



Sh.Tejinder Singh,
R/o Village Bholpaur, P.O Ramgarh,
Chandigarh Road, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/oGLADA,
Ludhiana.

First Appellate Authority,
O/o Addl, Chief Administrator,
GLADA, Ludhiana.

...Respondent

Appeal Case No. 21 of 2019

PRESENT: Ms.GursimranKaur, on behalf of the Appellant
Sh.Santosh Kumar Bains, PIO GLADA for the Respondent

ORDER:

The case was first heard on **08.04.2019**. The appellant was absent and vide email informed that the PIO has not provided the information.

The respondent present pleaded that they have already started action against the allottee of the flat and the allottee has been issued notices on 13.03.2019, 22.03.2019 and 05.04.2019 for calling reply. The respondent further informed that they have sent reply to the appellant on 05.04.2019. The Commission recommended that the action against the defaulter be taken as per law and a compliance report be sent to the Commission. The PIO was also directed to explain the reasons for delay in attending to the RTI application.

The case was last heard on **12.06.2019**. The appellant claimed that the PIO has not provided the information. The appellant further informed that he has also not received the letter dated 05.04.2019 vide which the respondent claims to have sent reply to the appellant.

The Commission observed that the PIO has not complied with the earlier order of the Commission nor has supplied the information to the appellant, and there is an enormous delay of nine months in providing the information. Taking a serious note on this scant regard of the PIO towards the RTI Act, the PIO was issued a show **cause notice unnder section 20 of the RTI Act for not supplying the information within the statutorily prescribed period of time**, The PIO was directed to file an affidavit in this regard, and if there are other persons responsible for the delay in providing the information, the PIO was directed to inform such persons of the show cause and direct them to appear before the Commission alongwih the written replies.

Hearing dated 05.08.2019:

The case has come up for hearing today. The respondent present pleaded that the information has been provided to the appellant vide letter dated 06.06.2019. The respondent further pleaded that as per decision of the Punjab & Haryana High Court, they have taken necessary action and allotment of the house has been cancelled. The appellant has been provided reply vide letter dated 30.07.2019 during the hearing.

The information stands provided. However, in the affidavit submitted by the respondent regarding reply to the show cause notice issued to the PIO on 12.06.2019, the PIO has not been able to justify the delay of 8 months in providing the information since the RTI application was filed by the appellant on 16.08.2018 and the reply was sent by the PIO on 05.04.2019.

Order. Keeping all the facts of the case in mind, this is a fit case to invoke section 20 of the RTI Act and impose a penalty on the PIO. Section 20 reads as follows-

'20.Penalties. – (1) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complain or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect , incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees:

Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be give a reasonable opportunity of being heard before any penalty is imposed on him:

Provide further that the burden of proving that he acted reasonably and diligently shall be on the Central Information Officer, as the case may be.”

The onus and responsibility lies on the PIO to ensure the transmission of the complete information to the appellant. The PIO-GLADA Ludhiana is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request, and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of **Rs.15,000/-** is hereby imposed upon the PIO-GLADA Ludhiana which be deposited in the Govt. Treasury. The PIO-GLADA Ludhiana is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

To come up for compliance on **13.11.2019 at 11.00 AM.**

Chandigarh
Dated 05.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Tejinder Singh,
R/o Village Bholpaur, P.O Ramgarh,
Chandigarh Road, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o GLADA,
Ludhiana.

First Appellate Authority,
O/o Addl, Chief Administrator,
GLADA, Ludhiana.

...Respondent

AppealCase No. 76 of 2019

PRESENT: Ms.Gursimran Kaur on behalf of the Appellant
Sh.Santosh Kumar Bains, PIO-GLADA for the Respondent

ORDER: The case was first heard on 08.04.2019. The appellant was absent and vide email informed that the PIO has not provided the information.

The respondent present pleaded that the department had not granted any permission to the allottee for setting up of a factory in the flat. The respondent further informed that they have already started action against the allottee of the flat and the allottee has been issued notices on 13.03.2019, 22.03.2019 and 05.04.2019 for calling reply. The PIO was directed to provide the information to the appellant as per the RTI application and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case was last heard on **12.06.2019**. The appellant claimed that despite order of the Commission, the PIO has not supplied the information. The Commission observed that the PIO has not complied with the earlier order of the Commission, nor has supplied the information to the appellant. Further there therehas been an enormous delay of ten months in providing the information, taking a serious note of this scant regard of the PIO towards the RTI Act, the PIO was issued a **show cause notice under section 20 of the RTI Act** and directed to file an affidavit in this regard, if there are other persons responsible for the delay in providing the information, the PIO was directed to inform such persons of the show cause and direct them to appear before the Commission alongwih the written replies.

Hearing dated 05.08.2019:

The case has come up for hearing today. The respondent present pleaded that the information has been provided to the appellant vide letter dated 02.08.2019 and a copy of the same is submitted to the Commission. The respondent further informed that the information sought in this case is similar to the information as sought by the appellant in appeal case No.21/2019 and as per order of the Punjab & Haryana High Court, necessary action has been taken by the GLADA against the said flat and allotment of the flat has been cancelled.

