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Sh.Sushil Kumar, S/o Sh. Nand Lal, Plot No-13, Bus Stand Road, Malerkotla.

... Appellant

Versus

Public Information Officer, O/o Chief Vigilance Officer, Local Deptt, Pb, Chandigarh.

First Appellate Authority, O/o Chief Vigilance Officer, Local Deptt, Pb, Chandigarh.

...Respondent

Appeal Case No. 874 of 2020

PRESENT: None for the Appellant

None for the Respondent

ORDER:

The appellant through RTI application dated 01.12.2019 has sought information regarding name of the officer who were assigned the job to prepare enquiry report in case No.6/106/1704 – documents filed before the Hon'ble court as evidence – name of the officer who filed FIR - copy of FIR and other information concerning the office of Chief Vigilance Officer,Local Govt Department, Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.01.2020 which took no decision on the appeal.

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

Having gone through the record, the Commission observes that there has been an enormous delay in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO to provide the information to the appellant as per the RTI Act and send a compliance report to the Commission, otherwise the Commission will be constrained to take action against the PIO as per the RTI Act.

To come up for further hearing on **28.10.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Sangrur. The PIO to appear at Chandigarh.

Sd/-

Chandigarh Dated 03.09.2020

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Sh.Prem Kumar Rattan, H No-78/8, Park Road. New Mandi, Dhuri, Distt Sangrur.

... Appellant

Versus

Public Information Officer, O/o ADGP, (NRI Wing), Phase-7, Mohali.

First Appellate Authority, O/o ADGP, (NRI Wing), Phase-7, Mohali.

...Respondent

Appeal Case No. 4048 of 2020

PRESENT: **Sh.Prem Kumar Rattan as the Appellant**

Sh.Sukhdeep Singh, HC for the Respondent

ORDER:

The appellant through RTI application dated 22.07.2019 has sought information regarding FIR UID No.1293408 dated 15.03.2018 filed by Sh.Pushpinder Sharma against Sakshi Mehra - counter complaints dated 10.07.2018, 20.07.2018, 18.08.2018, 16.05.2018 of Sakshi Mehra - order of the authority under which complaints were registered - copy of complaints - statement of both parties - statement of witnesses and other information concerning the office of ADGP(NRI Wing), Mohali. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 15.09.2019 which took no decision on the appeal.

The case came up first before Sh.Asit Jolly, State Information Commissioner on 27.02.2020. The appellant was absent. The respondent PIO represented by Inspector Veerpal Kaur and ASI Joginder Pal submitted that the information requested by the appellant has already been furnished to the appellant vide letter dated 05.12.2019. The respondent also informed that this RTI application pertains to the same matter regarding which the appellant had filed four other appeals which were pending before State Information Commissioner Sh.Khushwant Singh.

The Bench referred this case back to the Hon'ble CIC with a request that it be heard by State Information Commissioner, Sh.Khushwant Singh alaongwith the case No.1493/2019, AC-1498/2019, 3492/2019 & 3493/2019 wherein the information requested related to the same matter. Accordingly, the case was allotted to this bench.

The case has come up for hearing today through video conferencing at DAC Sangrur. The appellant claims that the PIO has not provided the information. The respondent has submitted his reply which is taken on the file of the Commission.

Appeal Case No. 4048 of 2020

In the reply, it has been mentioned that the UID No.1293408 dated 15.03.2018 from Pushpinder Sharma against Sakshi Mehra and counter UID 1424980 dated 10.07.2018, UID 1386288 dated 20.07.2018, UID 1408868 dated 18.08.2018, UID 1333175 dated 16,.05.2018 from Sakshi Mehra were all clubbed and after completing the report by Asstt. Director General Police (NRI Wng) Ludhiana, it was sent to Addl.Director General Police (NRI wing) Mohali. Thereafter, FIR No.12 dated 12.03.2019 was registered by Police Station (NRI) Ludhiana city and after completing the enquiry, the case has been presented in the Hon'ble Court for approval of cancellation report.

The appellant wants the order vide which all the UIDs were clubbed. The PIO is directed to give to the appellant the said document if it exists. If no such documents exists, to give in writing on an affidavit.

To come up for compliance on **28.10.2020** at **11.00 AM** through video conference facility available in the office of Deputy Commissioner, Sangrur. The PIO to appear at Chandigarh.

