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Sh. Devan Munjal,
Ward No-13, Near Usha Nursing Home,
Gidderbaha.

... Complainant

Versus

Public Information Officer,
O/o Tehsildar, Gidderbaha,
Distt Sri Mukatsar Sahib.

First Appellate Authority,
O/o SDM, Gidderbaha,
Sri Mukatsar Sahib.

...Respondent

Complaint Case No. 1099 of 2018

Present: Sh.Devan Munjal as the Complainant
Sh.Gurmail Singh, Tehsildar Gidderbaba for the Respondent

ORDER:

This order should be read in continuation to the earlier order.

On the date of hearing on **21.05.2019**, the appellant claimed that despite order of the Commission, the PIO neither provided the information, nor cooperated to inspect the record. The respondent was absent. The PIO was issued a **show cause notice under section 20 of the RTI Act and** directed to file reply on an affidavit. The PIO was also directed to bring the record regarding information relating to points 6 & 7 to the Commission on the next date of hearing.

On the date of hearing on **17.07.2019**. The appellant was absent. The respondent present from the office of Warehousing Corporation pleaded that the matter does not relate to them and he has been ordered to attend the hearing only. The PIO was absent nor had sent any reply to the **show cause notice**. The PIO was granted one last opportunity to comply with the earlier order of the Commission and appear personally before the Commission on the next date of hearing alongwith written reply to the show cause on an affidavit.

On **29.10.2019**, the respondent present pleaded that the information has already been sent to the complainant. The PIO however, did not submit reply to the show cause notice issued on 21.05.2019. The complainant was absent.

On the next date of hearing on **23.12.2019**, the respondent present pleaded that the information has been provided to the appellant. The appellant stated that the PIO has not provided copy of mortgage deed regarding point-6. The PIO was directed to provide the copy of mortgage deed and if not available to give in writing on an affidavit. Rest of the information had been provided. The PIO however, did not submit reply to the show cause notice issued on 21.05.2019. The PIO was directed to submit reply to the show cause notice on an affidavit.

On the last date of hearing on **17.03.2020**, the respondent present pleaded that the information regarding point-6 (mortgage deed) is not available in the record. The PIO was directed to give this in writing on an affidavit. The Commission has received reply to the show cause notice from the PIO through email which was taken on the file of the Commission.

The complainant was absent and vide email had sought adjournment.

Complaint Case No. 1099 of 2018

Hearing dated 03.08.2020:

The case has come up for hearing today through video conferencing at DAC Sri Mukatsar Sahib. The respondent present pleaded that in compliance with the order of the Commission, an affidavit regarding information relating to point-6 has been given to the complainant.

The complainant however, pleaded that even though the information has been provided by the PIO, it is with a delay of more than two and half years. Henceforth, the PIO may be penalized and he(appellant) may be compensated for undue harassment in getting the information.

The information stands provided. However, the Commission agrees with the appellant that he had to suffer undue inconvenience to get the information, making it a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO is directed to pay an amount of **Rs.5000/-** via demand draft drawn through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

The decision on the show cause notice issued to the PIO will be taken on the next date of hearing.

The case is adjourned. To come up for further hearing on **08.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Sri Mukatsar Sahib.

Chandigarh
Dated: 03.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Ms. Kadambini,
4124, Abohar Road,
Sri Mukatsar Sahib.

... Appellant

Versus

Public Information Officer,
O/o DC,
Sri Mukatsar Sahib.

First Appellate Authority,
DC,
Sri Mukatsar Sahib.

...Respondent

Appeal Case No. 1919 of 2019

PRESENT: Ms.Kadambini as the Appellant
Mrs.Adarshpal Kaur, Suptd. and Sh.Chand Singh, Sadar Kanoongo for the
Respondent

ORDER:

The case was first heard on 17.10.2019. The respondent present pleaded that since the information was voluminous, the appellant was called for inspection and after inspection, the appellant was asked to deposit a sum of Rs.390/- for 195 pages which the appellant did not deposit. However, the available information was provided to the appellant by the SDM office Malout. The appellant stated that the PIO had provided the information regarding point-2 only.

Hearing both the parties, the Commission observed that there had been delay in attending to the RTI application and directed the PIO to provide the information on points 1,3,4,5,& 6 free of cost. The information regarding point-2 had been provided. The information be provided within 3 weeks.

