

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

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Sh.Parwinder Singh S/o Sh.Hakam Singh
Vill. Jagpura, PO Banur,
Tehsil & Distt. Mohali.

.....Appellant

Versus

Public Information Officer

O/o Subordinate Services Selection,
Board, Van Bhawan, Sector-68,Mohali.

First Appellate Authority

O/o Subordinate Services Selection,
Board, Van Bhawan, Sector-68,Mohali.

....Respondents

AC No.306 of 2020

Present:

- (i) Sh. Parwinder Singh, the appellant.
- (ii) Sh. Mohit, Sr. Assistant-cum-APIO on behalf of the PIO.

ORDER

1. The RTI application is dated 21.10.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 20.11.2019 and the second appeal was filed in the Commission on 15.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.03.2020 by the Commission.
3. The appellant states that till date complete and correct information has not been provided to him by the PIO.
4. Sh. Mohit, Sr. Assistant-cum-APIO comes present and states that the matter is sub-judice in the Hon'ble Punjab and Haryana High Court and thus certain information has been withheld from disclosure.
5. The Bench post deliberations directed that the PIO will provide the information to the appellant on all issues raised by him vide his RTI application except on matter which is sub-judice. The PIO will also file an affidavit duly attested by Notary Public that information as available in official records in AC No. 306 of 2020 except on matter which is sub-judice has been provide to the appellant. Nothing has been concealed therein. Information provided is correct and authentic.
5. The matter to come up for further hearing now on **07.04.2020 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh
03.03.2020**

Sd/-
**(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Sh. Sanjeev Kumar, J.E. (Elect.)
Punjabi University,
Patiala-147001.

.....Appellant

Versus

Public Information Officer
O/o Punjabi University,
Patiala.

First Appellate Authority
O/o Dean, Academics,
Punjabi University, Patiala.

....Respondents

AC No.317 of 2020

Present: (i) None is present on behalf of the appellant.
(ii) Sh. Angel Sharma, Advocate on behalf of the PIO.

ORDER

1. The RTI application is dated 16.10.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 18.11.2019 and the second appeal was filed in the Commission on 15.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.03.2020 by the Commission.
3. The appellant is absent for today's hearing without any intimation to the Commission.
4. Sh. Angel Sharma, Advocate comes present on behalf of the PIO having been duly authorized. He states that information as per the RTI application of the appellant has been provided to him. Copy of the same is taken on record.
5. The appellant was then contacted on phone. He confirms the receipt of requisite information in the instant appeal case and gives his acceptance for closure of the case.
6. In view of the above, no further cause of action is left in the instant Appeal Case. The same is hereby, **disposed off and closed**. Copies of the order be sent to the concerned parties.

Sd/-

Chandigarh
03.03.2020

(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab

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Sh.Jaspal Singh S/o Sh.Surjit Singh
H.No.157, Street No.8A,
Manjit Nagar, Bhadson Road,
Patiala-147001.

.....Appellant

Versus

Public Information Officer
O/o The Managing Director,
PEPSU Road Transport Corporation,
H.O. Patiala.

First Appellate Authority
O/o The Managing Director,
PEPSU Road Transport Corporation,
H.O. Patiala.

....Respondents

AC No.499 of 2020

Present: (i) Sh. Jaspal Singh, the appellant.
(ii) Sh. Narinder Singh, PIO o/o PRTC, Patiala, the respondent.

ORDER

1. The RTI application is dated 16.10.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 18.11.2019 and the second appeal was filed in the Commission on 27.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.03.2020 by the Commission.
3. The appellant states that till date, no information has been provided to him by the PIO.
4. Sh. Narinder Singh, PIO comes present in person and requests that some additional time be given to make available the information to the appellant.
5. On the asking of the Bench, the appellant states that he has no objection to giving additional time to the PIO as per his request.
6. The Bench directs the PIO to come present in person on the next hearing. He is also directed to ensure that information sought by the appellant is provided to him, before the next hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.
7. The matter is adjourned. To come up for hearing on **07.04.2020 at 11.30 AM**. Copies of the order be sent to the parties.

Chandigarh
03.03.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh.Rakesh Kumar Gupta, Advocate
#8/237, Jagraon Road,
Mandi Mullanpur, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Executive Officer, Municipal Council,
Malerkotla, Distt. Sangrur

First Appellate Authority
O/o Deputy Director,
Local Bodies, Patiala.

....Respondents

AC No.334 of 2020

Present: (i) None is present on behalf of the appellant.
(ii) Sh. Harmel Singh, J.E on behalf of the PIO.

