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Lt. Col. Vijay Kumar Padwal (Retd.), P-0404, Sector 114, Mohali.

Vs

Public Information Officer, O/o BDPO, Dhar Kalan, Pathankot.

First Appellate Authority, O/o ADC (General), Pathankot.

.....Respondent

..... Appellant

### Appeal Case No. 5167 of 2021

Present:- (i) Lt. Col. Vijay Kumar Padwal (Retd.), appellant in person.

(ii) Shri Jasbir Singh, Panchayat Secretary is present through CISCO Webex.

### ORDER

The present appeal was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler in which Notice of hearing was issued for 05.01.2022. However since the Ld. State Information Commissioner, Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

- 1. The RTI application is dated 14.04.2021 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 29.07.2021 and the Second Appeal was filed in the Commission on 08.11.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. The notice of hearing was issued to the parties for 05.01.2022 through CISCO Webex. Lt. Col. Vijay Kumar Padwal (Retd.), appellant comes present to attend the hearing in person and states that no information has been provided to him by the PIO.
- 3. Shri Jasbir Singh, Panchayat Secretary, Gram Panchayat Jungath comes present to attend the hearing through CISCO Webex. He states that the information was sent to the appellant though speed post on 31.12.2021 vide letter no.2 dated 27.12.2021 and a copy of the said letter has also been sent to the Commission.

..2..

Appeal Case No. 5167 of 2021

4. The Commission has received an e-mail sent by Shri Jasbir Singh, Panchayat Secretary,

Jungath which is a copy of letter No.2 dated 27.12.2021 vide which the information was sent to the

appellant.

5. The appellant, however, states that he has not yet received the information sent by the

PIO by Speed Post on 31.12.2021. The appellant is provided a photocopy of the information supplied by

Panchayat Secretary, Gram Panchayat, Jungath, District Pathankot, as available in the case file of the

Bench, during the hearing itself.

6. The appellant is now advised that he should go through the information and point out

deficiencies, if any, to the PIO. The PIO is directed to supply the information, after removal of

deficiencies, to the appellant before the next date of hearing.

7. With the aforesaid directions, the matter is adjourned. To come up for hearing on

21.03.2022 at 11:30 am through CISCO Webex. Copies of the Order be sent to the concerned parties.

Chandigarh 05.01.2022

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

Copy to:

Shri Jasbir Singh, Panchayat Secretary,

Gram Panchayat Jungath, Tehsil Dhar Kalan,

District Pathankot.

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Shri Pardeep Kumar Mehta, R/o Krishan Valley, Street No.4, Village Kakkon, Tehsil & Distt. Hoshiarpur.`

..... Appellant

Public Information Officer, O/o Block Dev. & Panchayat Officer, Bassizana, Distt. Hoshiarpur.

First Appellate Authority, O/o Distt. Dev. & Panchayat Officer, Hoshiarpur.

....Respondent

#### Appeal Case No. 4855 of 2021

Vs

Present:- (i) Shri Pardeep Kumar Mehta, appellant is absent.

(ii) Shri Balwant Rai, Superintendent is present through CISCO Webex.

#### ORDER

### (Heard through Cisco Webex/on Mobile phone)

The present appeal was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler in which Notice of hearing was issued for 05.01.2022. However since the Ld. State Information Commissioner, Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

- 1. The RTI application is dated 15.06.2021 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 19.07.2021 and the Second Appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. The notice of hearing was issued to the parties for 05.01.2022 through CISCO Webex. Shri Pardeep Kumar Mehta, appellant has not come present to attend the hearing in person before the Bench or through CISCO Webex. However, when contacted on mobile phone he states that the requisite information has not been provided to him by the PIO.
- 3. Shri Balwant Rai, Superintendent comes present to attend the hearing through CISCO Webex and states that the information was sent to the appellant vide letter no.1609 dated 26.08.2021 and again letter no.3641 dated 23.12.2021 was written to the appellant to point out deficiencies, if any, in the information supplied within three days, but the appellant has not responded to the said letter.

..2..

Appeal Case No. 4855 of 2021

4. As the appellant states that the requisite information has not been provided to him by the PIO, so

the PIO, O/o BDPO, Bassizana, District Hoshiarpur is directed to call the appellant to his office and allow him

access to the relevant official record. The appellant, after inspection, will identify the information required by him

and the PIO will provide the same to the appellant before the next date of hearing.

5. After supplying the information, the PIO is directed to file an affidavit on non judicial stamp paper

duly signed by the PIO and attested by the Notary Public to the effect that the appellant has been allowed

inspection of records and the information as available in the official records and as identified by the appellant in AC

No.4855 of 2021, has been supplied to the appellant. It be further stated that nothing has been concealed therein

and the statement made is true and correct. The original affidavit be sent to the appellant and photocopy of the

same be sent to the Commission for record.