On the next date of hearing on **23.12.2019**, the respondent present pleaded that the information has been provided to the appellant vide letter dated 15.11.2019 and a copy of the same submitted to the Commission. The appellant was not satisfied with the information on points 3 & 4.

Hearing both the parties, the appellant was directed to inspect the record for the remaining information on 30.12.2019 at 11.00 AM in the office of DC Sri Mukatsar Sahib and get the relevant information. The PIO was directed to allow inspection to the appellant and provide the remaining information whatever available on record. If the information is not available, to transfer the RTI application to the concerned PIO.

The case was last heard on **17.03.2020**. The appellant informed that she has inspected the record, however, the information has not been provided. The appellant further stated that she has received the information only on point-4 but the information on points 3, 6 & 7 has also not been provided. The respondent present informed that this information relates to DC office.

Hearing both the parties, the Commission observed that there is delay in providing the information regarding points 3, 6 & 7 and these points have not been adequately replied. The PIO-SDM Malout was issued a **show cause notice under Section 20 of the RTI Act and directed to file reply on an affidavit**. The PIO was again directed to provide the complete information within 10 days of the receipt of this order.

Appeal Case No. 1919 of 2019

The application was also marked to the First Appellate Authority, Deputy Commissioner, Sri Mukatsar Sahib for taking a cognizance on this application and to ensure compliance of order of the Commission.

Hearing dated 03.08.2020:

The case has come up for hearing through video conferencing at DAC Sri Mukatsar Sahib. The respondent present pleaded that the available information has been provided to the appellant. The appellant has received the information. The appellant however, claims that the information has been provided with a delay of more than one and half year and requested for penalizing the PIO and awarding compensation to the appellant.

Information stands provided. Regarding delay in providing the information, the PIO-SDM Malout was issued a show cause notice on 17.03.2020 and directed to file reply on an affidavit. The PIO has not filed any reply. The PIO-SDM Malout is given one last opportunity to submit reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say on the matter and the Commission will take action against the PIO as per provisions of the RTI Act.

To come up for further hearing on **08.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Sri Mukatsar Sahib.

Chandigarh
Dated 03.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-SDM Malout

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. Sandeep Kumar, S/o Sh Om Parkash,
R/o Street No-2, Near Shani Dev Mandir,
Patel Nagar, Malout,
Distt Sri mukatsar Sahib.

... Appellant

Versus

Public Information Officer,
O/o DC,
Sri Mukatsar Sahib.

First Appellate Authority,
O/o DC,
Sri Mukatsar Sahib.

...Respondent

Appeal Case No. 2391 of 2019

PRESENT: None for the Appellant
Sh.Bhupinder Singh, O/o Distt.Welfare Officer – Sri Mukatsar Sahib for the Respondent

ORDER:

The case first last heard on 11.12.2019. The respondent present from the office of DIC Sri Mukatsar Sahib pleaded that the RTI application was received by them from the office of DC on 11.02.2019 and the information regarding point-1 had been provided to the appellant vide letter dated 05.04.2019. The information relating to points 2,3 & 4 does not relate to them. The PIO-DIC was exempted.

The PIO-DC, Sri Mukatsar Sahib was directed to transfer the RTI application to the concerned PIO and ensure that the information is provided as per the RTI application.

The case was last heard on **03.03.2020**. Both the parties were absent. The case was adjourned.

Hearing dated 03.08.2020:

The case has come up for hearing through video conferencing at DAC Sri Mukatsar Sahib. The respondent present from the office of District Welfare Office, Sri Mukatsar Sahib pleaded that the information does not relate to their office.

Having gone through the record, the Commission observes that the RTI application is moving from one desk to another and the information is not being provided to the appellant.

I am sending the RTI application back to the Deputy Commissioner, Sri Mukatsar Sahib with the direction to send it to the department under whose custody the information lies and the concerned department is directed to provide the information to the appellant as per the RTI Act.

The case is adjourned. To come up for further hearing on **08.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Sri Mukatsar Sahib.

Chandigarh
Dated 03.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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

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



Sh. Davinder Singh, S/o Sh jagir Singh,
Village Panjawa, Tehil Malout,
Distt Sri mukatsar Sahib..

