

# **PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, NEAR ROSE GARDEN,**

**SECTOR 16, CHANDIGARH.**

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Sh. Subhash Chander,  
Gali No.2, New Luxmi Nagar  
Kapurthala.

... ..Appellant

**Vs**

**Public Information Officer,**  
O/o Deputy Commissioner,  
Kapurthala.

**First Appellate Authority-cum-**  
O/o Deputy Commissioner,  
Kapurthala.

.....Respondent

## **AC.No. 4029 of 2019**

**PRESENT :** (i) Sh. Subhash Chander, the appellant..  
(ii) None is present on behalf of the respondent.

## **ORDER:**

1. The RTI application is dated 08.05.2019 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 14.06.2019 and second appeal was filed in the Commission on 29.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 03.12.2019 by the Commission.

3. The appellant states that he has received the information from the PIO yesterday and requested for additional time to peruse the information provided by the PIO.

4. The appellant is advised to go through the information 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 with a copy to the Commission.

5. The PIO is absent for today's hearing inspite of the Notice of the Commission. This shows his disregard to the authority of the Commission. The absence of the PIO is viewed seriously. The Bench directed the PIO to appear in person on the next date of hearing alongwith the reply to the Notice of the Commission, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **07.01.2020 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh**  
**03.12.2019**

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

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Sh. Subhash Chander,  
Gali No.2, New Luxmi Nagar  
Kapurthala.

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Deputy Commissioner,  
Kapurthala.

**First Appellate Authority-cum-**  
O/o Deputy Commissioner,  
Kapurthala.

.....Respondent

**AC.No. 4028 of 2019**

**PRESENT :** (i) Sh. Subhash Chander, the appellant..  
(ii) None is present on behalf of the respondent.

## **ORDER:**

1. The RTI application is dated 08.04.2019 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 second appeal was filed in the Commission on 29.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 03.12.2019 by the Commission.

3. The appellant states that he has received the information from the PIO yesterday, and requested for additional time to peruse the information provided by the PIO.

4. The appellant is advised to go through the information 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 with a copy to the Commission.

5. The PIO is absent for today's hearing inspite of the Notice of the Commission. This shows his disregard to the authority of the Commission. The absence of the PIO is viewed seriously. The Bench directed the PIO to appear in person on the next date of hearing alongwith the reply to the Notice of the Commission, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **07.01.2020 at 11.30AM**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh**  
**03.12.2019**

**((Lt Gen Ajae Kumar Sharma,(Retd))**  
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Sh. Sharanjeet Singh, S/o SH. Lakhwinder Singh,  
R/o Village: Ariyan Wala Kalan, Tehsil & Distt:Faridkot.

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Deputy Commissioner,  
Faridkot.

**First Appellate Authority-cum-**  
O/o Deputy Commissioner,  
Faridkot.

.....Respondent

## **AC.No. 3986of 2019**

### **PRESENT:**

- (i) None is present on behalf of the appellant.
- (ii) Sh. Paramdeep Singh, Sub Divisional magistrate, Faridkot and Sh. Ashok Kumar, Block Development and Panchayat Officer, Faridkot on behalf of the respondent.

### **ORDER**

1. The RTI application is dated 10.01.2019 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 16.08.2019 and second appeal was filed in the Commission on 23.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 03.12.2019 by the Commission.

3. The appellant is absent for today's hearing without any intimation to the Commission.

4. Sh. Paramdeep Singh, Sub Divisional Magistrate, Faridkot and Sh. Ashok Kumar, Block Development and Panchayat Officer (BDPO), Faridkot appeared on behalf of the respondents. The respondent states that reply to the RTI application of the appellant has already been sent to the appellant vide letter dated 25.06.2019 by the BDPO, Faridkot.

5. Opportunity is now being given to the appellant to appear in person, before the Commission and bring out any issues/short comings related to information provided by the respondent(s).

6. The respondent(s) are directed to bring the original records related to the RTI application of the appellant, in the Commission, on the next date of hearing for the perusal of the appellant. The PIO is also directed to file written reply to the Notice of the Commission, as the same has not been filed yet.

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**AC.No. 3986 of 2019**

6. The matter to come up for further hearing now on **07.01.2020 at 11.30AM**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh  
03.12.2019**

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Sh. Madan Lal, S/o Sh. Om Parkash,  
Jain Niwas, MCB Zone-2, H.No.10803,  
St No.8, Parinda Road 18, Guru Teg Bahadur Nagar,  
Bathinda.