Chandigarh Dated 03.09.2020

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Sh. Gurpreet Singh, S/o Sh Major Singh, Village Nidhan Wala, Tehsil & Distt Moga.

....Complainant

Vs

Public Information Officer, O/o Chief Engineer, West, PSPCL, Bathinda.

.....Respondent

Complaint Case .No. 62 of 2020

PRESENT: Sh.Gurdeep Singh as the Appellant

Sh.Harnek Singh, Asstt.Account Officer PSPCL Kotkapura for the

Respondent

ORDER:

The complainant through RTI application dated 27.06.2019 has sought information regarding transfer of Sh.Sewak Singh from Kotkapura Division to Sri Mukatsar Sahib – noting file of cancellation order – copy of application for cancellation of transfer – reference of concerned authority for cancellation of transfer – office order for regularizing absence into ordinary leave and other information concerning the office of Chief Engineer West, PSPCL Bhatinda. The complainant was not provided the information after which the complainant filed complaint in the Commission on 13.01.2020.

The case has come up for hearing today through video conferencing at DAC Bhatinda. The respondent present pleaded that the information has been provided to the complainant. The complainant informed that the information is incomplete.

Having gone through the record, the Commission observes that the complainant has come to the Commission without going to the First Appellate Authority. The case is remanded back to the First Appellate Authority with the direction to consider this as an appeal case and dispose off the same within a period of 30 days.

The Commission further observes that there has been an enormous delay in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

To come up for further hearing on **03.11.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Bhatinda. The appellant to appear through VC at D.C.Office Moga.

Chandigarh Dated 03.09.2020

Sd/(Khushwant Singh)
State Information Commissioner

CC to First Appellate Authority –cum Chief Engineer (West), PSPCL Guru Nanak Thermal Plant, Bhatinda.

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Sh. Gurpreet Singh, S/o Sh Major Singh, Village Nidhan Wala, Tehsil & Distt Moga.

... Complainant

۷s

Public Information Officer, O/o Chief Engineer, West, PSPCL, Bathinda..

.....Respondent

Complaint Case .No. 63 of 2020

PRESENT: Sh.Gurdeep Singh as the Appellant

Sh.Harnek Singh, Asstt.Account Officer PSPCL Kotkapura for the

Respondent

ORDER:

The complainant through RTI application dated 26.06.2019 has sought information regarding post of Sh.Sewak Singh employee code 276095 from the date of recruitment till date – date of becoming as lineman – copy of medical certificate at the time of regularization - and other information as enumerated in the RTI application concerning the office of Chief Engineer West, PSPCL Bhatinda. The complainant was not provided the information after which the complainant filed complaint in the Commission on 13.01.2020.

The case has come up for hearing today through video conferencing at DAC Bhatinda. The respondent present pleaded that the information has been provided to the complainant. The complainant informed that the information is incomplete.

Having gone through the record, the Commission observes that the complainant has come to the Commission without going to the First Appellate Authority. The case is remanded back to the First Appellate Authority with the direction to consider this as an appeal case and dispose off the same within a period of 30 days.

The Commission further observes that there has been an enormous delay in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

To come up for further hearing on **03.11.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Bhatinda. The appellant to appear through VC at D.C.Office Moga.

Chandigarh Dated 03.09.2020

Sd/-(Khushwant Singh) State Information Commissioner

CC to First Appellate Authority –cum Chief Engineer (West), PSPCL Guru Nanak Thermal Plant, Bhatinda.

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Smt Rupinder Kaur, W/o Late Sh Joginder Singh, # C-27, Civil Lines, Bathinda.

Complainant

Public Information Officer, O/o Commissioner, MC, Bathinda.

...Respondent

Complaint Case No. 155 of 2020

PRESENT: Smt.Rupinder Kaur as the Appellant

None for the Respondent

ORDER:

The complainant through RTI application dated 04.10.2019 has sought information regarding details of property No.C-28 MC No.MCB Z-2-09103 Civil Line Bhatinda – map approved for the purpose of residential/commercial/school and other information concerning the office of Commissioner, MC Bhatinda. The complainant was not provided the information after which the complainant filed complaint in the Commission on 05.02.2020.

Versus

The case has come up for hearing today through video conferencing at DAC Bhatinda. The complainant claims that the PIO has denied the information. The complainant further informed that since a school named Little Kingdom Nursery School is being run in her neighbour, she wants to prove if any permission has been granted by the competent authority.

