

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

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S Jasbir Singh,  
Village-Bholapur, Jhabewal,  
Post Officer-Ramgarh,  
Distt Ludhiana

.....Appellant

**Vs**

**1.Public Information Officer,**  
O/o State Transport Commissioner, PB,  
Sector-17, Chandigarh

**First Appellate Authority,**

O/o State Transport Commissioner, PB,  
Sector-17, Chandigarh

**Registered post:**

**2. Public Information Officer**

o/o Secretary, RTA  
Jalandhar

.....Respondent

**AC .No. 4200 of 2018**

Present : (i) S. Jasbir Singht the appellant  
(ii) None is present on behalf of the respondent

**ORDER**

This order may be read with reference to the previous order dated 01.04.2019 vide which the respondent no. 1 was exempted from further hearings.

2. Today the respondent no. 2 is not present .
3. Last opportunity is given to respondent no. 2 to appear before the Commission, failing which action under Section 20 (1) of the RTI Act will be initiated.
4. To come up on **15.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh**  
**Dated: 03.06.2019**

**(Preety Chawla)**  
**State Information Commissioner**

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Sh. Gulshan Rai Sanger,  
Mohalla Vaid Hem Raj  
Nawanshahr

Registered post

Complainant.

Versus

**Public Information Officer,**  
o/o DPI(Colleges),  
Punjab School Education Board Complex,  
7<sup>th</sup> floor, Phase 8, Mohali

...Respondent

**Complaint Case No. 325 of 2018**

Present : None for the parties.

**ORDER**

Vide my order dated 16.10.2018, an amount of Rs. 5000/- as penalty was imposed on Sh. Harinder Singh Bhalla, Deputy Director –cum-PIO.

But till today neither he has bothered to pay the penalty amount nor he has attended the hearing.

2. The perusal of the file shows that a show cause notice was issued to Sh. J.S. Rana, Sr. Assistant , but he has not bothered to file the reply of the show cause notice issued.

3. It is observed that despite repeated directions, Sh. Harinder Singh Bhalla, Deputy Director-cum-PIO is not appearing before the Commission. Hence, bailable warrant be issued to him through SSP, Mohali so that he should appear before the Commission to present his case personally. Sh.J.S. Rana may take note that this is the last opportunity given to him to file the reply of show cause notice, failing which action under Section 20 (1) of the RTI Act will be initiated.

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**Complaint Case No. 325 of 2018**

4. To come up on **09.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

**Chandigarh**  
**Dated: 03.06.2019**

Sd/-  
**(Preety Chawla)**  
**State Information Commissioner**

CC: DPI (Colleges), o/o DPI(Colleges), Punjab Education Board Complex, 7<sup>th</sup> Floor, Phase 8, Mohali

Sh. H.S.Bhalla, Deputy Director, o/o DPI(Colleges), Punjab Education Board Complex, 7<sup>th</sup> Floor, Phase 8, Mohali

Sh.Jai Singh Rana, Sr. Assistant, o/o DPI(Colleges), Punjab Education Board Complex, 7<sup>th</sup> Floor, Phase 8, Mohali

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**BAILABLE WARRANT OF PRODUCTION  
BEFORE MADAM PREETY CHAWLA,  
STATE INFORMATION COMMISSIONER, PUNJAB**

In case of Sh.Gulshan Rai Sanger, Mohalla Vaid Hem Raj, Nawnsahr v/s Public Information Officer, O/o DPI, Colleges, Mohali.

Complaint/Appeal No. : CC:325 of 2018

UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005.

NEXT DATE OF HEARING : 09.07.2019

To

**The Senior Superintendent of Police  
Mohali**

Whereas the Public Information Officer, O/o DPI colleges, Mohali has failed to appear before the State Information Commissioner despite the issuance of repeated notices/directions in the above mentioned complaint case. Therefore, you are hereby directed to serve this bailable warrant on Sh. Harinder Singh Bhalla, Deputy Director-cum-PIO to appear before Madam Preety Chawla, State Information Commissioner Punjab at Red Cross Building, Near Rose Garden, Sector 16, Chandigarh on 09.07.2019 at 11.00 AM and submit his written submissions in regard to the order dated 16.10.2018 (copy enclosed).