...Complainant

Vs

Public Information Officer,
O/o ADC, (Development),
Sri Mukatsar Sahib

...Respondent

Complaint Case .No. 994 of 2019

PRESENT: Sh.Davinder Singh as the Complainant
Sh.Gurbinder Singh O/o ADC(D) for the Respondent

ORDER:

The case was last heard on 11.03.2020. The complainant claimed that the PIO has not provided the information. The Commission received a letter diaryNo.2996 on 13.02.2020 from the First Appellate Authority-cum-Additional Deputy Commissioner(Development), Sri Mukatsar Sahib vide which the ADC(D) had asked the Principal, RIVT, Badal to provide the information to the Complainant and to attend the hearing in the Commission.

The complainant however, produced a letter of the Deputy Director(Admn), O/o Director Technical Education & Employment, Punjab vide which it had been requested to the Deputy Commissioner, Sri Mukatsar Sahib to direct the ADC(D), Sri Mukatsar Sahib to send the record relating to Rural Institute for Vocational Training Badal. A copy of the letter was sent alongwith the order for ADC(D) and the ADC(D) was directed to look at the RTI application and provide the required information to the Complainant.

Hearing dated 03.08.2020:

The case has come up for hearing through video conferencing at DAC Sri Mukatsar Sahib. The Commission has received an email from the Principal RIVT Badal stating that the information is not available in their office and the information has to be provided by the ADC(D). The respondent present from the office of ADC(D) pleaded that the information is not available in their office since the record stands destroyed.

The Commission however, does not consider the record destroyed or missing until an enquiry is conducted and the enquiry report is submitted which establishes that the record stands destroyed/missing. The PIO is directed to conduct an enquiry into the matter and submit complete enquiry report which establishes that the record stands destroyed or missing and the responsibility has been fixed for the persons under whose custody the record found missing.

The PIO is directed to appear personally on the next date of hearing.

To come up for further hearing on **08.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, **Sri Mukatsar Sahib.**

Chandigarh
Dated 03.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Suresh Aggarwal, S/o ShPrem Chand,
R/o H NO-2585/2-A, Jagat 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: None for the Appellant
Ms.Alka Clerk Ludhiana 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.

On the next date of hearing on 09.04.2019, 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.

On the date of hearing before 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 Budha Nala 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 Budha Nala 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.

The case was again heard on **02.12.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was issued a **show cause notice under Section 20 of the RTI Act and directed to file reply on an affidavit**. The PIO was again directed to provide the information to the appellant within 10 days.

Appeal Case No. 173 of 2019

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.

On the last date of hearing on **17.02.2020**, **both the** parties were absent. The case was adjourned.

Hearing dated 03.08.2020

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that the available information has been provided to the appellant and no other information is available in the record. The appellant is absent.

The PIO is directed to give in writing on an affidavit that the information that has been provided is true, complete and no other information relating to point-1 is available in the record.

At the last hearing, the PIO was issued a show cause notice and directed to file reply on an affidavit. The PIO has filed no reply. The PIO is given one last opportunity and directed to file reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will take action against the PIO as per the RTI Act.

To come up for further hearing on **23.09.2020 at 02.00 PM.**

Chandigarh
Dated 03.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Suresh Aggarwal, S/o ShPrem Chand,
R/o H NO-2585/2-A, Jagat 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: None for the Appellant
Sh.Ajay Kumar, Building Inspector, Zone-A and Sh.Harjit Singh, ATP Zone-D 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.

On **11.06.2019**, the appellant claimed that the information has not been provided by the PIO. 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 pleaded that the information concerning them has been provided 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

Appeal Case No. 177 of 2019

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 again 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 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. Rest of the points stands settled.

On the next date of hearing on **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 claimed that the PIO is not providing the relevant information and using delaying tactics.

The Commission observed that since the department is dilly dallying the information, the Commission directed 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 was also directed to send a consolidated reply to the Commission on the matter at the next date of hearing.

On the last date of hearing on **17.02.2020**, both the parties are absent. The case was adjourned.

Hearing dated 03.08.2020

The respondents present from Zone A & D of MC Ludhiana pleaded that the information available with them regarding point-2 & 3 has already been supplied and the remaining information regarding encroachment outside & inside the Budha Nala is in the custody of Irrigation Department.

The PIO-Department of Irrigation, Ludhiana is impleaded in the case and directed to look at the RTI application, a copy of which is being attached and provide the information to the appellant.