Since the information in this case and appeal case No.21/2019 is similar in nature and stands provided and the PIO has been penalized in appeal case No.21/2019, no further course of action is required.

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

Chandigarh
Dated 05.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Ashok Kumar,
H No-214, Pine Homes,
Dhakoli, Zirakpur.

... Appellant

Versus

Public Information Officer,
O/o Chief Administrator,
GMADA, PUDA Bhawan,
Sector-62, Mohali..

First Appellate Authority,
O/o Chief Administrator,
GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 95 of 2019

PRESENT: None for the Appellant
Sh.Gulshan Kumar, PIO GMADA for the Respondent

ORDER:

The case was last heard on **08.04.2019**. The respondent present pleaded that they have already sent the information to the appellant vide letter dated 06.11.2018. The appellant was absent and vide letter received in the Commission on 04.04.2019 informed that he has not received the information as per the RTI application.

Since the appellant was absent and no discrepancy could be discussed at the hearing, the case was adjourned.

The case was last heard on 29.05.2019. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated that he has sought calculation sheet vide which the allotment price of land was finalized alongwith allotment letter for the land allotted to Reimagining Higher Education Foundation. The respondent pleaded that the information is relates to 3rd party and the 3rd party has not given its consent to part with the information.

Having gone through the RTI application and the reply of the PIO, the PIO was directed to provide the information regarding point-1 within a week. Regarding point-3, the 3rd party M/s Reimagining Higher Education Foundation was impleaded and directed to appear before the Commission on the next date of hearing to plead its case, should it have something to say in the matter.

Hearing dated 05.08.2019:

The respondent present pleaded that the information has been provided to the appellant vide letter dated 03.06.2019 and a copy of the same submitted to the Commission. The appellant is absent and vide email informed that that the PIO has not provided the calculation sheet. The appellant wants that what factors are taken into account to arrive at the given rates which have been provided to him. The respondent says that no such information is available in their office as to how these rates have been calculated since the rates are decided at the level of Secretary Housing & Urban Development Punjab.

AppealCase No. 95of 2019

The Secretary Housing and Urban Development, Punjab is impleaded in the case and directed to look at the RTI application and provide the information. The Commission makes it clear that if there is any document that clarifies that how these rates have been arrived at, be provided to the appellant.

To come up for further hearing on **13.11.2019 at 11.00AM.**

**Chandigarh
Dated 05.08.2019**

**Sd/-
(Khushwant Singh)
State Information Commissioner**

**CC to M/s Reimagining Higher Education Foundation,
SCO-99-100, 3rd Floor, Sector 17-B,
Chandigarh. M-98723-78623**



Smt.Gursimran kaur,
R/o 836 MIG, PHB Colony,
Jamalpur, Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o State Transport Commissioner,
Pb, Chd.

First Appellate Authority,
O/o State Transport Commissioner,
Pb, Chd.

...Respondent

Appellant Case No. 116 of 2019

PRESENT: Ms.Gursimran Kaur as the Appellant
Sh.Gurpal Singh, APIO, STC Pb for the Respondent

ORDER:

The case was first heard on **08.04.2019**. Since both the parties were absent, the case was adjourned.

The case was last heard on **12.06.2019**. The appellant claimed that the PIO has not supplied the information. The respondent present pleaded that since the information relates to the RTA Ferozpur, they have already transferred the RTI application to the PIO-RTA Ferozpur vide letter dated 30.08.2018. The PIO-Regional Transport Authority, Ferozpur was impleaded in the case and directed to provide the information to the appellant as per the RTI application transferred by the STC Punjab on 30.08.2018. The PIO-RTA was also directed to explain the reasons for not attending to the RTI application well within the time prescribed under the RTI Act and appear before the Commission on the next date of hearing along with the explanation on an affidavit.

Hearing dated 05.08.2019:

The appellant claims that the PIO has not provided the information. The respondent present from the office of STC Punjab informed that they have already transferred the RTI application to the RTA-Ferozpur since the information relates to them.

The respondent from the office of RTA Ferozpur is absent nor has complied the order of the Commission. The Commission observes that there is an enormous delay of 11 months in attending to the RTI application. The Commission has taken a serious note of this and hereby directs the PIO to show cause **why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time**. He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide the information to the appellant within 10 days.

The case is adjourned. To come up for further hearing on **13.11.2019 at 11.00 AM**.

Chandigarh
Dated 05.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Manjinder Singh,
2469, Sunny Enclave,
Sector-125, Kharar,
Distt Mohali.

... Appellant

Versus

Public Information Officer,
O/o Regional Transport Authority,
Fatehgarh Sahib.

First Appellate Authority,
O/o State Transport Commissioner,
Pb, Chandigarh.

