



**Sh. Lajpat Rai Garg, (9814230616)**

S/o Sh. Harbans Lal,

R/o Romana Street, Jaito, Tehsil Jaito,

Distt Faridkot.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o EO, Nagar Panchayat,

Sri Chamkaur Sahib.

.....Respondent

**Complaint Case No.770 & 771 of 2021**

**(Cisco Webex Proceedings)**

RTI application filed on : 29-04-2021

PIO replied on : -

**ORDER:**

1. To be read in the continuity of previous order dated 01.12.2021 vide which the decision was reserved in both the above mentioned cases. Decision announced on 04.01.2022.

**Observations:**

2. The Complainant filed above mentioned complaint cases in the Commission dated 16.06.2021.

**Information Sought in CC: 770/2021:**

1. Give me fully Audit reports from 01/01/2012 to 30/4/2021, including deposited fee & details given to audit department for audit purpose and receipts of deposited amount for filing audit notes.
2. Give fully registers of all office, receipt, deposits, RTI movement, attendant office, sanitation staff and on contract rate staff from 10/3/2021 to 30/4/2021, including pay given details and also general cashbook + all cash books photo copy clears, attested in accurate shape + RTI cash book.
3. Give record in pendrive from 25/01/2020 to 30/4/2021 as collecting the property tax and properties transfer by EO, building maps deposited in office all record in PAN drive given, also give list of rented persons who default for payment of rent, information also further proceeding done.
4. Give details fully files photo copies attested related with payments done to the persons. Payment done Rs(7,30,814, 260,600, 3,69,29260) these payments done 19/07/2019, Rs(2,14,400) Rs (3,88,800) dated 12/08/2019, (Rs Two lacs + Rs 25962 dated 06/8/2019) (Rs 93,700, cheque no. 5202, Rs 1000 cheque no. 52023, Rs 52000 cheque no 5204 paid to sajan kumar, Rs 5,50,000 cheque no 52026, Rs 1,70,000 cheque no 52027 shivalik cool society) all payment done on 06/8/2019) (Rs 2,85,360

cheque no 0517 dated 26/8/2019) & (Rs 32870 cheque no 00513, Rs 1,90,400 cheque no 00514) dated (14/8/2019) related record as good purchases copy of bills, stock interies, bills and contracter payment done then copies of (M.B) where bill payment inters.

5. Harjit singh clerk attended my case no 365/2020, 311/2021, give copies of authority letters and give copies of State Information orders related to N.P Chamkaur Sahib, all orders, RTI's demanded copies, office notings fully record office notings & copies of answers given to party & State Information Commission & claims (TA?DA) claimed by employees in RTI cases from 1/1/16 to 30/4/2021 also gave bill & photocopies & also contigment bill copy from 29/4/2021).

NOTE: You are irresponsible PIO & violating the RTI Act 2005, give me Information soon, if not given , I will go to the higher Authorities. Note: Demand of Documentation fees point wise in ten Days.

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**Information Sought CC: 771/2021:**