6. With the aforesaid directions the matter is adjourned. To come up for hearing on 21.03.2022 at

11:30 am through CISCO Webex. Copies of the Order be sent to the concerned parties.

Chandigarh 05.01.2022

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Shri Pardeep Kumar Mehta, R/o Krishan Valley, Street No.4, Village Kakkon, Tehsil & Distt. Hoshiarpur.`

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Public Information Officer, O/o Block Dev. & Panchayat Officer, Bassizana, Distt. Hoshiarpur. First Appellate Authority, O/o Distt. Dev. & Panchayat Officer, Hoshiarpur.

....Respondent

..... Appellant

#### Appeal Case No. 4857 of 2021

Present:- (i) Shri Pardeep Kumar Mehta, appellant is absent.

(ii) Shri Balwant Rai, Superintendent is present through CISCO Webex.

### ORDER

#### (Heard through Cisco Webex/on Mobile phone)

The present appeal was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler in which Notice of hearing was issued for 05.01.2022. However since the Ld. State Information Commissioner, Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

- 1. The RTI application is dated 15.06.2021 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 19.07.2021 and the Second Appeal was filed in the Commission on 22.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. The notice of hearing was issued to the parties for 05.01.2022 through CISCO Webex. Shri Pardeep Kumar Mehta, appellant has not come present to attend the hearing in person before the Bench or through CISCO Webex. However, when contacted on mobile phone he states that the requisite information has not been provided to him by the PIO.
- 3. Shri Balwant Rai, Superintendent comes present to attend the hearing through CISCO Webex and states that the information was sent to the appellant vide letter no.1609 dated 26.08.2021 and again letter no.3641 dated 23.12.2021 was written to the appellant to point out deficiencies, if any, in the information supplied within three days, but the appellant has not responded to the said letter.

Contd..P-2..

..2..

Appeal Case No. 4857 of 2021

4. As the appellant states that the requisite information has not been provided to him by the PIO, so

the PIO, O/o BDPO, Bassizana, District Hoshiarpur is directed to call the appellant to his office and allow him

access to the relevant official record. The appellant, after inspection, will identify the information required by him

and the PIO will provide the same to the appellant before the next date of hearing.

5. After supplying the information, the PIO is directed to file an affidavit on non judicial stamp paper

duly signed by the PIO and attested by the Notary Public to the effect that the appellant has been allowed

inspection of records and the information as available in the official records and as identified by the appellant in AC

No.4855 of 2021, has been supplied to the appellant. It be further stated that nothing has been concealed therein

and the statement made is true and correct. The original affidavit be sent to the appellant and photocopy of the

same be sent to the Commission for record.

6. With the aforesaid directions the matter is adjourned. To come up for hearing on 21.03.2022 at

11:30 am through CISCO Webex. Copies of the Order be sent to the concerned parties.

Chandigarh 05.01.2022

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Shri Sukhpal Singh, S/o Shri Amar Singh, R/o Village Palasaur, Tehsil Dhuri, Distt. Sangrur.

..... Appellant

Vs

Public Information Officer. O/o Director, Rural Dev. & Panchayat Department, PB., Sector 62, Mohali.

First Appellate Authority, O/o Special Secretary, Rural Dev. & Panchayat Department, PB., Sector 62, Mohali.

....Respondent

#### Appeal Case No. 4868 of 2021

Present:-Shri Sukhpal Singh, appellant is present through CISCO Webex. (i)

> (ii) None present on behalf of the respondent.

#### ORDER

#### (Heard through cisco webex)

The present appeal was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler in which Notice of hearing was issued for 05.01.2022. However since the Ld. State Information Commissioner, Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

- 1. The RTI application is dated 06.07.2020 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 02.07.2021 and the Second Appeal was filed in the Commission on 25.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. The notice of hearing was issued to the parties for 05.01.2022 through CISCO Webex. Shri Sukhpal Singh, appellant comes present to attend the hearing through CISCO Webex and states that no information has been provided to him by the PIO.
- 3. Neither the PIO, O/o Director, Rural Dev. & Panchayat Department, PB., Mohali has come present to attend the hearing nor he has deputed any of his representative to attend the hearing. The Bench views the absence of the PIO adversely.

Contd..P-2..

..2..

Appeal Case No. 4868 of 2021

4. The PIO, O/o Director, Rural Dev. & Panchayat Department, PB., Mohali is issued Show Cause

Notice to explain his absence and as to why action should not be taken against him also as to why penalty should

not be imposed in the instant case for failing to appear for the hearing.

5. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for

personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in

case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next

date, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings

against him ex-parte.

6. The PIO, O/o Director, Rural Dev. & Panchayat Department, PB., Mohali is further directed to call

the appellant to his office and allow him access to the relevant official record. The appellant, after inspection, will

identify the information required by him and the PIO will provide the same to the appellant before the next date of

hearing.

7. With the aforesaid directions the matter is adjourned. To come up for hearing on 21.03.2022 at

11:30 am through CISCO Webex. Copies of the Order be sent to the concerned parties.

Chandigarh 05.01.2022 Sd/-((Lt Gen Ajae Kumar Sharma,(Retd)) State Information Commissioner, Punjab

Copy to (By Regd.Post)

Public Information Officer, O/o Director, Rural Development & Panchayat Department, Punjab, Sector 62, Mohali.



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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer O/o Executive Officer,

Municipal Council, Mullanpur Dakha, District Ludhiana.

First Appellate Authority

O/o Deputy Director, Local Bodies,Ludhiana.

....Respondents

#### AC No.634 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Abhay Joshi, Accountant/APIO, M.C. Mullanpur Dakha.

#### **ORDER**

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through through Cisco Webex. He states that he has not received the complete information as yet. He further states that he visited the office of Municipal Council, Mullanpur Dakha on 04.01.2022 to inspect the records and he was informed that information is being prepared and will be provided to him on priority by tomorrow.
- 3. Shri Abhay Joshi, Accountant/APIO, Municipal Council, Mullanpur Dakha comes present to attend the hearing through Cisco Webex. However, due to disturbance in connectivity through cisco webex, he is contacted on mobile phone. On the asking of the Bench, he states that some of the records were inspected by the appellant yesterday i.e. on 04.01.2022 and thereafter, he left the office as he was to attend to some urgent work in D.C. Office, Ludhiana. He assures that after complete records are inspected by the appellant, the information as identified by him will be provided to him.
- 4. The Bench observes that during the last hearing, a request was made by Mr. Abhay Joshi that the PIO wants to present their case in person and as such, acceding to his request, the case was adjourned with the directions to file an affidavit on non-judicial stamp paper duly signed by the PIO and



-2-

#### AC No.634/2020

attested by the Notary Public to the effect that the information as available in the official records in AC No.634 of 2020 has been supplied to the appellant. The PIO was also directed to bring along all the relevant record, copy of the information supplied and the original copy of the affidavit as also a photocopy of the same and produce the same before the Bench. But the PIO has failed to comply with the directions of the Bench. This reflects poorly on the functioning of Municipal Council, Mullanpur Dakha.

- 5. The PIO is once again directed to comply with the directions of the Bench in its entirety and ensure to come present in person before the Bench on the next hearing along with the relevant records.
- 6. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 05.01.2022



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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer O/o Executive Officer,

Municipal Council, Mullanpur Dakha, District Ludhiana.

**First Appellate Authority** 

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.636 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Abhay Joshi, Accountant/APIO, M.C. Mullanpur Dakha.

#### **ORDER**

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through through Cisco Webex. He states that he has not received the complete information as yet. He further states that he visited the office of Municipal Council, Mullanpur Dakha on 04.01.2022 to inspect the records and he was informed that information is being prepared and will be provided to him on priority by tomorrow.
- 3. Shri Abhay Joshi, Accountant/APIO, Municipal Council, Mullanpur Dakha comes present to attend the hearing through Cisco Webex. However, due to disturbance in connectivity through cisco webex, he is contacted on mobile phone. On the asking of the Bench, he states that some of the records were inspected by the appellant yesterday i.e. on 04.01.2022 and thereafter, he left the office as he was to attend to some urgent work in D.C. Office, Ludhiana. He assures that after complete records are inspected by the appellant, the information as identified by him will be provided to him.
- 4. The Bench observes that during the last hearing, a request was made by Mr. Abhay Joshi that the PIO wants to present their case in person and as such, acceding to his request, the case was adjourned with the directions to file an affidavit on non-judicial stamp paper duly signed by the PIO and

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-2-

AC No.636/2020

attested by the Notary Public to the effect that the information as available in the official records in AC No.636 of 2020 has been supplied to the appellant. The PIO was also directed to bring along all the relevant record, copy of the information supplied and the original copy of the affidavit as also a photocopy of the same and produce the same before the Bench. But the PIO has failed to comply with the directions of the Bench. This reflects poorly on the functioning of Municipal Council, Mullanpur Dakha.

