

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

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Sh. Tejinder Singh,
R/o Village Bholapur, Post Office Ramgarh,
Chandigarh Road, Ludhiana - 141123

.... Appellant

Versus

Registered post: Public Information Officer,
O/o Sub Registrar
Ferozepur

First Appellate Authority
O/o SDM, Ferozepur

..Respondent

AC No. 3013 of 2018

Present : (i) None is present on behalf of the appellant
(ii) For the respondent: Smt. Darshan Kaur, R.C. Ferozepur

ORDER

This order may be read with reference to the previous order dated 16.10.2019 vide which neither the appellant nor the respondent was present.

2. The appellant is absent today.

3. Respondent states that the information, as exists, in the record has already been sent to the appellant.

4. After hearing the respondent and going through the case file, it is observed that the information has already been sent to the appellant. The appellant is absent for second consecutive hearing. It is therefore, presumed that the appellant is satisfied with the information provided by the respondent. Respondent has also filed reply of show cause notice issued. Keeping in view all the facts mentioned in the reply the show cause notice is hereby, dropped. No further action is required.

5. 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: 03.12.2019

(Preety Chawla)
State Information Commissioner

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Registered post

Ms. Arpana, D/o J M Singh
C/o Shri Bavish Gautam, Advocate
Chamber No. 509, Yadvindra Court Complex,
Patiala

-----Appellant

Vs.

Public Information Officer,
O/o Director, Department of Social Justice empowerment & Minority
(Welfare Cell), SCO 128-129, Sector 34A, Chandigarh

First Appellate Authority
O/o Director, Department of Social Justice empowerment & Minority
(Welfare Cell), SCO 128-129, Sector 34A, Chandigarh

-----Respondent

Appeal Case No. 3635 of 2019

Present : (i) Sh. Jagmohan on behalf of the appellant
(ii) For the respondent: Sh. Gaurav Kumar, clerk

ORDER

This order may be read with reference to the previous order dated 25.11.2019 vide which the respondent was directed to send complete information to the appellant.

2. Today Sh. Jagmohan Singh , Counsel for the appellant states that incomplete information has been given to the appellant so far.

3. Respondent states that the information has already been sent to the appellant.

4. The perusal of the file shows that the respondents are being represented by very low level officials who are not in a position to satisfy the commission and the appellant. From the next date of hearing, no person below the PIO or APIO will be allowed to appear. Appearance of low level officials will amount to disrespect to the RTI Act besides invoking the provisions of imposition of penalty and also award of compensation to the appellant and also recommendation of disciplinary action against the PIO under Section 20 of RTI Act, 2005.

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Appeal Case No. 3635 of 2019

5. In view of the above, Sh. Parminder Singh, Deputy Director-cum- *PIO o/o* Director, Department of Social Justice empowerment & Minority (Welfare Cell) is directed to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

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

6. To come up on **18.12.2019 at 11.00 AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 03.12.2019

(Preety Chawla)
State Information Commissioner

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Sh. Satwant Bir Singh, S/o Shri Kartar Singh
R/o House No.B-7/1131, Near New Ashoka Model School
Bathinda Road, Kotkapura, Distt. Faridkot

.....Appellant

Vs

Registered post: **Public Information Officer,**
O/o Deputy Commissioner, Ferozepur

Registered post: **First Appellate Authority**
o/o ADC (General), Ferozepur

.....Respondent

AC.No. 699 of 2019
AC.No. 697 of 2019
Alongwith
AC.No. 698 of 2019

Present : (i) Sh. Satwant Bir Singh the appellant
(ii) None is present on behalf of the respondent

ORDER

This order may be read with reference to the previous order dated 16.10.2019 vide which neither the appellant nor the respondent was present.

2. The appellant states that he has not received complete information so far. He further states that he has even not received compensation.

3. Respondent is absent today.

4. The perusal of the file shows that neither the respondent has provided complete information nor he has paid compensation to the appellant so far. This shows that the respondent has no regard for the orders issued by the Commission. This is very serious matter.

5. Hence, Deputy Commission, Ferozepur is directed to take disciplinary action against the concerned PIO under Section 20 (2) RTI Act 2005 for the continuous non compliance the order of the Commission with a report to the Commission.

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AC.No. 699 of 2019

AC.No. 697 of 2019

Alongwith

AC.No. 698 of 2019

6. To come up on **30.01.2020 at 11.00 AM** through video conference facility in the Office of Deputy Commissioner, Ferozepur. Copy of the orders be sent to the parties.

Chandigarh
Dated: 03.12.2019

Sd/-
(Preety Chawla)
State Information Commissioner

Through registered post

CC: Deputy Commissioner, Ferozepur is directed to take necessary action against the concerned PIO.

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Sh Tejinder Singh(Advocate),
R/o Village Bholapur,
PO Ramgarh, Chandigarh Road,
Ludhiana

Vs

.....Appellant

Public Information Officer-cum-
O/o Food Safety Commissioner,
Sector6, Near Civil Hospital,
SAS Nagar
First Appellate Authority,
O/o Food Safety Commissioner,
Sector6, Near Civil Hospital,
SAS Nagar

.....Respondent

AC.No. 1717 of 2019

Present: None for the parties.