To come up for further hearing on **23.09.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 03.08.2020

(Khushwant Singh)
State Information Commissioner

CC to: 1. The Commissioner, MC Ludhiana

- **2. PIO-Xen Drainage,
Department of Irrigation, Pb,
Urban Estate, Phase-I,
Dugri, Ludhiana**



Sh. Jasbir Singh,
Village Bholapur, Jhabewal,
P.O Ramgarh, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
-Cum- Food Safety Officer,
O/o Civil Surgeon, Pathankot.

First Appellate Authority,
O/o Civil Surgeon, Pathankot.

...Respondent

Appeal Case No. 778 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER: This order should be read in continuation to the earlier order.

The case has come up for hearing today through video conferencing facility at DAC Ludhiana. Both the parties are absent.

On the last date of hearing on **02.03.2020**, none was present on behalf of the respondents. At the hearing on 04.09.2019, the PIO-Commissioner, Food & Drug Administration was directed to reply on the implementation of section 4 and its sub-sections at all district level food safety departments. However, the PIO was absent nor had complied with the order of the Commission. The **PIO-Commissioner, Food & Drug Administration, Kharar was issued a show cause under Section 20 of the RTI Act 2005 and** directed to file reply on an affidavit.

A copy of the order was sent to the **Secretary, Department of Health & Family Welfare, Punjab with the** direction to ensure the compliance of this order.

The PIO-Commissioner, Food & Drug Administration, Kharar and PIO-Secretary, Department of Health & Family Welfare, Punjab were directed to appear at Chandigarh. Both the respondents are absent.

Earlier order stands. The case is adjourned. The PIO-Commissioner, Food & Drug Administration, Kharar is given one more opportunity to reply to the show cause notice and appear personally at the next date of hearing.

To come up for further hearing on **23.09.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO-Commissioner, Food & Drug Administration, Kharar and Secretary, Department of Health & Family Welfare to appear at Chandigarh.

Chandigarh
Dated 03.08.2020

(Khushwant Singh)
State Information Commissioner

- CC to : 1. PIO- Commissioner, Food & Drug Administration,**
Kharar.
- 2. Secretary, Department of Health & Family Welfare,**
Punjab, Chandigarh.



Sh. Jasbir Singh,
Village Bholapur, Jhabewal,
P.O Ramgarh, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Civil Surgeon, Tarn Taran.

First Appellate Authority,
O/o Civil Surgeon, Tarn Taran.

...Respondent

Appeal Case No. 779 of 2019

PRESENT: None for the Appellant
 None for the Respondent

ORDER:

The case was first heard on 19.06.2019. The appellant claimed that the PIO has not provided the information even after a period of seven months. The respondent was absent. The PIO was issued a show cause notice under section 20 of the RTI Act and directed to file reply on an affidavit . The PIO was again directed to provide complete information to the appellant within 15 days.

The case was again heard on **04.09.2019**. Both the parties were absent. The PIO was given one more opportunity to comply with the earlier order of the Commission and be present on the next date of hearing otherwise the Commission will be constrained to take action as per provisions of the RTI Act.

On the date of next hearing on **03.12.2019**, both the parties were absent. The case was adjourned.

The case was last heard on **02.03.2020**. The appellant had received the information and was satisfied.

The respondent submitted his reply which was however, not from the PIO. The PIO was given one last opportunity to file reply to the show cause notice on an affidavit and appear before the Commission on the next date of hearing.

Hearing dated 03.08.2020:

The case has come up for hearing through video conferencing facility at DAC Ludhiana. Both the parties are absent.

Earlier order stands. The case is adjourned.

To come up for further hearing on **23.09.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 03.08.2020

(Khushwant Singh)
State Information Commissioner

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Sh.Ujagar Singh, S/o Sh Lt Sh.Bant Singh,
R/o Street No-1, Mann Colony,
Daba, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o ADGP, (Crime),
Police Headquarters, Chandigarh.

First Appellate Authority,
O/o DGP, (Crime),
Police Headquarter, Chandigarh.

...Respondent

Appeal Case No. 157 of 2019

PRESENT: None for the Appellant
None for the Respondent

Order:

This order should be read in continuation to the earlier order.

The case was last heard on 04.03.2020. The appellant claimed that he visited the office of PIO On 02.03.2020 but the PIO was not available in the office and no information has been provided.