- 5. The PIO is once again directed to comply with the directions of the Bench in its entirety and ensure to come present in person before the Bench on the next hearing along with the relevant records.
- 6. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

**Public Information Officer** 

O/o Executive Officer, Municipal Council, Mullanpur Dakha, District Ludhiana.

First Appellate Authority

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

### AC No.637 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Abhay Joshi, Accountant/APIO, M.C. Mullanpur Dakha.

#### <u>ORDER</u>

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through through Cisco Webex. He states that he has not received the complete information as yet. He further states that he visited the office of Municipal Council, Mullanpur Dakha on 04.01.2022 to inspect the records and he was informed that information is being prepared and will be provided to him on priority by tomorrow.
- 3. Shri Abhay Joshi, Accountant/APIO, Municipal Council, Mullanpur Dakha comes present to attend the hearing through Cisco Webex. However, due to disturbance in connectivity through cisco webex, he is contacted on mobile phone. On the asking of the Bench, he states that some of the records were inspected by the appellant yesterday i.e. on 04.01.2022 and thereafter, he left the office as he was to attend to some urgent work in D.C. Office, Ludhiana. He assures that after complete records are inspected by the appellant, the information as identified by him will be provided to him.
- 4. The Bench observes that during the last hearing, a request was made by Mr. Abhay Joshi that the PIO wants to present their case in person and as such, acceding to his request, the case was adjourned with the directions to file an affidavit on non-judicial stamp paper duly signed by the PIO and

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-2-

AC No.637/2020

attested by the Notary Public to the effect that the information as available in the official records in AC No.637 of 2020 has been supplied to the appellant. The PIO was also directed to bring along all the relevant record, copy of the information supplied and the original copy of the affidavit as also a photocopy of the same and produce the same before the Bench. But the PIO has failed to comply with the directions of the Bench. This reflects poorly on the functioning of Municipal Council, Mullanpur Dakha.

- 5. The PIO is once again directed to comply with the directions of the Bench in its entirety and ensure to come present in person before the Bench on the next hearing along with the relevant records.
- 6. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 05.01.2022



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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

**Public Information Officer** 

O/o Executive Officer, Municipal Council, Jagraon, District Ludhiana.

**First Appellate Authority** 

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.638/2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Narinder Kumar, Clerk, Municipal Council, Jagraon,

District Ludhiana, in person on behalf of the PIO.

**ORDER** 

(Heard through Cisco Webex)

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through Cisco Webex. He states that he has not been supplied complete information as per his RTI application.
- 3. Shri Narinder Kumar, Municipal Council, Jagraon comes present to attend the hearing in person before the Bench. He states that information as available in official records has been supplied to the appellant and that the amount of penalty imposed on the PIO has also been deposited. He also produces copy of challan in this regard which is taken on record.
- 4. On the asking of the Bench regarding filing an affidavit, the representative of the PIO states that the Executive Officer has been transferred and no officer has joined in his place and thus, the affidavit could not be filed.
- 5. The Bench on perusal of the case file, observes that directions were issued to the PIO to supply complete information and then to file an affidavit on the previous hearings i.e. 10.06.2020, 02.09.2020, 18.01.2021, 19.04.2021 and 30.09.2021, but the PIO has not filed the affidavit. The statement made by

Cont..P-2

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-2- <u>AC No.638/2020</u>

the representative of PIO in today's hearing that the Executive Officer has been transferred is not appreciated. This reflects poorly on the functioning of the Municipal Council, Jagraon.

- 6. The PIO is once again directed to comply with the directions of the Bench in its entirety before the next hearing as also to ensure to come present in person before the Bench on the next date of hearing.
- 7. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 05.01.2022



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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

**Public Information Officer** 

O/o Executive Officer, Municipal Council, Mullanpur Dakha, District Ludhiana.

First Appellate Authority

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.641 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Abhay Joshi, Accountant/APIO, M.C. Mullanpur Dakha.

#### **ORDER**

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through through Cisco Webex. He states that he has not received the complete information as yet. He further states that he visited the office of Municipal Council, Mullanpur Dakha on 04.01.2022 to inspect the records and he was informed that information is being prepared and will be provided to him on priority by tomorrow.
- 3. Shri Abhay Joshi, Accountant/APIO, Municipal Council, Mullanpur Dakha comes present to attend the hearing through Cisco Webex. However, due to disturbance in connectivity through cisco webex, he is contacted on mobile phone. On the asking of the Bench, he states that some of the records were inspected by the appellant yesterday i.e. on 04.01.2022 and thereafter, he left the office as he was to attend to some urgent work in D.C. Office, Ludhiana. He assures that after complete records are inspected by the appellant, the information as identified by him will be provided to him.
- 4. The Bench observes that during the last hearing, a request was made by Mr. Abhay Joshi that the PIO wants to present their case in person and as such, acceding to his request, the case was adjourned with the directions to file an affidavit on non-judicial stamp paper duly signed by the PIO and

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-2-

AC No.641/2020

attested by the Notary Public to the effect that the information as available in the official records in AC No.641 of 2020 has been supplied to the appellant. The PIO was also directed to bring along all the relevant record, copy of the information supplied and the original copy of the affidavit as also a photocopy of the same and produce the same before the Bench. But the PIO has failed to comply with the directions of the Bench. This reflects poorly on the functioning of Municipal Council, Mullanpur Dakha.