Sd/-  
(Madam Preety Chawla)  
State Information Commissioner  
Chandigarh

Dated : 03.06.2019

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Sh Sampooran Singh Sarao,  
S/o Sh Harcharan Singh Sarao  
Flat No.5A, Alliance Orchid,  
VIP Road, Zirakpur, Mohali

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Deputy Registrar,  
Cooperative Societies, Pb, Mohali

**First Appellate Authority –cum**  
O/o Deputy Registrar,  
Cooperative Societies, Pb, Mohali

.....Respondent

**AC.No. 3832 of 2018**

Present : (i) Sh. Sampooran singh the appellant  
(ii) For the respondent : Sh. Prem Chand, Supdt

**ORDER**

This order may be read with reference to the previous order dated vide which the appellant was directed to visit the office of the respondent on 30.05.2019.

2. Today the respondent has filed a reply that the information, as exists in the record has already been provided to the appellant and there is nothing left to be furnished to him.

3. Copy of the same is handed over to the appellant. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is therefore disposed of and closed. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh**  
**Dated: 03.06.2019**

**(Preety Chawla)**  
**State Information Commissioner**

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Sh Jagmeet Singh,  
S/o Sh Sukhminder Singh,  
R/o Village Ratta Tibba,  
Tehsil- Malout,  
Distt Sri Muktsar Sahib

.....Appellant

**Vs**

**Public Information Officer,**  
O/o BDPO, Malout,  
Distt Sri Mukatsar Sahib  
**First Appellate Authority –cum**  
O/o DDPO, Sri Mukatsar Sahib

.....Respondent

**AC.No. 3822 of 2018**

Present : (i) Sh.Jagmeet Singh the appellant  
(ii) For the respondent: Sh.Narinder Kumar, Sh. Rajpal Singh, VDO

**ORDER**

This order may be read with reference to the previous order dated 02.04.2019.

2. Respondent states that he has brought the information pertaining to point no. 5, which is handed over to the appellant. The appellant has gone through the same and states that he is satisfied with the information provided.

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

**Sd/-**

**Chandigarh**  
**Dated: 03.06.2019**

**(Preety Chawla)**  
**State Information Commissioner**

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**Registered post**

Sh. Rulia Singh, S/o Shri Lahina Singh  
VPO Mamdot Uthad, Tehsil and Distt. Ferozepur

.....Complainant

**Vs**

**Public Information Officer,**  
O/o Naib Tehsildar, Mamdot,  
Distt. Ferozepur

.....Respondent

**CC.No. 307 of 2019**

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

**ORDER**

This order may be read with reference to the previous order dated 03.06.2019 vide which a show cause notice was issued to Sh. Vikram, Naib Tehsildar.

2. The complainant states that no information has been given to him so far.
3. Respondent is absent today.
4. The perusal of the file shows that the complainant has filed RTI on 21.07.2017, but till today no information has been given to him so far. Even the respondents have not bothered to attend the hearings in the Commission, which shows that the respondent-PIO has no regard for the orders issued by the Commission.
5. In view of the above, it is observed that this is the complaint case and there is a decision of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP© No. 32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act 2005, the commissioners have no jurisdiction to pass an order providing for an access to the information. Since

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**Complaint Case No. 307 of 2019**

the complainant has approached the Commission under the provisions of Section 18 of the RTI Act 2005, no directions for providing further information can be given by the Commission. The commission has to see the attitude of the respondent-PIO while dealing with the RTI application to an extent whether he is unable to supply the sought information under compelling circumstances or he is intentionally not supplying the information. In this case, it is derived that the respondent-PIO is intentionally delaying the supply of information and he has no respect for the orders of the Commission to be present, either himself or through his representative in the court.

