari, MC Ludhiana**



Sh.Gurdeep Singh,
319/J, Rerd. Inspector, Majitha,
H No 72, Street No-14, Kot Harnam Dass,
Sultanwind Road, Amritsar.

... Appellant

Versus

Public Information Officer,
O/o DGP,
Punjab, Chandigarh.

First Appellate Authority,
DGP,
Punjab, Chandigarh.

...Respondent

Appeal Case No. 618 of 2019

PRESENT: None for the Appellant
Ms.Sarabjit Kaur, Jr Assistant O/o DGP Punjab for the Respondent

ORDER:

The case was last heard by Sh.S.S.Channy, Chief Information Commissioner on 27.03.2019. The appellant was absent. The respondent submitted a memo dated 12.03.2019 from AIGP/Pers-1 –cum-PIO stating that the reply has been sent to the appellant vide letter dated 01.11.2018. The appellant was directed to send his observations, if any to the PIO with a copy to the Commission.

The case was last heard by this bench on 27.08.2019. The appellant claimed that the PIO has not provided the information. The respondent in his reply dated 01.11.2018 had denied the information citing decision No.216/IC(A)/2006 dated 31.08.2006 of the Central Information Commission.

Having gone through the record and hearing both the parties, The PIO was directed to provide information to the appellant from 01.01.2014 to 31.12.2016 and send a compliance report to the Commission.

Hearing dated 02.12.2019:

The respondent has brought the information. The appellant is absent. The respondent is directed to send the information to the appellant through registered post.

Having gone through the information, I find that the information is being supplied to the best possible extent. A copy of the information is being attached with the order for the appellant.

No further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated:02.12.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Lalit Mohan, S/o ShSatpalGargi,
13813-A, Street NO-7, Ganesh Basti,
Bathinda.

... Appellant

Versus

Public Information Officer,
O/o SDM,
Ropar.

First Appellate Authority,
O/o State Transport Commissioner,
SCO-177-178, Sector-17-C, Chandigarh

...Respondent

Appeal Case No. 629 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The case was first heard on 24.06.2019. The respondent present pleaded that the information is not available in their record since the record previous to the year 2005-06 stands destroyed. Further they checked the record online and found that the said vehicle is registered in the name of Prem Sharma d/o ChuniLal of Ambala. The respondent further informed that after formation of District Mohali, some of the record was transferred to District Mohali and the information might be with RTA Moali.

During the course of hearing, it come to the notice that the ownership of car No.HR01L-0527 is in some other name whereas the car was transferred in the name of Lalit Mohan on 22.08.2014 at RTA Faridkot. Since there appeared to be some discrepancy in this, the RTA Mohali and RTA Faridkot were also impleaded in the case and directed to produce relevant record of this particular case at the next date of hearing.

The case was last heard on **02.09.2019**. Both the parties were absent. The Commission received an email from the Secretary RTA Faridkot vide which they sought adjournment stating that the concerned dealing person-cum-deemed PIO is bound to appear in the court of Session Judge, Amritsar.

Hearing dated 02.12.2019:

Both the parties are absent. The Commission has received a letter diary No.22635 on 25.11.2019 from the counsel of the appellant stating that they do not want to pursue the case further and want to withdraw the appeal case.

Since the appellant does not want to pursue the case further, the case is **disposed off and closed.**

Chandigarh
Dated 02.12.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : 1. PIO-Regional Transport Authority, Fardikot

2. PIO-Regional Transport Authority, Mohali

Note:Mrs.Mohan Kaur, Superintendent O/o SDM Ropar appeared late and she was informed that the appellant has withdrawn the appeal case and the case has been closed.



Sh Azad Kumar, S/o Sh B.N Sharma,
49-B, Partap Nagar, Patiala.

... Appellant

Versus

Public Information Officer,
O/o Deputy Chief Engineer/ HR & Admin,
The Mall, Opp Kali Devi Mandir,
Shakti Sadan, PSTCL, Patiala.