- 5. The PIO is once again directed to comply with the directions of the Bench in its entirety and ensure to come present in person before the Bench on the next hearing along with the relevant records.
- 6. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 05.01.2022



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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

**Public Information Officer** 

O/o Executive Officer, Municipal Council, Mullanpur Dakha, District Ludhiana.

First Appellate Authority

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

### AC No.642 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Abhay Joshi, Accountant/APIO, M.C. Mullanpur Dakha.

Versus

#### ORDER

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through through Cisco Webex. He states that he has not received the complete information as yet. He further states that he visited the office of Municipal Council, Mullanpur Dakha on 04.01.2022 to inspect the records and he was informed that information is being prepared and will be provided to him on priority by tomorrow.
- 3. Shri Abhay Joshi, Accountant/APIO, Municipal Council, Mullanpur Dakha comes present to attend the hearing through Cisco Webex. However, due to disturbance in connectivity through cisco webex, he is contacted on mobile phone. On the asking of the Bench, he states that some of the records were inspected by the appellant yesterday i.e. on 04.01.2022 and thereafter, he left the office as he was to attend to some urgent work in D.C. Office, Ludhiana. He assures that after complete records are inspected by the appellant, the information as identified by him will be provided to him.
- 4. The Bench observes that during the last hearing, a request was made by Mr. Abhay Joshi that the PIO wants to present their case in person and as such, acceding to his request, the case was adjourned with the directions to file an affidavit on non-judicial stamp paper duly signed by the PIO and

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AC No.642/2020

attested by the Notary Public to the effect that the information as available in the official records in AC No.642 of 2020 has been supplied to the appellant. The PIO was also directed to bring along all the relevant record, copy of the information supplied and the original copy of the affidavit as also a photocopy of the same and produce the same before the Bench. But the PIO has failed to comply with the directions of the Bench. This reflects poorly on the functioning of Municipal Council, Mullanpur Dakha.

-2-

- 5. The PIO is once again directed to comply with the directions of the Bench in its entirety and ensure to come present in person before the Bench on the next hearing along with the relevant records.
- 6. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 05.01.2022



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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

#### **Public Information Officer**

O/o Executive Officer, Municipal Council, Mullanpur Dakha, District Ludhiana.

#### **First Appellate Authority**

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.661 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Abhay Joshi, Accountant/APIO, M.C. Mullanpur Dakha.

#### **ORDER**

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through through Cisco Webex. He states that he has not received the complete information as yet. He further states that he visited the office of Municipal Council, Mullanpur Dakha on 04.01.2022 to inspect the records and he was informed that information is being prepared and will be provided to him on priority by tomorrow.
- 3. Shri Abhay Joshi, Accountant/APIO, Municipal Council, Mullanpur Dakha comes present to attend the hearing through Cisco Webex. However, due to disturbance in connectivity through cisco webex, he is contacted on mobile phone. On the asking of the Bench, he states that some of the records were inspected by the appellant yesterday i.e. on 04.01.2022 and thereafter, he left the office as he was to attend to some urgent work in D.C. Office, Ludhiana. He assures that after complete records are inspected by the appellant, the information as identified by him will be provided to him.
- 4. The Bench observes that during the last hearing, a request was made by Mr. Abhay Joshi that the PIO wants to present their case in person and as such, acceding to his request, the case was adjourned with the directions to file an affidavit on non-judicial stamp paper duly signed by the PIO and

PSIC USSUE MORNAGE

AC No.661/2020

attested by the Notary Public to the effect that the information as available in the official records in AC No.661 of 2020 has been supplied to the appellant. The PIO was also directed to bring along all the relevant record, copy of the information supplied and the original copy of the affidavit as also a photocopy of the same and produce the same before the Bench. But the PIO has failed to comply with the directions of the Bench. This reflects poorly on the functioning of Municipal Council, Mullanpur Dakha.

-2-

- 5. The PIO is once again directed to comply with the directions of the Bench in its entirety and ensure to come present in person before the Bench on the next hearing along with the relevant records.
- 6. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

**Public Information Officer** 

O/o Executive Officer, Municipal Council, Mullanpur Dakha, District Ludhiana.