...Appellant

**Vs**

**Public Information Officer,**  
O/o Commissioner,  
Municipal Corporation,  
Bathinda.

**First Appellate Authority-cum-**  
O/o Commissioner,  
Municipal Corporation,  
Bathinda.

.....Respondent

## **AC.No. 3999 of 2019**

### **PRESENT:**

- (i) Sh. Madan Lal, the appellant.
- (ii) Sh. Jaswinder Singh, Sanitary Inspector and Sh. Suman Kumar, Sanitary Inspector o/o Commissioner, Municipal Corporation, Bathinda on behalf of the PIO.

### **ORDER**

1. The RTI application is dated 18.06.2019 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 22.07.2019 and second appeal was filed in the Commission on 24.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.12.2019 by the Commission.
3. The appellant states that he has received the information except partial information on point no. 1.
4. Sh. Jaswinder Singh and Sh. Suman Kumar, both Sanitary Inspectors appeared on behalf of the PIO without any authority letter. They filed reply to the Notice of the Commission mentioning therein that complete information (comprising 154 pages) has been given to the appellant by hand. Copy of the acknowledgment is taken on record.
5. After hearing both the parties at length, it is found that incomplete information on point no. 1 of the RTI application has been provided to the appellant. The PIO is directed to provide the information to the appellant as available in the office records, before the next date of hearing.

Contd...p-2

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**AC.No. 3999 of 2019**

Also the PIO's absence for today's hearing inspite of the Notice of the Commission is viewed seriously. The PIO is directed 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.

6. The appellant has also brought to the notice of the Commission that in the office of the Commissioner, Municipal Corporation, Bathinda, Sh. Sandeep Gupta is handling the responsibility of the First Appellate Authority whereas he is not a notified Appellate Authority. The PIO is directed to file written reply in this regard clarifying orders or notification vide which the change in First Appellate Authority has been affected.

7. The matter to come up for further rehearing now on **07.01.2020 at 11.30AM**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh  
03.12.2019**

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

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Sh. Sanjeev Goyal, S/o Sh. Ashok Kumar,  
H.No.148, Model Town, Phase-1, Bathinda.

...Appellant

**Vs**

**Public Information Officer,**  
O/o Commissioner,  
Municipal Corporation,  
Bathinda.

**First Appellate Authority-cum-**  
O/o Commissioner,  
Municipal Corporation,  
Bathinda.

.....Respondent

## **AC.No. 3998 of 2019**

### **PRESENT:**

- (i) Sh. Madan Lal on behalf of the appellant.
- (ii) Sh. Suman Kumar, Sanitary Inspector and Sh. Jaswinder Singh, Sanitary Inspector o/o Commissioner, M.C, Bathinda on behalf of the PIO.

### **ORDER**

1. The RTI application is dated 14.06.2019 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 19.07.2019 and second appeal was filed in the Commission on 24.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.12.2019 by the Commission.
3. The appellant has authorized Sh. Madan Lal to appear on his behalf for today's hearing. The representative of the appellant states that till date, complete information has not been provided to the appellant.
4. Sh. Jaswinder Singh and Sh. Suman Kumar, both Sanitary Inspectors appeared on behalf of the PIO O/o Commissioner, Municipal Corporation, Bathinda without any authority letter. They filed reply to the Notice of the Commission mentioning therein that information sought is available on the website of the Municipal Corporation, Bathinda.
5. After hearing both the parties at length, it was observed that the PIO has not responded adequately to the RTI application. The PIO is directed to provide the information to the appellant as available in the office records, before the next date of hearing. Also the PIO's absence

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**AC.No. 3998 of 2019**

for today's hearing inspite of the Notice of the Commission is viewed seriously. The PIO is directed 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.

6. The appellant has also brought to the notice of the Commission that in the office of the Commissioner, Municipal Corporation, Bathinda, Sh. Sandeep Gupta is handling the responsibility of the First Appellate Authority whereas he is not a notified Appellate Authority. The PIO is directed to file written reply in this regard clarifying orders or notification vide which the change in First Appellate Authority has been affected.

7. The matter to come up for further rehearing now on **07.01.2020 at 11.30AM**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh  
03.12.2019**

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

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Sh. Diyal Singh, S/o Sh. Balwant Singh,  
R/o Village: Chak Bajida, Tehsil:Jalalabad,  
Distt:Fazilka.