4. In view of the defying attitude of the respondent-PIO neither attending the court nor submitting any explanation for the delay in supplying the information within the time schedule as prescribed under the RTI Act 2005, the court comes to a logical conclusion that it is a fit case for the imposition of penalty amounting to Rs. 25000/- (Rupees Twenty five thousand only) on the PIO. Therefore, taking a lenient view, I impose a penalty of **Rs. 5000/- (Rs. Five thousand only) on Sh.Vikram, Naib Tehsildar**. The Drawing and Disbursing Officer of the office of Tehsildar, Ferozpur is directed to deduct the amount of penalty of Rs. 5000/- from the salary of Sh.Vikram, Naib Tehsildar and deposited in the State Treasury in the following Head of Account and to report its compliance to the Commission:-

"0070-Other Administrative Services

60 other Services

800-Other Receipts

86-Fee under the RTI Act, 2005"

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**Complaint Case No. 307 of 2019**

5. To come up on **04.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh  
Dated: 03.06.2019

Sd/-  
(Preety Chawla)  
State Information Commissioner

*Note : Sh. Harpreet , Computer Operator appeared before the Commission after the hearing was over. He was read out the above order. The case stands adjourned on 04.07.2019 (at 11.00 AM) for further proceedings*

Chandigarh  
Dated: 03.06.2019

Sd/-  
(Preety Chawla)  
State Information Commissioner

**Through registered post**

- CC: 1. Sh.Vikram, Naib Tehsildar , o/o Naib Tehsildar,Mamdot, Distt. Ferozepur  
2. Tehsildar ,Ferozepur

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Sh. Sat Pal Sahotra,  
# 309, (Behind SBI), Village Sarangpur  
Chandigarh

Appellant.

Versus

**Public Information Officer,**  
o/o Assistant Registrar  
cooperative Societies, Mohali  
**First Appellate Authority**  
o/o Assistant Registrar  
cooperative Societies, Mohali

...Respondent

**Appeal Case No. 1977 of 2018**

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

**ORDER**

This order may be read with reference to the previous order 01.04.2019.

2. The respondent is not present today.
3. Since, the respondent is not present, one last opportunity is given to him to appear before the Commission and state his case.
4. To come up on **13.08.2019 at 11.00 AM**. Copy of the order be sent to the parties.

**Chandigarh**  
**Dated: 03.06.2019**

**Sd/-**  
**(Preety Chawla)**  
**State Information Commissioner**

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Sh. Rahul Gupta, S/o Shri Dharampal,  
R/o House No. 170, Street No. 6  
Mohalla Hargbindpura, Jagraon  
Distt.Ludhiana

.....Appellant

**Vs**

**Public Information Officer,**

o/o DFSSO, Jagraon  
Distt.Ludhiana

**First Appellate Authority**

o/o District Controller, Food Supplies and Consumer Affairs  
Ludhiana

.....Respondent

**AC No. 344 of 2019**  
**alongwith**  
**AC No. 343 of 2019**

Present : (i) Sh. Rahul Gupta the appellant  
(ii) for the respondent : Sh. Beant Singh, AFSSO and Sh. Rinku Kumar,  
Inspector

**ORDER**

This order may be read with reference to the previous order dated 10.04.2019.

2. The appellant states that he has received the information in AC: 344 of 2019 and is satisfied. Regarding: AC: 343 of 2019, he states that he has received the information, but the same is not attested.

3. The respondent has attested the same today in the Commission.

4. In the aforementioned circumstances, no cause of action is left, the abovesaid appeals filed by the appellant is disposed of and closed. Copy of the orders be sent to the parties.

**Sd/-**

**Chandigarh**  
**Dated: 03.06.2019**

**(Preety Chawla)**  
**State Information Commissioner**

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Sh Rachpal Singh,  
House No.83/1-B, Street No.8/2,  
Baba Mukand Singh Nagar,  
Daba Road, GT Road,  
Ludhiana

.....Appellant

**Vs**

**Public Information Officer-cum-EO,**  
O/o Non-technical, Zone C,  
MC,Ludhiana  
**First Appellate Authority,**  
O/o MC, Ludhiana

.....Respondent

**AC .No. 4094 of 2018**

Present : None for the parties.

**ORDER**

Today neither the appellant nor the respondent is present. One last opportunity is given to both the parties to appear before the Commission and state their case.