**First Appellate Authority** 

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.763 of 2020

Present:

- (i) Shri Rakesh Kumar Gupta, appellant
- (ii) Shri Abhay Joshi, Accountant/APIO, M.C. Mullanpur Dakha.

#### **ORDER**

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through through Cisco Webex. He states that he has not received the complete information as yet. He further states that he visited the office of Municipal Council, Mullanpur Dakha on 04.01.2022 to inspect the records and he was informed that information is being prepared and will be provided to him on priority by tomorrow.
- 3. Shri Abhay Joshi, Accountant/APIO, Municipal Council, Mullanpur Dakha comes present to attend the hearing through Cisco Webex. However, due to disturbance in connectivity through cisco webex, he is contacted on mobile phone. On the asking of the Bench, he states that some of the records were inspected by the appellant yesterday i.e. on 04.01.2022 and thereafter, he left the office as he was to attend to some urgent work in D.C. Office, Ludhiana. He assures that after complete records are inspected by the appellant, the information as identified by him will be provided to him.
- 4. The Bench observes that during the last hearing, a request was made by Mr. Abhay Joshi that the PIO wants to present their case in person and as such, acceding to his request, the case was adjourned with the directions to file an affidavit on non-judicial stamp paper duly signed by the PIO and

PSIC Sales Afternation

-2-

AC No.763/2020

attested by the Notary Public to the effect that the information as available in the official records in AC No.763 of 2020 has been supplied to the appellant. The PIO was also directed to bring along all the relevant record, copy of the information supplied and the original copy of the affidavit as also a photocopy of the same and produce the same before the Bench. But the PIO has failed to comply with the directions of the Bench. This reflects poorly on the functioning of Municipal Council, Mullanpur Dakha.

- 5. The PIO is once again directed to comply with the directions of the Bench in its entirety and ensure to come present in person before the Bench on the next hearing along with the relevant records.
- 6. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

**Public Information Officer** 

O/o Executive Officer, Municipal Council, Mullanpur Dakha, District Ludhiana.

**First Appellate Authority** 

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.764 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Abhay Joshi, Accountant/APIO, M.C. Mullanpur Dakha.

#### **ORDER**

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through through Cisco Webex. He states that he has not received the complete information as yet. He further states that he visited the office of Municipal Council, Mullanpur Dakha on 04.01.2022 to inspect the records and he was informed that information is being prepared and will be provided to him on priority by tomorrow.
- 3. Shri Abhay Joshi, Accountant/APIO, Municipal Council, Mullanpur Dakha comes present to attend the hearing through Cisco Webex. However, due to disturbance in connectivity through cisco webex, he is contacted on mobile phone. On the asking of the Bench, he states that some of the records were inspected by the appellant yesterday i.e. on 04.01.2022 and thereafter, he left the office as he was to attend to some urgent work in D.C. Office, Ludhiana. He assures that after complete records are inspected by the appellant, the information as identified by him will be provided to him.
- 4. The Bench observes that during the last hearing, a request was made by Mr. Abhay Joshi that the PIO wants to present their case in person and as such, acceding to his request, the case was adjourned with the directions to file an affidavit on non-judicial stamp paper duly signed by the PIO and

PSIC Sales Afternation

-2-

AC No.764/2020

attested by the Notary Public to the effect that the information as available in the official records in AC No.764 of 2020 has been supplied to the appellant. The PIO was also directed to bring along all the relevant record, copy of the information supplied and the original copy of the affidavit as also a photocopy of the same and produce the same before the Bench. But the PIO has failed to comply with the directions of the Bench. This reflects poorly on the functioning of Municipal Council, Mullanpur Dakha.

- 5. The PIO is once again directed to comply with the directions of the Bench in its entirety and ensure to come present in person before the Bench on the next hearing along with the relevant records.
- 6. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer O/o Executive Officer,

Municipal Council, Jagraon, District Ludhiana.

First Appellate Authority

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.969 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Narinder Kumar, Clerk, Municipal Council, Jagraon,

District Ludhiana, in person on behalf of the PIO.