The respondent is absent. The Commission has received an email from the PIO stating that the appellant was asked to specify the file number and date but the complainant has not specified the same. Further the information sought is in question form.

The PIO has denied the information on two grounds;

- i) Has asked to specify;
- ii) That it is personal information and cannot be provided under section 8(1)

I have gone through the case and find that there is a larger public interest involved in this particular RTI application. As much as I agree that the personal information such as building plan etc. of other party should not be shared, Section 10 of the RTI Act however, gives the benefit in cases where there is disclosable and non-disclosable information on the same page.

Given the above, the PIO is directed to provide that part of the information which denotes the purpose of which the map has been sanctioned and severe rest of the information.

To come up for further hearing on **03.11.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Bhatinda.

Sd/-

(Khushwant Singh)
State Information Commissioner

Chandigarh Dated 03.09.2020

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Sh Gurinder Singh, S/o Harnek Singh, R/o Bhagta Bhaika, Tehsil Phul, Distt Bathinda.

... Appellant

Versus

Public Information Officer, O/o SSP, Bathinda.

First Appellate Authority, O/o IGP, Bathinda Range, Bathinda.

...Respondent

Appeal Case No. 462 of 2020

PRESENT: None for the Appellant

Sh.Jagjit Singh, ASI for the Respondent

ORDER:

The appellant through RTI application dated 26.10.2019 has sought information regarding action taken on the application (Receipt No.903 dated 23.10.2018) submitted by Balbahadur Singhin police station Nakhana and action taken on application (receipt No.245 dated 26.04.2019) filed in police statin Nakhana and other information concerning the office of SSP Bhatinda. The appellant was provided the information after which the appellant filed first appeal before the First Appellate Authority which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Bhatinda. The respondent present pleaded that the information has been supplied to the appellant vide letter dated 26.02.2020. The respondent further informed that Sh.Gurinder Singh visited the police station Nakhana on 02.09.2020 and informed that he has received the information and is satisfied.

The appellant is absent nor has communicated any discrepancies. It is presumed that the appellant has received the information and is satisfied.

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

Chandigarh
Dated 03.09.2020

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Sh. Baljinder Singh, S/o Sh Darsahmn Singh, Daan Singh Nagar, Gali No-1, Back Side Guru Nanak Public School, Goniana Mandi, Distt Bathinda.

Appellant

Versus

Public Information Officer, O/o EO, MC, Goniana Mandi, Distt Bathinda.

First Appellate Authority, O/o Joint Deputy Director, Local Govt, Mini Secretariat, Bathinda.

...Respondent

Appeal Case No. 537 of 2020

PRESENT: Sh.Baljinder Singh as the Appellant

Sh.Subhash Chander, Clerk O/o EO-MC Goniana Mandi for the Respondent

ORDER:

The appellant RTI application dated 13.11.2019 has sought information regarding details of workers recruited on contract – their salary and post – approval for setting up of a Gym and other information concerning the office of EO-MC Goniana Mandi. The appellant was provided the information after which the appellant filed first appeal before the First Appellate Authority on 18.12.2019. Thereafter, the PIO sent reply to the appellant vide letter dated 31.12.2019 stating that the information sought is in question form, it cannot be provided. The First appellant authority also disposed off the appeal on 03.01.2020 directing the PIO to provide the information as per the RTI Act within time.

The case has come up for hearing today through video conferencing at DAC Bhatinda. The respondent present pleaded that the information has been supplied to the appellant on 02.07.2020 with a copy to the Commission. The respondent informed that when the RTI application was filed, no private or contractual worker was employed. The respondent further informed that no grant was received for setting up of a gym.

The PIO is directed to give this in writing on an affidavit with a copy to the Commission.

To come up for compliance on **03.11.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Bhatinda.

Chandigarh Dated 03.09.2020

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Sh. Baljinder Singh, S/o Sh Darsahmn Singh, Daan Singh Nagar, Gali No-1, Back Side Guru Nanak Public School, Goniana Mandi, Distt Bathinda.

Appellant

Versus

Public Information Officer, O/o EO, MC, Goniana Mandi, Distt Bathinda.

First Appellate Authority, O/o Joint Deputy Director. Local Govt, Mini Secretariat, Bathinda.