ORDER

1. The RTI application is dated 05.03.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 23.05.2019 and the second appeal was filed in the Commission on 21.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.03.2020 by the Commission.
3. The appellant is absent. Intimation has been received from the appellant in the Commission by email stating that due to ill health, he is unable to attend today's hearing. He has also mentioned that till date no information has been provided to him by the PIO.
4. Sh. Harmel Singh, J.E comes present on behalf of the PIO and states that he has brought the information (comprising 83 pages) to deliver it personally to the appellant but the appellant is absent. Copy of the same is taken on record and kept in the Commission as it is voluminous.
5. The appellant is advised to collect the information from the Commission office on any working day. The appellant is also advised to scrutinize the information after getting the same from the Commission office and revert back to the PIO as also the Commission, in case he is not satisfied with the information provided, before the next date of hearing.

Contd...p-2

6. After deliberations and perusal of the record as available on the file, it is ascertained that the PIO has unnecessarily delayed the information and harassed the appellant. The RTI application is dated 05.03.2019 and information has still not reached the appellant. The Bench directed the PIO to appear in person on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

7. The appellant is requested to follow up the case before the Commission by appearing in person. The matter is adjourned. To come up for hearing on **07.04.2020 at 11.30 AM**. Copies of the order be sent to the parties.

**Chandigarh
03.03.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Sh.Rakesh Kumar Gupta, Advocate
#8/237, Jagraon Road,
Mandi Mullanpur, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Executive Officer, Municipal Council,
Malerkotla, Distt. Sangrur

First Appellate Authority
O/o Deputy Director,
Local Bodies, Patiala.

....Respondents

AC No.335 of 2020

Present: (i) None is present on behalf of the appellant.
(ii) Sh. Harmel Singh, J.E on behalf of the PIO.

ORDER

1. The RTI application is dated 04.03.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 22.05.2019 and the second appeal was filed in the Commission on 21.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.03.2020 by the Commission.
3. The appellant is absent. Intimation has been received from the appellant in the Commission by email stating that due to ill health, he is unable to attend today's hearing. He also mentioned that till date complete information has not been provided to him by the PIO.
4. Sh. Harmel Singh, J.E comes present on behalf of the PIO and states that he has brought the information (comprising 92 pages) to deliver it personally to the appellant but the appellant is absent. Copy of the same is taken on record and kept in the Commission as it is voluminous.
5. The appellant is advised to collect the information from the Commission office on any working day. The appellant is also advised to scrutinize the information after getting the same from the Commission office and revert back to the PIO as also the Commission, in case he is not satisfied with the information provided, before the next date of hearing.

Contd...p-2

6. After deliberations and perusal of the record as available on the file, it is ascertained that the PIO has unnecessarily delayed the information and harassed the appellant. The RTI application is dated 05.03.2019 and information has still not reached the appellant. The Bench directed the PIO to appear in person on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

7. The appellant is requested to follow up the case before the Commission by appearing in person. The matter is adjourned. To come up for hearing on **07.04.2020 at 11.30 AM**. Copies of the order be sent to the parties.

**Chandigarh
03.03.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Sh.Gagandeep Singh Threeke
SCO No.26, Shant Park,
Main Sua Road, Threeke,
Ludhiana-142028.

.....Appellant

Versus

Public Information Officer
O/o The Commissioner,
Municipal Corporation, Ludhiana.

First Appellate Authority
O/o The Commissioner,
Municipal Corporation, Ludhiana.

....Respondents

AC No.489 of 2020

Present: (i) Sh. Gagandeep Singh Threeke, the appellant.
(ii) Sh. Ravinder Singh Walia, Drafts Man and Sh. Navrang Singh, Leading Fireman on behalf of the PIO.

ORDER

1. The RTI application is dated 18.10.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 20.11.2019 and the second appeal was filed in the Commission on 27.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.03.2020 by the Commission.
3. The appellant comes present and states that the correct and complete information has yet not been provided to him by the PIO.
4. Sh. Ravinder Singh Walia, Drafts Man comes present on behalf of the PIO having been duly authorized by him states that the information as per official records has been provided to the appellant.
5. On the asking of the Bench, the appellant expresses his dissatisfaction over the information supplied to him.
6. After deliberations and perusal of the record as available on the file, the Bench directs the PIO to provide the correct information to the appellant on all the issues raised vide the RTI application or to file an affidavit duly attested by the Notary Public stating that all information available in official records in

Contd...p-2

respect of AC No. 489 of 2020 has been provided to the appellant. The information provided is authentic and correct. Nothing has been concealed therein.