**ORDER** 

(Heard through Cisco Webex)

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through Cisco Webex. He states that he has not been supplied complete information as per his RTI application.
- 3. Shri Narinder Kumar, Municipal Council, Jagraon comes present to attend the hearing in person before the Bench. He states that information as available in official records has been supplied to the appellant and that the amount of penalty imposed on the PIO has also been deposited. He also produces copy of challan in this regard which is taken on record.
- 4. On the asking of the Bench regarding filing an affidavit, the representative of the PIO states that the Executive Officer has been transferred and no officer has joined in his place and thus, the affidavit could not be filed.
- 5. The Bench on perusal of the case file, observes that directions were issued to the PIO to supply complete information and then to file an affidavit on the previous hearings i.e. 10.06.2020, 02.09.2020, 18.01.2021, 19.04.2021 and 30.09.2021, but the PIO has not filed the affidavit. The statement made by

Cont..P-2

PSIC SHAPE

-2- <u>AC No.969/2020</u>

the representative of PIO in today's hearing that the Executive Officer has been transferred is not appreciated. This reflects poorly on the functioning of the Municipal Council, Jagraon.

- 6. The PIO is once again directed to comply with the directions of the Bench in its entirety before the next hearing as also to ensure to come present in person before the Bench on the next date of hearing.
- 7. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

**Public Information Officer** 

O/o Executive Officer, Municipal Council, Jagraon, District Ludhiana.

First Appellate Authority

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.970 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Narinder Kumar, Clerk, Municipal Council, Jagraon,

District Ludhiana, in person on behalf of the PIO.

**ORDER** 

(Heard through Cisco Webex)

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through Cisco Webex. He states that he has not been supplied complete information as per his RTI application.
- 3. Shri Narinder Kumar, Municipal Council, Jagraon comes present to attend the hearing in person before the Bench. He states that information as available in official records has been supplied to the appellant and that the amount of penalty imposed on the PIO has also been deposited. He also produces copy of challan in this regard which is taken on record.
- 4. On the asking of the Bench regarding filing an affidavit, the representative of the PIO states that the Executive Officer has been transferred and no officer has joined in his place and thus, the affidavit could not be filed.
- 5. The Bench on perusal of the case file, observes that directions were issued to the PIO to supply complete information and then to file an affidavit on the previous hearings i.e. 10.06.2020, 02.09.2020, 18.01.2021, 19.04.2021 and 30.09.2021, but the PIO has not filed the affidavit. The statement made by

Cont..P-2

PSIC SHAPE

-2- <u>AC No.970/2020</u>

the representative of PIO in today's hearing that the Executive Officer has been transferred is not appreciated. This reflects poorly on the functioning of the Municipal Council, Jagraon.

- 6. The PIO is once again directed to comply with the directions of the Bench in its entirety before the next hearing as also to ensure to come present in person before the Bench on the next date of hearing.
- 7. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

#### **Public Information Officer**

O/o Executive Officer, Municipal Council, Jagraon, District Ludhiana.

**First Appellate Authority** 

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.972 of 2020

Present:

- (i) Shri Rakesh Kumar Gupta, appellant
- (ii) Shri Narinder Kumar, Clerk, Municipal Council, Jagraon, District Ludhiana, in person on behalf of the PIO.

**ORDER** 

(Heard through Cisco Webex)

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through Cisco Webex. He states that he has not been supplied complete information as per his RTI application.
- 3. Shri Narinder Kumar, Municipal Council, Jagraon comes present to attend the hearing in person before the Bench. He states that information as available in official records has been supplied to the appellant and that the amount of penalty imposed on the PIO has also been deposited. He also produces copy of challan in this regard which is taken on record.
- 4. On the asking of the Bench regarding filing an affidavit, the representative of the PIO states that the Executive Officer has been transferred and no officer has joined in his place and thus, the affidavit could not be filed.
- 5. The Bench on perusal of the case file, observes that directions were issued to the PIO to supply complete information and then to file an affidavit on the previous hearings i.e. 10.06.2020, 02.09.2020, 18.01.2021, 19.04.2021 and 30.09.2021, but the PIO has not filed the affidavit. The statement made by

Cont..P-2

PSIC SHAPE

-2- <u>AC No.972/2020</u>

the representative of PIO in today's hearing that the Executive Officer has been transferred is not appreciated. This reflects poorly on the functioning of the Municipal Council, Jagraon.

- 6. The PIO is once again directed to comply with the directions of the Bench in its entirety before the next hearing as also to ensure to come present in person before the Bench on the next date of hearing.
- 7. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

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Shri Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

**Public Information Officer** 

O/o Executive Officer, Municipal Council, Jagraon District Ludhiana.

First Appellate Authority

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.973 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Narinder Kumar, Clerk, Municipal Council, Jagraon,

District Ludhiana, in person on behalf of the PIO.