Hearing both the parties, the commission observed that the appellant wants the enquiry report of the enquiry conducted by DSP on his complaint dated 18.09.2018. The PIO was directed to provide enquiry report on the action taken by the DSP Crime on the application of the appellant dated 18.09.2018. The information was be provided within 15 days.

The case has come up for hearing today through video conferencing facility at DAC Ludhiana. Both the parties are absent. Earlier order stands. The case is adjourned.

To come up for further hearing on **23.09.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated:03.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : PIO-DSP, Mehal Kalan(Barnala)

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
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Sh.Manjit Singh, S/o Lt Sh. Amar Singh,
R/o 4780, Shiva Ji Nagar,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Police Station-Anti Theft(PSPCL),
Sarabha Nagar, Ludhiana.

...Respondent

Complaint Case No. 473 of 2019

PRESENT: None for the Complainant
None for the Respondent

ORDER:

The case was first heard on 10.09.2019. Both the parties were absent. The case was adjourned.

The case was again heard on **04.12.2019**. The respondent present pleaded that they have sent the information to the complainant vide letter dated 21.11.2019. The complainant was absent nor had pointed out any deficiency.

The Commission observed that there has been an enormous delay of more than one year in attending to the RTI application. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed** to file reply on an affidavit.

The case was last heard on **02.03.2020**. The respondent did not bring reply to the show cause notice. The PIO was absent. The PIO was given one last opportunity to file reply to the show cause notice on an affidavit.

Hearing dated 03.08.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. Both the parties are absent. Earlier order stands. The case is adjourned.

To come up for further hearing on **23.09.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 03.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Rajesh Gupta,
21/5, Asha Puri,
Barewal, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Punjab Energy Development Agency,
Sector 33-D, Chandigarh.

First Appellate Authority,
O/o Punjab Energy Development Agency,
Sector 33-D, Chandigarh.

...Respondent

Appeal Case No. 4157 of 2019

PRESENT: None for the Appellant
Sh.M.P.Singh, Director, PEDDA for the Respondent

ORDER:

The appellant through RTI application dated 22.07.2019 has sought information regarding subsidy released by PUDA from 01.04.2018 to 31.03.2019 against Roof Top Power Plant Grid and other information concerning the office of Punjab Energy Development Agency Chandigarh. The appellant was denied the information by the PIO vide letter dated 16.08.2019 after which the appellant filed first appeal before the First appellate Authority on 02.09.2019 which disposed off the appeal upholding the PIO's view.

The case was last heard on 26.02.2020. The appellant claimed that the PIO has not provided the information. The respondent was absent. The Commission received a letter on 13.02.2020 from the APIO stating that there is no list available on record for subsidy released against grid connected solar rooftop power plants.

The Commission found it hard to believe that there is no list of beneficiaries of subsidy for Roof Top Power Plant Grid and observed that the PIO has simply ignored the application in a cursory way. The PIO was directed to provide the information. The PIO was also directed to be present on the next date of hearing.

Hearing dated 03.08.2020:

The case has come up for hearing today through video conferencing facility at DAC Ludhiana. The respondent is present at Chandigarh office. The respondent has submitted the information to the Commission which is taken on record. After sifting through the information, I am of the view that since the information contains the names and addresses of many beneficiaries, the bench would like to understand from the appellant the larger public interest that lies in handling this information.

The appellant is directed to appear before the Commission on the next date of hearing and convince the Commission that the revealing of the information has a larger public interest.

To come up for further hearing on **23.09.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated 03.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Bharat Bhushan,
H No-153, Akash Nagar,
Near Greenland School,
P.O Netaji Nagar, Sale, Tabri,
Ludhiana

... Appellant

Versus

Public Information Officer,
O/o Secretary, 6th Pay Commission,
Punjab, Chandigarh.

First Appellate Authority,
O/o Chairman, 6th Pay Commission,
Punjab, Chandigarh.

...Respondent

Appeal Case No. 3983 of 2018

PRESENT: Sh.Bharat Bhushan as the Appellant
None for the Respondent

ORDER: Facts of the case-

That the appellant Sh.Bharat Bhushan vide RTI application dated 27.08.2018 sought copy of noting dated 08.06.2017 – fixation of pay scale of JBT/ETT – present status of action taken, total expenditure of 6th pay commission incurred by the Govt and other information from the office of Secretary, 6th Pay Commission, Punjab, Chandigarh.