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1. As dated 14/8/2019 paid Rs 1,94,602 = 00 About give deails including tender forms, advertisement, work order fully file for payment done as supplies given to office for electric points located in M.C limit, & all photo copies of all bills send by electricity office from 1/1/18 t 30/4/18, and as bill filled with fine, Name of responsible employee, his name, rank & done proceeding.
2. Give fully file of appointment of HARJIT SINGH CLERK as (2013-14) as anytime, & form no. 16 A from 1/1/16 to 30/4/2021, and also office orders copies of duty as which branch from 2013-14 to up to date.
3. As unauthorized colonies (city centre 4.5 acres) (Pirthi chand enclave 1.9 acres) (Bahadur enclave 4.5 acres)(Sahibjada Ajit Singh Jughar Singh enclave 2.37 acres,(Fateh chand enclave 10.50 acres) give all colonies map, amount deposited frees receipts, balance amount, & balance amount to be recovering proceeding done against them fully information including court case etc. fully files.
4. Give fully files photostates as payments done, approval for expanses, bill, stock intry page, cash book page as payments on (2/82019 done as (18800),(53073)(9,28,533)(25099 Eo pay)(10226)also give fully details of pay of employees of office/sanitation/contract basis from 10/3/2021 to 30/4/2021 photocopies pay bills.
5. Give details of rent shops of Nagar Panchayat, rent demand collection registrars photocopy, details of Sublette, defalturs and proceeding done against them give fully details in Pan drive of rent & from 10/3/2021 to 30/4/2021 & licence fees details from 1/1/15 to 30/4/2021 also inn Pan drive.
6. Office receipts/dispatch including RTI, cash book RTI, movement register, attendance register, general ash book, urban mission cash book, copies of challans u/s 195,195 A,172, including receipts of deposited fee of challances and building application registers from 1/1/2019 to 30/6/19 from 20/4/2021 to 29.4.2021.

NOTE: you are irresponsible PIO & violating the RTI Act 2005, give me information soon, if not given I will go to the higher Authorities, Note: Demand of documentation fees point wise in ten days.

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3. It is further stated that in view of the aforesaid RTI Application dated 29.04.2021, the Respondent i.e., Public Information Officer O/o EO, Nagar Panchayat, Sri Chamkaur Sahib vide his letter no. 252 dated 13.05.2021 supplied the reply pertaining to the information sought by the appellant. Wherein it was mentioned that, the sought information enumerated in the RTI application is **vague** (or not specific) and for this he **called the applicant in his office for file inspection, but he never turned up.**
4. Being aggrieved by the non-receipt of the information the complainant approached Commission under the provisions of Section 18 of the RTI Act, 2005, which were taken up for hearing on 01.12.2021.
5. **At the time of hearing**, upon going through the contents of the Applications filed by the complainant, the Bench observed that as per the Hon'ble Supreme Court of India's order dated 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768- 32769/2010) in which it has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Therefore this Bench transpired the complainant that an alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. So the case has to be remand back to the FAA (First appellant authority).
6. However, rather than following the specific advice by the Bench to the complainant who appeared in person, he adopted a totally unacceptable attitude and tried to dodge the remedy given to him. The complaint **Sh. Lajpat Rai Garg** in a totally unruly language stated that "I don't want the information, just give me the compensation amount and impose penalty of Rs. 25,000/- on the concerned PIO". When the Bench confronted the complaint with the fact that he cannot be permitted to misuse the provision of RTI Act to settle his personal scores with Public Authorities he had the audacity to state that he does not wishes argue the matter before this Bench. Such conduct of the Appellant is totally reprehensible and goes against the spirit and objective of the RTI Act.
7. The appellant abused Right to Information and also **used insinuate and defamatory language against this deemed undersigned bench repeatedly.** He had also, mentioned in his RTI application as a NOTE "you are irresponsible PIO & violating the RTI Act 2005."

**In P. Jayasankar vs.Chief Secretary to Government of Tamilnadu and Gunaseelan,**

**I.P.S. decided by Madras High Court on 18.2.2013, it was held that**

“no information seeker can be allowed to insinuate or defame the Commissioners in the guise of prosecuting their cases”....

Under such circumstances, when specific power is vested on the Commissioner and the Commission had proceeded against the information seeker, who had abused the Information Commissioner in the course of his proceedings, it will be open to the said authority to disqualify a particular information seeker by passing a speaking order. Commission, preferred to admonish him.

8. Thus in view of the discussion contained in the forgoing paragraphs, this Bench deems it prudent to refer this appeal case to the honorable Chief Information Commissioner for reassignment to a Double Bench or Full Bench as he sees fit.

The case files are sent to the Deputy Registrar for placing the same before Hon'ble CIC for appropriate Orders.

**Chandigarh**  
**Dated: 04.01.2022**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**

CC: The Registry Branch

CC: The Honorable CIC