7. The Bench also viewed absence of the PIO adversely and directed him to come in person for next hearing. The matter is adjourned. To come up for further hearing on **07.04.2020 at 11.30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
03.03.2020**

Sd/-
**(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

Regd. Post.

CC: Public Information Officer-cum-Assistant Town Planner, Zone-D, O/o Commissioner, Municipal Corporation, Ludhiana. (By Name)

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

....Appellant

Versus

Public Information Officer
O/o Improvement Trust
Ludhiana

First Appellate Authority
Regional Dy. Director
Urban Local Bodies,
Ludhiana.

....Respondent

AC No.4191 of 2019

Present: (i) Smt. Sukhjinder Kaur, Advocate for the Appellant
(ii) Sh. Kapoor Din, Jr. Assistant on behalf of PIO.

ORDER

1. This order may be read with reference to the previous order dated 03.02.2020.
2. Smt. Sukhjinder Kaur, Advocate appears on behalf of the Appellant and produces authority letter, which is taken on record.
3. Sh. Kapoor Din, Jr. Assistant comes present on behalf of the PIO and files an affidavit as per the directions of the Commission. Original copy of the affidavit is handed over to the representative of the appellant. On asking of the Bench, she expresses her satisfaction as the affidavit filed by PIO meets the requirement.
4. In view of the above, no further cause of action is left in the instant Appeal Case. The same is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Sd/-

Chandigarh
03.03.2020

(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Rohit Sabharwal
R/o Kundan Bhawan
126, Model Gram,
Ludhiana.

.....Appellant

Versus

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

First Appellate Authority,
O/o Municipal Corporation,
Ludhiana.

...Respondents

AC No.4188/2019

Present: (i) Ms. Sukhjinder Kaur, Advocate on behalf of the appellant.
(ii) Sh.Parminder Kumar Kalra, Supdt.-cum-PIO, the respondent.

ORDER

1. This order may be read with reference to the order dated 17.02.2020 passed by the Bench on the previous hearing.
2. Sh.Parminder Kumar Kalra, Supdt.-cum-PIO comes present in person and states that as per the directions of the Commission, complete information has been provided to the appellant.
3. Ms. Sukhjinder Kaur, Advocate authorized representative of the appellant confirms that she has received the information and is satisfied with the information provided.
4. After perusal of the record as available on the file, it is ascertained that the orders of the Commission have been complied with by the PIO and appellant has received the information to satisfaction.
5. In view of the above, no further intervention of the Commission is called for. **The appeal is disposed off and closed.** Copies of the order be sent to the parties.

Chandigarh
03.03.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Rohit Sabharwal
R/o Kundan Bhawan
126, Model Gram,
Ludhiana.

.....Appellant

Versus

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

First Appellate Authority,
O/o Municipal Corporation,
Ludhiana.

...Respondents

AC No.4189/2019

Present: (i) Ms. Sukhjinder Kaur, Advocate on behalf of Appellant.
(ii) Sh. Ajay Kumar, APIO on behalf of the PIO.

ORDER

1. This order may be read with reference to the order dated 17.02.2020 passed by the Bench on the previous hearing.
2. Ms. Sukhjinder Kaur, Advocate authorized representative of the appellant has come present. She states that inspite of the directions of the Commission, no information has been provided to the appellant, so far.
3. Sh. Ajay Kumar, APIO comes present on behalf of the PIO and files written reply mentioning therein that enquiry file in question against Sh. Rahul Kumar Pal, Building Inspector, Zone-A has been sent by Building Branch, Zone-A vide diary no. 107/ATP/A/Govt. dated 14.05.2019, 1286/ATP/A/R dated 27.06.2019 and 2165/ATP/A/R dated 04.02.2020 to the Municipal Town Planner o/o Municipal Corporation, Ludhiana for further action. Copy of the same is handed over to the representative of the appellant.
4. The Bench rejects the response filed by the PIO. The Bench observes that the PIO had been clearly directed by the Bench to make available the enquiry report to the appellant as it existed in the present stage. However the PIO is filing a reply which is at total variance to the directions of the Bench. The Bench takes serious note of this lapse and issues show cause notice to the PIO O/o Commissioner, Municipal Corporation, Zone-A, Ludhiana to explain as to why action should not be taken against him for not abiding by the directions of the Bench of 17.02.2020 and for the delay in responding to the RTI

Contd...p-2

application as also why penalty should not be imposed in the instant case. He is directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

5. The matter is adjourned. The case will now be heard on **11.05.2020 at 11.30 AM** . Copies of the orders be sent to the parties.