That the information was not supplied by the PIO, the appellant filed first appeal before the First Appellate Authority on 01.10.2018 and second appeal in the Commission on 20.11.2019 under section 19 of the RTI Act 2005.

That the case came for hearing before the Bench of Sh.S.S.Channy, CIC on 07.01.2019. Sh.Rajinder Singh, Section Officer appeared and informed that the information has been sent to the appellant vide letter dated 20.12.2018. The appellant was absent. The appellant was directed to go through the information and send his observations.

That on the next date of hearing which was held on 05.02.2019, the respondent was absent. The appellant vide letter dated 22.01.2019 sent deficiencies in the provided information and a copy of same was sent to the PIO with the direction to remove the same.

That the case was again heard on 13.03.2019. The PIO was again absent. The appellant vide letter dated 02.03.2019 sought exemption. Copies of both the letters dated 22.01.2019 and 02.03.2019 were sent to the PIO to supply complete information and directed to submit status report.

That on the date of hearing on 08.04.2019, the PIO was again absent. The appellant vide letter dated 29.03.2019 informed that the PIO has not replied/removed the discrepancies. The PIO was again directed to sort out the discrepancies before the next date of hearing.

That the case was further heard on by this bench on 23.10.2020. The appellant sought exemption due to ill health. The respondent was continuously absent. The PIO-Secretary, 6th Pay Commission, Punjab, Chandigarh was issued a show **cause notice under section 20 of the RTI Act and directed to** file reply on an affidavit. The PIO was again directed to sort out the discrepancies in the information.

Appeal Case No. 3983 of 2018

That on the date of hearing on **13.01.2020**, the appellant vide letter received in the Commission on 07.01.2020 sought exemption and informed that the PIO has not provided the complete information. The respondent was absent. The PIO was given one last opportunity to provide the complete information to the appellant and be present on the next date of hearing alongwith written reply to the show cause notice on an affidavit.

That on the date of last hearing on **03.03.2020**, the PIO was absent nor had sent any reply to the show cause notice. The appellant vide email sought exemption due to illness. The case was adjourned.

That the case has come up for hearing today through video conferencing facility at DAC Ludhiana. The appellant informed that the PIO has not provided the information. The respondent is continuously absent.

Keeping the above-mentioned facts of the case, it is clear that the PIO-Secretary, 6th Pay Commission, Punjab is flouting the spirit of the RTI Act continuously. The PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders of the Commission.

To secure an erring PIO's presence before the commission the Information Commission is empowered to issue warrants to Under Section 18(3) of the RTI Act. A bailable Warrant of the PIO-Secretary, 6th Pay Commission, Punjab, Chandigarh is hereby issued through Senior Superintendent of Police, Chandigarh for his presence before the Commission on **23.09.2020**.

To come up for further hearing on **23.09.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to **appear at Chandigarh**.

Chandigarh
Dated 03.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :Dy Secretary, 6th Pay Commission,Pb.
Room No.526, 3rd Floor,
Mini Secretariat, Pb, Chandigarh

**BAILABLE WARRANT OF PRODUCTION
BEFORE
SHRI KHUSHWANT SINGH
STATE INFORMATION COMMISSIONER, PUNJAB
AT CHANDIGARH**

In case: Bharat Bhushan V/s Public Information Officer-Secretary, 6th Pay
Commission, Punjab, Chandigarh

APPEAL CASE NO. 3983/2019

UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005

Next Date of Hearing :23.09.2020

To

**The Senior Superintendent of Police,
Chandigarh**

Whereas the PIO-,Secretary, 6th Pay Commission, Punjab Chandigarh has failed to appear before the State Information Commissioner, Punjab despite the issuance of notice/summon in the above mentioned appeal case. Therefore, you are hereby directed to serve this bailable warrant to the PIO-Secretary, 6th Pay Commission, Punjab, Chandigarh to appear before the undersigned at Red Cross Building, Near Rose Garden, Sector 16, Chandigarh on **23.09.2020 at 02.00 PM.**

**Chandigarh
Dated: 03.08.2020**

**(Khushwant Singh)
State Information Commissioner**

PUNJAB STATE INFORMATION COMMISSION
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Sh.Naresh Goel, S/o Sh Hans Raj,
501/62/1, Shastri Nagar, Street No-3,
Jagraon, Distt Ludhiana.