2. To come up on **18.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh**  
**Dated: 03.06.2019**

**(Preety Chawla)**  
**State Information Commissioner**

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Smt. Amarjit Kaur,  
W/o Late Shri Shingara Singh  
R/o Mohalla Dhobian, Khanna  
Distt. Ludhiana

.....Complainant

**Vs**

**Public Information Officer,**  
o/o MC, Khanna, Distt. Ludhiana

.....Respondent

**CC No. 1227 of 2018**

Present: (i) Sh Jaswinder Singh, on behalf of the Complainant.  
(ii) For the respondent : Sh Kulwinder Singh, M.E and Sh Ram Sarup, J.A

**ORDER**

This order may be read with reference to the previous order dated 09.04.2019.

2. The Respondent files his affidavit as under:-

ਇਹ ਕਿ ਦਰਖਾਸਤ ਨੰ.728 ਮਿਤੀ 10-01-2018 ਦੇ ਪੈਰਾ ਨੰ.5 ਦੇ ਸਬੰਧ ਵਿੱਚ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਮਕਾਨ ਨੰ.302 ਅਤੇ 303 ਵਾਰਡ ਨੰ.11 ਸਾਹਮਣੇ ਸਿਆਲ ਪੈਸ ਮੁਹੱਲਾ ਖੋਬੀਆਂ ਵਾਲਾ ਮੁਹੱਲਾ ਲਗਭਗ 65-70 ਸਾਲ ਪੁਰਾਣਾ ਵਸਿਆ ਹੋਇਆ ਹੈ ਇਹ ਏਰੀਆ ਲਾਲ ਲਕੀਰ ਵਿੱਚ ਪੈਂਦਾ ਹੈ। ਮਕਾਨ ਨੰ.302 ਅਤੇ 303 ਦੇ ਵਿਚਕਾਰ ਜੋ ਗਲੀ ਹੈ ਉਹ ਕੇਵਲ ਇਹਨਾਂ ਦੋਨਾਂ ਮਕਾਨਾਂ ਦੀ ਵਰਤੋਂ ਵਿੱਚ ਹੀ ਆਉਂਦੀ ਹੈ ਜੋ ਕਿ ਗੈਰਸਰਕਾਰੀ ਹੈ। ਇਸ ਦਾ ਨਗਰ ਕੌਂਸਲ ਖੰਨਾ ਨਾਲ ਕੋਈ ਸਬੰਧ ਨਹੀਂ ਹੈ ਜਿਸ ਕਾਰਣ ਨਗਰ ਕੌਂਸਲ ਖੰਨਾ ਪਾਸ ਇਸ ਗਲੀ ਦਾ ਕੋਈ ਰਿਕਾਰਡ ਉਪਲੱਬਧ ਨਹੀਂ ਹੋਇਆ।

Original copy of the affidavit is handed over to the Representative for the Complainant.

3. The perusal of the file shows that, on the previous date of hearing, the Respondent was directed to provide complete information on point no.5 and if the information is not available then to file an affidavit for the same. The Respondent files his affidavit today. I have gone through the same and agree with it. Therefore, no further cause of action is left. Hence, the Complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

**Chandigarh**  
**Dated: 03.06.2019**

**(Preety Chawla)**  
**State Information Commissioner**

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Smt Murti Devi,  
H.No-33159, Street No.1,  
Partap Nagar, Bathinda

.... Appellant

Versus

**Public Information Officer,**  
O/o EO, Nagar Council,  
Dhanaula, Distt Barnala

..Respondent

**CC No. 857 of 2018**

Present: None for the parties

**ORDER**

This order may be read with reference to the previous order dated 02.04.2019.

2. Today neither the Complainant nor the Respondent is present. Hence, one opportunity is given to both the parties to appear before the commission and state their case.

3. To come up on **10.07.2019. at 11:00AM.** Copy of the orders be sent to the parties.

**Chandigarh**  
**Dated: 03.06.2019**

**Sd/-**  
**(Preety Chawla)**  
**State Information Commissioner**

*Note: Sh Chanchal Kumar, Junior Assistant appeared after the hearing. He was read out the above order. He files a reply from the PIO O/o Respondent stating that he shall not be able to attend the hearing today. Copy of the same is taken on record.*

**Chandigarh**  
**Dated: 03.06.2019**

**Sd/-**  
**(Preety Chawla)**  
**State Information Commissioner**