**Chandigarh
03.03.2020**

Sd/-
**(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

Regd. Post

CC: Public Information Officer O/o Municipal Corporation, Zone-A, Ludhiana. (By Name)

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Sh.Rakesh Kumar Gupta, Advocate
#8/237, Jagraon Road,
Mandi Mullanpur,
District Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Executive Officer,
Municipal Council, Mullanpur Dakha,
District Ludhiana.

First Appellate Authority,
O/o Deputy Director,
Local Bodies, Ludhiana

...Respondents

Appeal Case No.661/2020

Present: None of the parties.

ORDER

1. This order may be read with reference to the previous order dated 12.02.2020.
2. The appellant is absent. Intimation has been received from the appellant in the Commission by email stating that due to ill health, he is unable to attend today's hearing. He has also pointed out short comings in the information provided.
3. Intimation has also been received from the PIO through email, in which he has expressed his inability to attend today's hearing due to audit in their office by the team of Comptroller and Auditor General of India. He has requested for another date.
4. The PIO is advised to appear in person for next hearing and provide the balance information to the appellant as per short comings pointed out by him, within fifteen days. Copy of the short comings pointed out by the appellant are enclosed with the orders.
5. The appellant is also requested to follow up the case before the Commission by appearing in person, failing which decision may be taken in his absentia based on documents available on file.
6. The matter is adjourned. The case will now be heard on **07.04.2020 at 11.30 AM** . Copies of the orders be sent to the parties.

Chandigarh
03.03.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh.Rakesh Kumar Gupta, Advocate
#8/237, Jagraon Road,
Mandi Mullanpur, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer, Municipal Council,
Mandi, Ahmedgarh, Distt. Sangrur

First Appellate Authority

O/o Deputy Director,
Local Bodies, Patiala.

....Respondents

AC No.332 of 2020

Present: (i) None is present on behalf of the appellant.
(ii) Sh. Balwinder Singh, PIO, the respondent.

ORDER

1. The RTI application is dated 06.03.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 23.05.2019 and the second appeal was filed in the Commission on 21.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.03.2020 by the Commission.
3. The appellant is absent. Intimation has been received from the appellant in the Commission by email stating that due to ill health, he is unable to attend today's hearing. He has also pointed out short comings in information provided.
4. Sh. Balwinder Singh, PIO comes present in person and files reply to the Notice of the Commission mentioning therein that information as per official record has already been sent to the appellant vide letter dated 24.02.2020 by registered post. Copy of the same is taken on record.
5. The appellant is advised to scrutinize the information sent and revert back to the PIO as also the Commission, in case of any short comings, before the next date of hearing. The appellant is also advised to appear in person for next hearing
6. The matter is adjourned. To come up for hearing on **07.04.2020 at 11.30 AM**. Copies of the order be sent to the parties.

Sd/-

Chandigarh
03.03.2020

(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh.Rakesh Kumar Gupta, Advocate
#8/237, Jagraon Road,
Mandi Mullanpur, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer, Municipal Council,
Mandi, Ahmedgarh, Distt. Sangrur

First Appellate Authority

O/o Deputy Director,
Local Bodies, Patiala.

....Respondents

AC No.333 of 2020

Present: (i) None is present on behalf of the appellant.
(ii) Sh. Balwinder Singh, PIO, the respondent.

ORDER

1. The RTI application is dated 04.03.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 22.05.2019 and the second appeal was filed in the Commission on 21.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.03.2020 by the Commission.
3. The appellant is absent. Intimation has been received from the appellant in the Commission by email stating that due to ill health, he is unable to attend today's hearing. He has also mentioned that till date, no information has been provided to him by the PIO.
4. Sh. Balwinder Singh, PIO comes present in person and files reply to the Notice of the Commission mentioning therein that information as per official record has already been sent to the appellant vide letter dated 24.02.2020 by registered post. Copy of the same is taken on record.
5. The appellant is advised to scrutinize the information sent and revert back to the PIO as also the Commission, in case of any short comings, before the next date of hearing. The appellant is also advised to appear in person for next hearing
6. The matter is adjourned. To come up for hearing on **07.04.2020 at 11.30 AM**. Copies of the order be sent to the parties.

Chandigarh
03.03.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Love Kumar Dua S/o Sh.Megh Raj Dua
H.No.125, Model Town, Samrala Road,
Khanna, Distt. Ludhiana.

.....Appellant

Versus

Public Information Officer
Executive Officer,
Municipal Council, Khanna
District Ludhiana.