First Appellate Authority,
O/o Chief Engineer/TS. PSTCL,
Patiala.

... Respondent

Appeal Case No. 1070 of 2019

PRESENT: Sh.Azad Kumar as the Appellant
Sh.H.S.Bindra, SE(Communication), PSTCL-Ludhiana and Sh.Manpreet
Sigh, AE Planning & Communication, PSPCL for the Respondent

ORDER:

The case was first heard on 27.06.2019. The respondent present pleaded that the available information has been provided to the appellant. The appellant was not satisfied and stated that the information is incomplete. Having gone through the RTI application and the information provided by the respondent and hearing both the parties, following was concluded:

- Regarding point-1 & 4, the respondent pleaded that the information is not available since the record is not traceable. However, the Commission will not consider the record missing or destroyed until an enquiry is conducted which establishes that the record is missing or destroyed. The respondent to conduct an enquiry and submit complete enquiry report on an affidavit.
- The information on points 2 & 3 stands provided to the best possible extent.
- Regarding points 5 to 8, the appellant to inspect the record on the date fixed i.e. on 16.07.2019 at 11.00 AM. The PIO to allow the inspection and provided the information.
- Regarding point-9, the PIO to provide the information.

The case was last heard on **27.08.2019**. The respondent present pleaded they have done correspondence with the concerned officer but the record is not traceable. However, the available information has been provided to the appellant. The appellant was not satisfied. The Commission also received a letter diary No.15729 on 19.08.2019 of the PIO whereby the PIO had given point-wise reply which was taken on the file of the Commission. The case was adjourned.

Hearing dated 02.12.2019:

The respondent present pleaded that the available information has been provided to the appellant and no other document is available in their record since the file is not traceable. As per appellant, the information might lie in the file bearing No.CE/TS/ME-137 and in the custody of Superintending Engineer, Personnel, PSTCL Patiala.

The Superintending Engineer, Personnel, PSTCL Patiala is impleaded in the case and directed to make this file available at the next date of hearing in the Commission. If the file is not traceable as suggested in the earlier communication, appropriate reply be given to the Commission as to the reasons for not traceable of this file.

The case is adjourned. To come up for further hearing on **04.03.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 02.12.2019

(Khushwant Singh)
State Information Commissioner

CC to : Superintending Engineer, Personnel,
PSTCL Patiala

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Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
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Sh.Tej Mohan Singh, S/o Sh.Makhan Singh,
R/o H NO-139-140, Raja Garden, BastiBawaKhel,
Jalandhar.

... Appellant

Versus

Public Information Officer,
O/o JDA,
Jalandhar.

First Appellate Authority,
O/o JDA,
Jalandhar

...Respondent

Appeal Case No. 1094 of 2019

PRESENT: Sh.Rajan Gupta advocate for the Appellant
Sh.Sanjeev Sharma, PIO-JDA and Sh.Kamalpreet Singh, SDO-PSPCL
Jalandhar for the Respondent

ORDER: The case was first heard on 27.06.2019. The appellant claimed that the PIO has provided information only on 3 points which is also incomplete.

The respondent was absent. Due to enormous delay in providing the information, the PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.** The PIO was again directed to send complete information to the appellant within 15 days.

The case was last heard on **27.08.2019**. The respondent present pleaded that the information has been provided to the appellant vide letter dated 31.07.2019 and 13.08.2019. The appellant stated that the information is incomplete. Having gone through the RTI application, reply of the PIO and hearing both the parties, the following was concluded:

Points-1 to 4, 6 to 11 and 13 -	Replied/information provided to the best possible extent.
Point-5 -	Relates to APIO-DE, Electrical, PSPCL Jalandhar
Point-12 -	Relates to APIO-Estate Officer, JDA Jalandhar

The APIO-DE, Electrical, PSPCL, Jalandhar and APIO-Estate Officer, JDA Jalandhar were impleaded in the case and directed to provide information to the appellant concerning them and be present on the next date of hearing. A copy of the RTI application was enclosed with the order. Having gone through the record, the Commission found no malafide on the part of the PIO and the show cause was dropped.