... Compliant

Versus

Public Information Officer,
Tehsildar, Village Gill,
Ludhiana(South)

...Respondent

Complaint Case No. 986 of 2018

Present: None for the Complainant
None for the Respondent

Order: This order should be considered in continuation to the earlier order.

Due to non compliance of the order of the Commission, the PIO- Tehsildar Village Gill (Ludhiana) was issued a show cause notice on 13.03.2019 under section 20 of the RTI Act and directed to file reply on an affidavit.

On the next date of hearing which was held on 14.05.2019 and again on 03.07.2019, the PIO however in spite of the orders of the Commission to be personally present did not turned up nor had sent any reply to the show cause notice. Invoking section 20 of the RTI Act, a penalty of **Rs.15,000/-** was imposed upon the PIO, Tehsildar, under whose jurisdiction the Village Gill (Ludhiana) falls, which was be deposited in the Govt. Treasury. The PIO was again directed to provide the information within 10 days and send a compliance report to the Commission.

A copy of the order was sent to the Deputy Commissioner, Ludhiana to ascertain the PIO – Tehsildar, under whose jurisdiction Village Gill(Ludhiana) falls. To get the order served to the concerned PIO and to ensure compliance of this order, as well as ensure that the concerned PIO appears personally at the next date of hearing.

On the next date of hearing which was held on **13.08.2019**, **Sh.Harvinder** Singh, reader to Tehsildar(South) Ludhiana appeared and pleaded that neither the RTI application nor any order of the Commission was received by them and they only received the order dated 03.07.2019 through the office of DC Ludhiana. The respondent also submitted a letter dated 09.08.2019 signed by the PIO-cum-Tehsildar, Ludhiana(South) whereby the Tehsildar Ludhiana(South) informed that he has just joined on 05.07.2019 and as per their record, no RTI application pertaining to this appeal case was pending nor any order of the Commission was received. A copy of the RTI application was provided to the respondent with a direction to look at the RTI application and provide the information to the appellant.

The respondent was also directed to inform the name of the PIO when the RTI application was filed and his period of stay. The concerned PIO was directed to be present personally at the next date of hearing.

Complaint Case No. 986 of 2018

The case was again heard on **29.11.2019**. **Sh.Gurdev Singh, Tehsildar (South) Ludhiana** appeared and informed that the available information has been provided to the appellant. The appellant had received the information and was satisfied.

Regarding deposit of penalty amount in the Govt treasury, the respondent pleaded that he had taken the charge as PIO-Tehsildar(South) recently in Oct. 2019 and delay had happened on the part of earlier Tehsildar Sh.Kanwar Narinder Singh who was the PIO-cum-Tehsildar (South) when the RTI application was filed. The respondent also submitted a list of PIOs posted from the date of filing of RTI application till date. As per the list submitted, Sh.Kanwar Narinder Singh was the PIO from June,217 to 14.03.2019. The respondent informed that Sh.Kanwal Narinder Singh is now posted as Sub-Registrar Ludhiana(West).

Sh.Kanwal Narinder Singh, Tehsildar Ludhiana(West) was directed to appear before the Commission on the next date of hearing and plead his case. The present PIO was also directed to appear on the next date of hearing.

On the next date of hearing on **04.03.2020**, both the parties were absent. Sh.Kanwal Narinder Singh, SR Ludhiana vide email sought exemption and requested for hearing of the case on 11.03.2020.

On the date of hearing on **11.03.2020**, Sh.Kanwar Narinder Singh, SR Ludhiana and Sh.Karan Gupta, Tehsildar Ludhiana were present. Sh.Kanwar Narinder Singh, SR Ludhiana pleaded that he never received the RTI application nor any order of the Commission.

Sh.Kanwar Narinder Singh, SR Ludhiana was directed to file his reply on an affidavit.

Hearing dated 03.08.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. At the last hearing, Sh.Kanwar Narinder Singh, SR Ludhiana was directed to file his reply on an affidavit. The respondent is absent. Earlier order stands.

The case is adjourned. To come up for further hearing on **23.09.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 03.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : 1. Sh.Kanwal Narinder Singh,
Tehsildar Ludhiana(West).

2. PIO-Deputy Commissioner, Ludhiana