First Appellate Authority
O/o Deputy Director,
Local Bodies, Ludhiana.

....Respondents

AC No.488 of 2020

Present: (i) Sh. Love Kumar Dua, the appellant.
(ii) Sh. Kulwinder Singh, M.E on behalf of the PIO.

ORDER

1. The RTI application is dated 05.08.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 03.10.2019 and the second appeal was filed in the Commission on 27.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.03.2020 by the Commission.
3. The appellant states that till date, correct information has not been provided to him.
4. Sh. Kulwinder Singh, M.E comes present on behalf of the PIO files reply to the Notice of the Commission mentioning therein that information as sought by the appellant is not available in their official records.
5. After deliberations and perusal of the records as available on the file, the Bench directs the PIO to file an affidavit duly attested by Notary Public that no information is available in official records in respect of AC No.488 of 2020. The statement made is correct. Nothing has been concealed therein.
6. The matter is adjourned. To come up for hearing on **25.03.2020 at 11.30 AM**. Copies of the order be sent to the parties.

Chandigarh
03.03.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh.Surinder Kumar S/o Sh.Bhagwan Dass
Partap Nagar, Welfare Society
Ward No.8, Fatehgarh Churian
District Gurdaspur.

.....Appellant

Versus

Public Information Officer
O/o Deputy Commissioner,
Gurdaspur.

First Appellate Authority-cum-
Deputy Commissioner,
Gurdaspur

....Respondents

AC No.2307 of 2019

Present: (i) None is present on behalf of the appellant.
(ii) Sh. Charhat Singh, J.E O/o Deputy Commissioner, Gurdaspur and Sh. Jagbir Singh, J.E O/o Punjab water Supply and Sewerage Division, Gurdaspur on behalf of the PIO.

ORDER

1. The RTI application is dated 01.02.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 07.04.2019 and the second appeal was filed in the Commission on 28.06.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. This case was earlier heard by Hon'ble SIC Sh. Sanjiv Garg. On the request of the appellant to the Hon'ble CIC, this case is now re-allocated to the undersigned vide order dated 07.02.2020.
3. Notice of hearing was issued to the parties for 03.03.2020 by the Commission.
4. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission by email stating that till date, no information has been provided to him by the PIO.
5. Sh. Charhat Singh, J.E O/o Deputy Commissioner, Gurdaspur comes present on behalf of the PIO files reply to the Notice of the Commission mentioning therein that information which has been asked for by the appellant is related to the Executive Engineer, Punjab water Supply and Sewerage Division, Gurdaspur. He states that they have transferred the RTI application to the concerned department vide letter dated 27.02.2019 under Section 6(3) of the RTI Act, 2005.

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6. Sh. Jagbir Singh, J.E is appearing on behalf of the PIO O/o Punjab water Supply and Sewerage Division, Gurdaspur states that requisite information regarding 81 notices issued to various residents has been provided to the appellant. He further adds that he has brought the original record for the perusal of the appellant as well as the Commission.

7. To ascertain the satisfaction level of the appellant regarding the information provided, a telephonic contact was established with him. He states that wrong and irrelevant information has been provided to him by the PIO.

8. After deliberations and perusal of the record as available on the file, it is ascertained that the PIO has not dealt with the RTI application properly. The appellant has sought information on action taken on his complaint dated 10.12.2018 to the Deputy Commissioner, Gurdaspur regarding forged computer generated documents prepared by SDO O/o Punjab water Supply and Sewerage Division, Gurdaspur. Without going into the contents of the RTI application, the PIO O/o Deputy Commissioner, Gurdaspur has wrongly transferred the RTI application to the **PIO O/o Punjab water Supply and Sewerage Division, Gurdaspur.**

9. The RTI application of the appellant is of 01.02.2019 vintage and the PIO is yet not aware of its details. This points to the casual manner in which RTI applications are handled by the department. The PIO, O/o Deputy Commissioner, Gurdaspur is issued show cause notice to explain as to why action should not be taken against him for not handling with the RTI application as per the RTI Act, 2005 and why penalty of Rs.25,000/- @ Rs.250/- per day, not be imposed on him as the case is more than one year old. He is directed to also file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in not getting the information.

10. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

11. The matter is adjourned. To come up for hearing on **31.03.2020 at 11.30 AM**. Copies of the order be sent to the parties.

Chandigarh
03.03.2020
Regd. Post.

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

CC: (i) Public Information Officer O/o Deputy Commissioner, Gurdaspur (By Name)
(ii) PIO O/o Punjab water Supply and Sewerage Division, Gurdaspur (By Name)