Hearing dated 02.12.2019:

The respondent present pleaded that the information has been provided to the appellant. The counsel appeared on behalf of the appellant informed that the appellant has received the information and does not want to pursue the case further.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated 02.12.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: APIO-DE-Electrical, PSPCL Jalandhar



Sh.Rohit Sabharwal,
Kundan Bhawan, 126, Model Gram,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o EO, GLADA,
Ludhiana.

First Appellate Authority,
O/o Addl, Chief Administrator,
GLADA, Ludhiana.

...Respondent

Appeal Case No. 1121 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER: The case was first heard on 24.07.2019. The respondent present pleaded that the information has been sent to the appellant vide letter dated 03.07.2019 and again on 23.07.2019. The respondent again brought the certified copies of the information as sought by the appellant.

Having gone through the record, the Commission observed that the appellant has filed written statement with the First Appellate Authority on 29.01.2019 claiming that the information is incomplete and uncertified. The PIO was directed to consider the written statement of the appellant which was submitted to the First Appellate Authority and provide the information accordingly within 10 days.

The case was last heard on **27.08.2019**. Both the parties were absent. The Commission received an email from the counsel of appellant stating that the PIO has not removed the discrepancies as per order of the Commission. The PIO was directed to comply with the earlier order of the Commission which still stands and be present on the next date of hearing.

Hearing dated 02.12.2019:

Both the parties are absent. The Commission has received a letter diary No.19108 on 03.10.2019 from the PIO that the information has been sent to the appellant vide letter dated 03.07.2019 and again on 23.07.2019.

The Commission has also received an email from the appellant which is taken on the file of the Commission. It appears that the appellant has raised point that the PIO is mixing their appeal case with appeal case No.1667 of 2019 and if the respondent feels that the information provided in that case is similar to the information sought in this present case, then the appellant is ready to accept it as in that case satisfactory information was provided. From the contents of the letter, it seems that the appellant has already got the information.

The letter states; "It seems the said PIO is mixing this present appeal case with Appeal No.1667 of 2019 as the information about which he is talking about was provided in Appeal No.1667 of 2019 and not in this present case. Even in that case, information provided vide letter No.2580 dated, 3.07.2019 & No.2577 dated 03.07.2019 was incomplete. Ultimately the complete information was provided by the said PIO vide their office letter No.4578 dated 30.10.2019 and that also in delay of 240 days of preferring that RTI application.

But still if the respondent feels that the information provided in Appeal No.1667 of 2019 is similar to the information sought in this present, then the appellant is ready to accept it as in that case satisfactory information was provided.”

It is adequately clear that the appellant has got the desired information, even if it is from a previous case. Given the circumstances, this does not appear to be a case where a PIO has malafidely held the information, but a case where the application has not been tended to well on the presumption that this information has already been provided.

Given the above, no further course of action is required, hence the case is **disposed off and closed.**

Chandigarh
Dated:02.12.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Smt. Neena Gupta,
H No-1410, Phase-1, Urban Estate,
Dugri Road, Ludhiana.

... Complainant

Versus

Public Information Officer,
O/o Sub Registrar/Tehsildar (West),
Humbran Road, Ludhiana.

... Respondent

Complaint Case No. 1163 of 2017

PRESENT: None for the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 29.03.2017 has sought information regarding ownership of certain plot and other information concerning the office of Sub Registrar/Tehsildar (West) Ludhiana. The complaint was not provided the information after which she filed complaint in the Commission on 22.10.2017.

The case was earlier heard by Sh.S.S.Channy, Chief Information Commissioner on 03.01.2018, 20.02.2018, 02.07.2018, 12.09.2018, 20.11.2018, 11.12.2018, 14.01.2019, 20.02.2019 and last on 27.03.2019.