...Respondent

Appeal Case No. 538 of 2020

PRESENT: Sh.Baljinder Singh as the Appellant

Sh.Subhash Chander, Clerk O/o EO-MC Goniana Mandi for the Respondent

ORDER:

The appellant RTI application dated 29.10.2019 has sought information regarding details of clerks promoted from the post of peon and the documents submitted by them in NC Goniana Mandi and other information concerning the office of EO-MC Goniana Mandi. The appellant was provided the information after which the appellant filed first appeal before the First Appellate Authority on 02.12.2019. Thereafter, the PIO sent reply to the appellant vide letter dated 31.12.2019 stating that the information sought is in guestion form, it cannot be provided. The First appellant authority also disposed off the appeal on 03.01.2020 directing the PIO to provide the information as per the RTI Act within time.

The case has come up for hearing today through video conferencing at DAC Bhatinda. The respondent present pleaded that the information has been supplied to the appellant on 02.07.2020 with a copy to the Commission. The respondent informed that Sh.Sita Ram and Sh.Subhash Chander were promoted as clerk from the post of peon and the documents submitted by them to the office have been supplied to the appellant.

The appellant stated that the information has been provided with a delay of more than ten months.

Having gone through the record, the Commission observes that the PIO had earlier denied the information and has provided the sought information after PIO received the notice of the Commission. The reply of denial of information was sent by the PIO on 31.12.2019.

At the First Appellate level, while disposing off the appeal, no instruction had been passed except an observation that the PIO should attend the RTI applications in its true spirit of the RTI Act and himself attend such hearings in future.

I have gone through the facts of the case and it appears that the PIO has tried to stonewall the information. From the facts on the file, the intention of the PIO is clear i.e. not to provide the information.

Appeal Case No. 538 of 2020

Give the facts, the PIO is directed 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.

To come up for further hearing on **03.11.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Bhatinda.

Chandigarh Dated 03.09.2020

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Sh.Satpal Goyal, H No 102, Model Town, Phase-1, Bathinda.

... Appellant

Versus

Public Information Officer, O/o EO, BDA, Bathinda.

First Appellate Authority, O/o Addl, Chief Administrator, BDA, Bathinda.

...Respondent

Appeal Case No. 2102 of 2019

PRESENT: Sh.Satpal Goyal as the Appellant

None for the Respondent

ORDER:

The case was first heard on 22.10.2019. The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information to the appellant as per RTI Act within 15 days and send a compliance report to the Commission. The PIO was also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case was again heard on **23.12.2019**. The appellant informed that the PIO has not provided the information. The respondent was absent on 2nd consecutive hearing. 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 provide the information to the appellant within 10 days of the receipt of this order.

The case was last heard on **16.06.2020** through video conferencing at DAC Bhatinda. Ms.Saloni, clerk O/o EO-BDA appeared on behalf of the PIO and pleaded that the information has been provided to the appellant vide letter dated 10.01.2020. The appellant was not satisfied and stated that the information is incomplete. Having gone through the RTI application and hearing both the parties, the following was concluded:

- Point-1 - To relook and reply appropriately – if the information is not available, to give in writing that no other reward is available.

Point-2 - Provided during the hearing

- Point-3 - Provided

- Point-4 - PIO to relook and send complete reply

- Point-5 - Provided

The respondent did not bring reply to the show cause notice. The PIO was absent. The respondent pleaded that when the RTI was filed, Sh.Amarjit Singh was the PIO who has since retired.

However, the Commission was of the view that the appellant had to suffer undue inconvenience to get the information, the PIO was 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 was directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant. The PIO was also directed to provide the remaining information to the appellant within 10 days.

Hearing dated 03.09.2020:

The case has come up for hearing today through video conferencing at DAC Bathinda. The appellant claims that the PIO has neither provided the complete information nor has paid compensation amount as per order of the Commission. The respondent is absent nor has sent any reply to the show cause notice.

On the date of hearing on 23.12.2019, the PIO was absent and a show cause notice was issued to the PIO for not supplying the information and directed to file reply to the show cause notice. However, during the last hearing which was held on 16.06.2020, the respondent appeared on behalf of the PIO informed that when the RTI was filed, Sh.Amarjit Singh was the PIO who has retired. The present PIO was absent.

The present PIO-cum-EO, BDA is again absent nor has complied the order of the Commission.

Keeping the above-mentioned facts of the case, it is clear that the PIO-EO-BDA Bathinda is flouting the spirit of the RTI Act continuously. The Commission has taken a serious view of this and hereby directs the present PIO-EO, BDA to show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not complying the order of the Commission as well as not supplying the information within the 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.