.....Complainant

**Vs**

**Public Information Officer,**  
O/o Tehsildar,  
Jalalabad.

.....Respondent

**C.C No. 935 of 2019**

**PRESENT :**

- (i) Sh. Diyal Singh, the complainant .
- (ii) Sh. Suresh Kumar, Sr. Assistant o/o Cooperative Societies, Jalalabad, on behalf of the PIO.

## **ORDER**

1. The RTI application is dated 11.07.2019 whereby the complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 22.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 03.12.2019 by the Commission.

3. The complainant states that he has received partial information. Information on point no. 4 as stated in his RTI application has not been provided by the PIO o/o Tehsildar, Jalalabad.

4. Sh. Suresh Kumar appeared on behalf of the O/o Assistant Registrar, Cooperative Societies, Jalalabad having been duly authorized by the PIO. He filed reply to the Notice of the Commission mentioning therein that information related to their department has been provided to the complainant. He states that information pertaining to point no. 4 is related to the O/o Tehsildar, Jalalabad. Copy of the same is taken on record.

5. Since, the information related to point no. 4 is to be supplied by the Tehsildar, Jalalabad. The PIO O/o Tehsildar, Jalalabad is directed to provide the information to the complainant pertaining to point no. 4, within 30 days, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. With these directions, the instant complaint case is **closed and disposed off**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh**  
**03.12.2019**

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

## **Registered Post**

CC: Public Information Officer O/o Assistant Registrar, Cooperative Societies, Jalalabad.

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Sh. Fuman Singh,  
S/o Sh.KashmirSingh,  
R/o Swah Wala,Tehsil:Jalandhar.  
Distt:Fazilka.

Vs

**Public Information Officer,**  
O/o Tehsildar,  
Jalalabad.

.....Complainant

.....Respondent

**C.C.No. 940 of 2019**

**PRESENT :** None of the parties.

## **ORDER**

1. The RTI application is dated 05.07.2019 whereby the complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 24.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 03.12.2019 by the Commission.

3. The complainant is absent for today's hearing without any intimation to the Commission.

4. The PIO is absent for today's hearing. He has also not filed any reply to the Notice of the Commission, which shows his disregard to the Commission.

5. In the instant complaint case, the intention of the PIO suggests that he is not interested in providing the information on the RTI application as per the provisions of the RTI Act, 2005. This behavior of the Government employee needs to be corrected.

6. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **the PIO O/o Tehsildar, Jalalabad** is directed to show cause as to why penalty @ 250/-per day be not imposed upon him under Section 20 (1) of the RTI Act for not sending the information to the complainant within the statutorily period.

7. The respondent-PIO is directed to file a written point-wise reply in this regard before the next date of hearing, with a copy to the complainant.

Contd...p-2

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**C.C.No. 940 of 2019**

8. The PIO will also explain his conduct and status of the complaint during the next date of hearing to enable the Commission to arrive at a logical conclusion on the subject.

9. The matter to come up for further hearing now on **07.01.2020 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh  
03.12.2019**

Sd/-  
**((Lt Gen Ajae Kumar Sharma,(Retd))  
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Sh. K.K.Thapar,  
Sewa Mukh Karmachari Union,  
Kotakpura, Distt:Faridkot.

.....Complainant

Vs

**Public Information Officer,**  
O/o Executive Officer,  
Nagar Council, Kotakpura,  
Distt:Faridkot.

.....Respondent

## **CC.No. 944 of 2019**

**PRESENT :** (i) Sh.K.K.Thapar, the complainant.  
(ii) None is present on behalf of the PIO.

### **ORDER**

1. The RTI application is dated 10.10.2018 whereby the complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 29.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 03.12.2019 by the Commission.

3. The complainant states that till date, no satisfactory information has been provided to him by the respondent.

4. The PIO has not appeared for today's hearing, inspite of the Notice of the Commission. This shows his disregard to the authority of the Commission. The absence of the PIO is viewed seriously. It has also affected hearing and disposal of the case today. The PIO is directed to appear in person on the next date of hearing alongwith the entire records related to the RTI application of the complainant, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

5. The matter to come up for further hearing now on **20.01.2020 at 11.30AM through video conference at O/o Deputy Commissioner, Faridkot.** Copies of the order be sent to the parties.

**Chandigarh**  
**03.12.2019**

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

*Note: After the hearing was over, Sh. Amrit Lal, Jr. Assistant appeared on behalf of the PIO without any authority letter, reply for the complainant was submitted. It was also highlighted by the respondent that this information has also been given by hand to the representative of the complainant at Kotakpura. Copy of the same is taken on record.*

**Chandigarh**  
**03.12.2019**

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

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