In the hearing of 20.02.2019, the respondent submitted a letter of the PIO vide which the complainant was asked to specify the khasra/khata number and get the information by depositing requisite fee under the rules. After hearing both the parties, the PIO was directed to provide a copy of latest jamabandi to the complainant.

On the next date of hearing on 27.03.2019, the complainant was absent. The representative of the respondent brought a copy of the jamabandi for handing over to the complainant. The respondent was directed to send the same to the complainant through registered post and the complainant was directed to send his observation to the PIO. Regarding supply of other revenue record, the complainant was advised to obtain the relevant revenue record from the office of PIO after depositing the prescribed fee.

The case came up for hearing before this bench on 27.08.2019. Both the parties were absent. The case was adjourned.

Hearing dated 02.12.2019:

Both the parties are absent. On a hearing of 27.03.2019, the respondent had brought the information. However, the complainant was absent. The respondent was directed to send the same to the complainant through registered post and the complainant was directed to point out the discrepancies to the PIO.

There have been two occasions that the complaint has neither appeared in person, nor pointed out any discrepancy. It appears that the complainant is satisfied with the information provided.

No further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated: 02.12.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Karamjeet Singh, S/o Sh. Maghar Singh,
1169, Khanna Nagar, Road Bye Pass,
Lehra Gaga, Distt Sangrur.

... Appellant

Versus

Public Information Officer,
O/o Chief Managing Director, PSPCL,
Patiala.

First Appellate Authority,
O/o Chief Engineer/ HRD,
PSPCL, Patiala.

... Respondent

Appeal Case No. 1380 of 2019

PRESENT: Sh. Karamjeet Singh as the Appellant
Mrs. Kiran Bala, Dy Secretary O/o Dy. CE/Tech PSPCL for the Respondent

ORDER:

The case was last heard on 27.08.2019. The respondent present pleaded that the information has been provided to the appellant vide letter dated 13.09.2018 and 01.10.2018. The appellant was not satisfied and stated that the PIO has not provided the complete information.

Having gone through the RTI application, reply of the PIO and hearing both the parties, the Commission found that the First Appellant Authority had ordered the PIO to provide information on point-8 but the reply sent by the PIO was incomplete. The information on all other points' stands provided to the best possible extent. The PIO was directed to provide information on point-8 before the next date of hearing.

Hearing dated 02.12.2019:

The appellant claims that the PIO has not provided the information as per order of the Commission. The respondent present pleaded that the information regarding point-8 is personal information and cannot be provided.

The case is adjourned. To be adjudicated on **17.02.2020 at 11.00 AM.**

Chandigarh
Dated: 02.12.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Harbans Singh, S/o Sh.ChunniLal,
Kothi No-1, Ward No-1, Near SD School,
FatehgarhChurian, Distt.Gurdaspur.

....Appellant.

Versus

Public Information Officer,
Commissioner, Nagar Nigam,
Amritsar.

First Appellate Authority,
Director, Local Govt,
Sector-35, Chandigarh.

...Respondent

Appeal Case No. 1397 of 2018

Present: **None for the Appellant**
 Ms.Harpreet Kaur, Building Inpsector-APIO (earlier deemed PIO-MC
 Amritsar) for the Respondent

ORDER:

The case was first heard on 27.06.2018. Both the parties were absent. The case was adjourned.

The case was again heard on 25.07.2018. The appellant informed that he has not received the information. Sh.D.P.Verma, Sr.Assistant from the office of Director, Local Govt. Punjab, Chandigarh was present. The PIO was absent. The PIO was directed to provide the information within 10 days and explain the reasons for not attending to the RTI application in accordance with the RTI Act.

The case came up for hearing again on 28.08.2018. Ms.HarpreetKaur, Building Inspector-cum-APIO (deemed PIO as per her letter dated 03.10.2017 sent to the appellant) appeared and pleaded that since the appellant had not submitted a valid identity proof, which was mandatory, she had filed the RTI application. Regarding the deemed PIO's claim that the information is third party, the PIO was directed to send a notice to the third party for their submission as well as explain the reasons for the delay in handling the RTI application.