**ORDER** 

(Heard through Cisco Webex)

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through Cisco Webex. He states that he has not been supplied complete information as per his RTI application.
- 3. Shri Narinder Kumar, Municipal Council, Jagraon comes present to attend the hearing in person before the Bench. He states that information as available in official records has been supplied to the appellant and that the amount of penalty imposed on the PIO has also been deposited. He also produces copy of challan in this regard which is taken on record.
- 4. On the asking of the Bench regarding filing an affidavit, the representative of the PIO states that the Executive Officer has been transferred and no officer has joined in his place and thus, the affidavit could not be filed.
- 5. The Bench on perusal of the case file, observes that directions were issued to the PIO to supply complete information and then to file an affidavit on the previous hearings i.e. 10.06.2020, 02.09.2020, 18.01.2021, 19.04.2021 and 30.09.2021, but the PIO has not filed the affidavit. The statement made by

Cont..P-2

PSIC SHAPE

-2- <u>AC No.973/2020</u>

the representative of PIO in today's hearing that the Executive Officer has been transferred is not appreciated. This reflects poorly on the functioning of the Municipal Council, Jagraon.

- 6. The PIO is once again directed to comply with the directions of the Bench in its entirety before the next hearing as also to ensure to come present in person before the Bench on the next date of hearing.
- 7. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

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Sh.Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Executive Officer.

Municipal Council, Jagraon, District Ludhiana.

**First Appellate Authority** 

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.974 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Narinder Kumar, Clerk, Municipal Council, Jagraon,

District Ludhiana, in person on behalf of the PIO.

**ORDER** 

(Heard through Cisco Webex)

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through Cisco Webex. He states that he has not been supplied complete information as per his RTI application.
- 3. Shri Narinder Kumar, Municipal Council, Jagraon comes present to attend the hearing in person before the Bench. He states that information as available in official records has been supplied to the appellant and that the amount of penalty imposed on the PIO has also been deposited. He also produces copy of challan in this regard which is taken on record.
- 4. On the asking of the Bench regarding filing an affidavit, the representative of the PIO states that the Executive Officer has been transferred and no officer has joined in his place and thus, the affidavit could not be filed.
- 5. The Bench on perusal of the case file, observes that directions were issued to the PIO to supply complete information and then to file an affidavit on the previous hearings i.e. 10.06.2020, 02.09.2020, 18.01.2021, 19.04.2021 and 30.09.2021, but the PIO has not filed the affidavit. The statement made by

Cont..P-2

PSIC SHAPE

-2- <u>AC No.974/2020</u>

the representative of PIO in today's hearing that the Executive Officer has been transferred is not appreciated. This reflects poorly on the functioning of the Municipal Council, Jagraon.

- 6. The PIO is once again directed to comply with the directions of the Bench in its entirety before the next hearing as also to ensure to come present in person before the Bench on the next date of hearing.
- 7. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

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Sh.Rakesh Kumar Gupta Advocate, # 8/237, Jagraon Road, Mandi Maullanpur, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer, Municipal Council, Jagraon, District Ludhiana.

**First Appellate Authority** 

O/o Deputy Director, Local Bodies, Ludhiana.

....Respondents

#### AC No.977 of 2020

Present: (i) Shri Rakesh Kumar Gupta, appellant

(ii) Shri Narinder Kumar, Clerk, Municipal Council, Jagraon,

District Ludhiana, in person on behalf of the PIO.

**ORDER** 

(Heard through Cisco Webex)

- 1. This order may be read with reference to the order dated 30.09.2021 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through Cisco Webex. Shri Rakesh Kumar Gupta, appellant comes present for the hearing through Cisco Webex. He states that he has not been supplied complete information as per his RTI application.
- 3. Shri Narinder Kumar, Municipal Council, Jagraon comes present to attend the hearing in person before the Bench. He states that information as available in official records has been supplied to the appellant and that the amount of penalty imposed on the PIO has also been deposited. He also produces copy of challan in this regard which is taken on record.
- 4. On the asking of the Bench regarding filing an affidavit, the representative of the PIO states that the Executive Officer has been transferred and no officer has joined in his place and thus, the affidavit could not be filed.
- 5. The Bench on perusal of the case file, observes that directions were issued to the PIO to supply complete information and then to file an affidavit on the previous hearings i.e. 10.06.2020, 02.09.2020, 18.01.2021, 19.04.2021 and 30.09.2021, but the PIO has not filed the affidavit. The statement made by

Cont..P-2

PSIC SHAPE

-2- <u>AC No.977/2020</u>

the representative of PIO in today's hearing that the Executive Officer has been transferred is not appreciated. This reflects poorly on the functioning of the Municipal Council, Jagraon.

- 6. The PIO is once again directed to comply with the directions of the Bench in its entirety before the next hearing as also to ensure to come present in person before the Bench on the next date of hearing.
- 7. With the aforesaid directions, the matter is adjourned. To come up for hearing on 21.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 05.01.2022