ORDER

This order may be read with reference to the previous order dated 16.10.2019 vide which neither the respondent nor the appellant was present.

2. Today again neither the appellant nor the respondent is present. The appellant has sent an email and has sought another date.

3. Last opportunity is given to both the parties to appear before the Commission. It is made clear that in case both the parties do not appear on the next date of hearing , appropriate order in their absence shall be passed.

4. To come up on 21.01.2020 at 11.00 AM. Copy of the orders be sent to the parties.

Chandigarh
Dated: 03.12.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Tejinder Singh (Advocate)
R/o Village Bholapur, Post Office Ramgarh
Chandigarh Road, Ludhiana - 141123

.....Appellant

Vs

Registered post:

Public Information Officer,
O/o Commissioner Food and Drugs Administration,
Kharar, Distt. SAS Nagar

First Appellate Authority

O/o Food Safety Commissioner,
Punjab, Mohali

.....Respondent

AC.No. 1817 of 2019

Present: None for the parties.

ORDER

This order may be read with reference to the previous order dated 16.10.2019 vide which neither the respondent nor the appellant was present.

2. Today again neither the appellant nor the respondent is present. The appellant has sent an email and has sought another date.

3. Last opportunity is given to both the parties to appear before the Commission. It is made clear that in case both the parties do not appear on the next date of hearing, appropriate order in their absence shall be passed.

4. To come up on **21.01.2020 at 11.00 AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 03.12.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Jasbir Singh,
Village Bolapur, Jhabewal,
PO Ramgarh, District-Ludhiana

.....Appellant

Vs

Public Information Officer,
O/o SDM (West) Ludhiana

First Appellate Authority
O/o SDM (West) Ludhiana

.....Respondent

AC.No. 1324 of 2019

Present: None for the parties.

ORDER

This order may be read with reference to the previous order dated 16.10.2019.

2. Today neither the Appellant nor the Respondent is present.
3. The perusal of the file shows that the Appellant is not present today. He was not present on the previous date of hearings also nor he has bothered to inform the Commission about his absence. Hence, it may be presumed that the Appellant is not interested in pursuing this matter. Hence, this Appeal case filed by the Appellant is **dismissed for non prosecution**. Copies of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 03.12.2019

(Preety Chawla)
State Information Commissioner

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Smt Simarjit Kaur, W/o Shri SatnamSingh,
R/o Village Malkana, Tehsil Talwandi Saboo
Distt. Bathinda

-----Appellant

Vs.

Public Information Officer,
O/o Child Development Project Officer,
Block Talwandi Saboo, Distt. Bathinda

-----Respondent

Complaint Case No. 852 of 2019

Present: (i) None for the Complaint
(ii) For the Respondent: Sh Pardeep Singh Gill, CDPO

ORDER

This order may be read with reference to the previous order dated 25.11.2019.

2. The complainant is not present today.
3. The Respondent states that, as directed in the previous hearing, the Complainant has not paid the documentation fee till date.
4. The perusal of the file ascertains that the Complainant was advised to deposit the documentation fee. The Complainant has failed to deposit the required fee so no information was provided to the Complainant. Complainant is advised to deposit the fee for providing information. Respondent is directed to provide the complete information to the Complainant on receipt of the requisite fee
5. In view of the above, 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: 03.12.2019

(Preety Chawla)
State Information Commissioner

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Sh. Satwantbir Singh,
S/o Late Sh. Kartar Singh,
House No. B-7/1131, Near New Ashoka Model School
Bathinda Road, Kotkapura, Distt. Faridkot

-----Appellant

Vs.

Public Information Officer,
O/o District Revenue Officer
Ferozepur
First Appellate Authority
o/o ADC (General),
Ferozepur

-----Respondent

Appeal Case No. 1038 of 2019

Present: (i) Sh Satwantbir, Appellant
(ii) None for the Respondent.

ORDER

This order may be read with reference to the previous order dated 16.10.2019.

2. No one has appeared on behalf of the Respondent today.
3. The Appellant states that he has neither received the complete information nor he has received the amount of compensation till date.
4. The perusal of the file shows that no one has appeared on behalf of the Respondent. They were not present even on the previous date of hearing also. The amount of compensation has also not been paid to the Appellant till date. 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.
5. 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

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Appeal Case No. 1038 of 2019

Twenty five thousand only) on the PIO. Therefore, taking a lenient view, I impose a penalty of **Rs. 5000/- (Rs. Five thousands only) on the concerned PIO- O/o DC, Ferozepur**. The Drawing and Disbursing Officer of the office of DC, Ferozepur is directed to deduct the amount of penalty of Rs. 5000/- from the salary of concerned **PIO-O/o DC, Ferozepur** 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"

6. Further, the PIO- is also directed to be present personally on the next date of hearing alongwith the complete information.

7. To come up on **30.01.2020 at 11.00 AM through video conference facility in the office of DC, Ludhiana**. Copy of the order be sent to the parties.

Chandigarh
Dated: 03.12.2019

Sd/-
(Preety Chawla)
State Information Commissioner

THROUGH REGISTERED POST

CC: The Deputy Commissioner, Ferozepur is hereby directed to deduct the amount of penalty from the salary of the concerned PIO who was at the time responsible for delay in providing the information and send receipt of the challan to the Commission office.