Since the PIO is continuously absenting from appearance, his next absence will lead to a warrant being issued to secure his presence.

To come up for further hearing on **03.11.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Bhatinda.

Chandigarh
Dated 03.09.2020

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Sh. Prem Kumar Rattan, H No-78/8, Park Road, New Mandi, Dhuri, Distt Sangrur.

...Appellant

Vs

Public Information Officer,

O/o Punjab State Information Commission, Sector-16, Chandigarh.

First Appellate Authority,

O/o Punjab State Information Commission, Sector-16, Chandigarh.

...Respondent

Appeal Case No. 3490 of 2020

PRESENT: Sh.Prem Kumar Rattan as the Appellant

Sh.Sudhir Kumar PIO for the Respondent

ORDER:

The appellant through RTI application dated 20.05.2019 has sought information regarding action taken on the applications dated 30.03.2019 and 01.05.2019 regarding non-implementation of the order of the Commission by the office of ADGP(NRI wing) Mohali and other information concerning the office of Punjab State Information Commission. The appellant was not satisfied with the reply of the PIO dated 14.06.2019, after which the appellant filed first appeal before the First Appellate Authority on 20.07.2019 which disposed off the appeal on 26.08.2019.

The case came up for hearing on 02.07.2020 through video conferencing at DAC Sangrur. The PIO informed that the reply has been sent to the appellant on 14.06.2019.

The appellant was present at DAC Sangrur. However, due to sudden network problem in the VC, the case was adjourned. Since the matter relates to the implementation of the order of the Commission, a fresh letter was be issued to the concerned authority for sending compliance report of the order of the Commission within 15 days.

Hearing dated 03.09.2020:

The case has come up for hearing today through video conferencing at DAC Sangrur. The respondent present pleaded that the reply has been sent to the appellant on 14.06.2019. The respondent further informed that in compliance with the order of the Commission dated 02.07.2020, a letter has been again issued to the concerned authority for sending compliance report of the order of the Commission dated 11.03.2019 with a copy to the appellant. The appellant claims that he has not received the information.

Having gone through the reply, the Commission observes that the RTI has been sufficiently replied and no further course of action is required. However, the PIO is directed to again send a copy of the information to the appellant.

The case is **disposed off and closed**.

Sd/-

Chandigarh (Khushwant Singh)
Dated 03.09.2020 State Information Commissioner

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Sh. Prem Kumar Rattan, H No-78/8, Park Road, New Mandi, Dhuri, Distt Sangrur.

...Appellant

Vs

Public Information Officer,

O/o Punjab State Information Commission, Sector-16, Chandigarh.

First Appellate Authority,

O/o Punjab State Information Commission, Sector-16, Chandigarh.

...Respondent

Appeal Case .No. 3491 of 2020

PRESENT: Sh.Prem Kumar Rattan as the Appellant

Sh.Sudhir Kumar PIO for the Respondent

ORDER:

The appellant through RTI application dated 29.05.2019 has sought information regarding action taken on the email sent relating to clarification for exemption in personal appearance during the hearing on 06.05.2019 and other information concerning the office of Punjab State Information Commission. The appellant was not satisfied with the reply of the PIO dated 24.07.2019, after which the appellant filed first appeal before the First Appellate Authority on 27.07.2019 which disposed off the appeal on 15.11..2019.

The case came up for hearing today through video conferencing at DAC Sangrur. The PIO informed that the reply has been sent to the appellant on 24.07.2019.

The appellant was present at DAC Sangrur. However, due to sudden network problem in the VC, the case was adjourned.

Since the matter relates to the implementation of the order of the Commission, a fresh letter was to be issued to the concerned authority for sending compliance report of the order of the Commission within 15 days.

Hearing dated 03.09.2020:

The case has come up for hearing today through video conferencing at DAC Sangrur. The respondent present pleaded that the reply has been sent to the appellant on 24.07.2019. The respondent further informed that in compliance with the order of the Commission dated 02.07.2020, a letter has been again issued to the concerned authority for sending compliance report of the order of the Commission dated 06.05.2019 with a copy to the appellant. The appellant claims that he has not received the information.

Having gone through the reply, the Commission observes that the RTI has been sufficiently replied and no further course of action is required. However, the PIO is directed to again send a copy of the information to the appellant.

The case is **disposed off and closed.**

Sd/-

Chandigarh Dated 03.09.2020