On the next date of hearing which was held on 26.09.2018, the PIO was absent nor had provided the information to the appellant who was present at the hearing. The PIO, Ms.Harpreet Kaur was finally '**Show Caused**' under section 20 of the RTI Act and directed to file an affidavit in this regar. The PIO was also directed to provide part information i.e. the names of the property holders but not the maps as asked in the application within seven days.

The case was again heard on 19.11.2018. The deemed PIO was again absent. The PIO was again provided with an opportunity to reply to the show cause notice and directed to be present personally before the Commission for the next date of hearing. On the same day, the Chief Commissioner, Nagar Nigam Amritsar was also directed to ensure compliance of the order of the Commission and also to ensure the presence of the PIO before the Commission alongwith reply to the show cause.

Appeal Case No. 1397 of 2018

On the next date of hearing on **15.01.2019**, the appellant was absent and vide email informed that the information had not been provided. The APIO-cum-deemed PIO Ms.HarpreetKaur was again absent. She was given one more opportunity to be present before the Commission on the next date of hearing along with a reply to the show cause.

The case came up for hearing again on **11.03.2019**. The appellant vide email informed that the information has not been provided. The PIO was absent on 4th consecutive hearing and nor replied to the show cause.

Keeping all the facts of the case in mine, the APIO-Harpreet Kaur(deemed PIO in this case) was found guilty for repeated and willful defiance of the Punjab State Information Commission's orders, a penalty of **Rs.25, 000/-** was imposed upon Ms.Harpreet Kaur, APIO-cum-deemed PIO, O/o Commissioner, Nagar Nigam, Amritsar and directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury. The PIO was again directed to provide part of the information i.e. the names of the property holders only to the appellant within a week.

The case was further heard on **06.05.2019**. The PIO was again absent nor had sent any compliance report to the Commission. The PIO was granted one last opportunity and directed to be present on the next date of hearing otherwise the Commission will be constrained to issue warrants under section 18(3) of the RTI Act.

The case again came up for hearing on 02.07.2019. The PIO was again absent nor sent any compliance report to the Commission. Sh.D.P.Verma, Sr.Assistant appeared from the O/o Director, Local Govt. Pb informed that Ms.Harpreet Kaur has been transferred from Amritsar and now posted at Moga and that they have already directed the Commissioner, MC Moga and Ms.Harpreet Kaur, Building Inspector (Technical), MC Moga vide letter dated 30.05.2019 for compliance of the Commission's order.

To secure an erring PIO's presence before the commission the Information Commission, available Warrant of Ms.Harpreet Kaur, Building Inspector (Technical), MC Moga (earlier APIO-cum-deemed PIO, O/o Commissioner, Nagar Nigam, Amritsar) was issued through Senior Superintendent of Police, Moga for his presence before the Commission on 28.08.2019. The present PIO-MC Amritsar was also directed to provide the information to the appellant within 15 days of receipt of this order.

The case was last heard on **28.08.2019**. Ms.Harpreet Kaur appeared and informed that she never got the order. However, she assured to comply with the order of Commission before the next date of hearing. One more opportunity was granted to Ms.Harpreet Kaur, Building Inspector (Technical), MC Moga (earlier APIO-cum-deemed PIO, O/o Commissioner, Nagar Nigam, Amritsar) and directed to comply with the earlier order of the Commission and submit proof of having deposited the amount of penalty in the Govt. Treasury.

The appellant was absent. The appellant vide email has informed that the PIO has not provided the information. The present PIO was again absent. The present PIO-MC Amritsar was given one last opportunity to provide the information to the appellant within 10 days and directed to send a compliance report to the Commission; otherwise the Commission will be constrained to take action as per RTI Act.

Hearing dated 02.12.2019:

Ms.Harpreet Kaur,Building Inspector (Technical), MC Moga (earlier APIO-cum-deemed PIO, O/o Commissioner, Nagar Nigam, Amritsar) is present and pleaded that she is unable to deposit the penalty amount because she has not got salary for last 11 months. Sr. Town Planner, MC Moga is directed to look into the matter and send a reply to the Commission on the claim of the respondent that she is unable to deposit the penalty since she has not received salary from 11 months.

The case is adjourned. To come up for compliance on **18.02.2020 at 11.00 AM.**

Sd/-

**Chandigarh
Dated: 02.12.2019.**

**(Khushwant Singh)
State Information Commissioner**

- CC to :**
- 1. The Chief Commissioner,
Nagar Nigam, Amritsar**
 - 2. Ms.Harpreet Kaur, Building Inspector,
Municipal Corporation, Moga.**
 - 3. Sr.Town Planner,
MC, Moga.**

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
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Visit us: - www.infocommpunjab.com



Sh. Tejinder Singh,
R/o Village Bholapur, P.O Ramgarh,
Chandigarh Road, Ludhiana

....Appellant

Versus

Public Information Officer,
O/o SDM,
Fazilka.

First Appellate Authority,
O/oSDM,
Fazilka.

...Respondent

Appellant Case No. 4278 of 2018

Present: None for the Appellant
None for the Respondent

ORDER:

The case was first heard on **18.03.2019**. The respondent present pleaded that the information available with them has been provided to the appellant vide letter dated 06.07.2018 and a copy of the same submitted to the Commission. The respondent also provided the information regarding point-4 to the appellant at the hearing. The PIO in his letter further mentioned that the information regarding point 3 relates to the RTA Ferozepur and the information regarding point -7 relates to the office of STC Punjab, Chandigarh.

The PIO-RTA Ferozepur and the PIO-STC Punjab, Chandigarh were impleaded in the case and directed to provide the information concerning them. However, if the information is in the custody of any other department, the PIO-STC, Punjab Chandigarh was directed to procure the information from that department and send it to the appellant. The PIO-RTA Ferozepur and the PIO-STC were also directed to appear personally or through their representative on the next date of hearing.

The case was again heard on **15.05.2019**. The representative present on behalf the appellant informed that the PIO has not provided the information. The respondent was absent. The PIO-RTA Ferozepur and PIO-STC Punjab, Chandigarh were given one more opportunity and directed to comply with the earlier order of the Commission which still stands and appear personally on the next date of hearing.

The case was further heard on **17.07.2019**. The appellant was absent and vide email sought exemption. The respondent was also absent. The PIO-RTA Ferozepur and PIO-STC Punjab, Chandigarh were given one last opportunity and directed to comply with the earlier order of the Commission and appear personally on the next date of hearing otherwise the Commission will be constrained to take action as per the RTI Act.

Appellant Case No. 4278 of 2018

The case was last heard on **28.08.2019**. The appellant informed that the information regarding points 3,4& 7 is not received. The PIO-RTA Ferozepur and PIO-STC were absent. The PIO-RTA Ferozepur and PIO-STC were given one more opportunity to provide the information concerning them as per earlier order and appear personally on the next date of hearing. A copy of RTI application was enclosed with the order for PIO-RTA Ferozepur.

Hearing dated 02.12.2019:

Both the parties are absent. The earlier order stands. The PIO-RTA Ferozepur and PIO-STC are given one last opportunity to comply with the order of the Commission and be present on the next date of hearing otherwise the Commission will be constrained to issue a show cause notice under section 20 of the RTI Act.

To come up for further hearing on **17.02.2020 at 11.00 AM**.

Sd/-

Chandigarh
Dated: 02.12.2019.

(Khushwant Singh)
State Information Commissioner

CC to : 1. PIO-Regional Transport Authority, Ferozepur

2. PIO-State Transport Commissioner, Pb
Sector 17, Chandigarh.