...Respondent

Appeal Case No. 119 of 2019

Present: Sh.Manjinder Singh as Appellant
Sh.Manjit Singh, Jr Assistant O/o RTA Fatehgarh Sahib for the Respondent

ORDER:

The case was first heard on 09.04.2019. The appellant claimed that no information has been provided to him. The respondent handed over some information to the appellant. The appellant was not satisfied and stated that the PIO has only provided fitness certificates of the vehicles issued but has not provided the number of driving licenses issued month-wise.

Having gone through the RTI application and the reply of the PIO, the Commission observed that the points 2 & 3 had been adequately addressed. Regarding points 1 & 4, the PIO was directed to relook at the RTI application and provide the information as per RTI application. The PIO is directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case was last heard on **28.05.2019**. The appellant informed that despite order of the Commission, the PIO has not provided the information. The respondent was absent. Due to an enormous delay of eight months in providing the information, the PIO was issued a show **cause notice under section 20 of the RTI Act and directed** to file an affidavit in this regard, The PIO was again directed to provide the information to the appellant within 10 days.

Hearing dated 05.08.2019:

The respondent present pleaded that the information has been provided to the appellant vide letter dated 17.05.2019. The appellant has not received the information. The respondent has again handed over the information to the appellant during hearing. The appellant has received the information and is satisfied.

Appeal Case No. 119 of 2019

The PIO however, has not submitted reply to the show cause notice issued to the PIO on 28.05.2019. The respondent stated that they have not received the letter of show cause. The respondent has not been able to reply that how is he present at the hearing. The Commission has taken a serious view of not filing the reply to the show cause notice. However, since the appellant has received the information and does not want to pursue the case further, the case is disposed off and closed with a warning to the PIO that it should not be repeated in future as the public authority is bound to reply to the show cause notice.

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

Chandigarh
Dated 05.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Manjinder Singh,
2469, Sunny Enclave,
Sector-125, Kharar,
Distt Mohali.

... Appellant

Versus

Public Information Officer,
O/o Regional Transport Authority,
Amritsar.

First Appellate Authority,
O/o State Transport Commissioner,
Pb, Chandigarh.

...Respondent

Appeal Case No. 121 of 2019

Present: Sh.Manjinder Singh as Appellant
Sh.Darbara Singh, Secretary, RTA Amritsar for the Respondent

ORDER:

The case was first heard on 09.04.2019. The appellant claimed that no information has been provided to him. The respondent present had brought some information and handed over to the appellant. The appellant stated that the PIO has not provided the break up of the information. The PIO was directed to provide break up of the information.

During the hearing, it was observed that the PIO had earlier denied the information without citing any valid reason, and now stands provided after the notice of the Commission, the PIO was issued a **show cause notice under section 20 of the RTI Act for denial of information in an arbitrary manner and the PIO** was directed to file reply on an affidavit. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission alongwith the written replies. The PIO was directed to provide break up of the information regarding points 1 & 4.

The case was last heard on **28.05.2019**. The respondent present informed that in compliance with the order of the Commission, the information has been provided to the appellant. The appellant pointed out some discrepancy in the information. The PIO was directed to sort out the discrepancies within 10 days. Since the PIO did not bring reply to the show cause notice, the PIO was one more opportunity to submit reply to the show cause notice and appear personally on the next date of hearing.

Hearing dated 05.08.2019:

The PIO is present and pleaded that the remaining information has been provided to the appellant vide letter dated 19.07.2019. The appellant has received the information and is satisfied. The respondent has also submitted reply to the show cause notice which is taken on the file of the Commission.

Since the appellant has received the information and does not want to pursue the case further, the show cause is dropped and the case is **disposed off and closed**.

Chandigarh
Dated 05,08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Manjinder Singh,
2469, Sunny Enclave,
Sector-125, Kharar,
Distt Mohali.

... Appellant

Versus

Public Information Officer,
O/o Regional Transport Authority,
Sangrur.

First Appellate Authority,
O/o State Transport Commissioner,
Pb, Chandigarh.

...Respondent

Appeal Case No. 122 of 2019

Present: Sh.Manjinder Singh as Appellant
None for the Respondent

ORDER: The case was first heard on 09.04.2019. The appellant claimed that no information has been provided to him. The respondent was absent without intimation to the Commission. The PIO was directed to look at the RTI application and provide the information within 15 days and be present on the next date of hearing alongwith the reasons for not attending to the RTI application.

The case was last heard on **28.05.2019**. The appellant claimed that despite order of the Commission, the PIO has not provided the information. The respondent was absent without intimation to the Commission. Since there has been an enormous delay of eight months in providing the information, the PIO was issued a show **cause notice under section 20 of the RTI Act and directed to** file an affidavit in this regard. if there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission alongwith the written replies. The PIO was again directed to provide the information to the appellant within 10 days.

Hearing dated 05.08.2019:

The appellant claims that the PIO has not provided the information. The respondent is absent. The PIO-RTA Sangrur is given one last opportunity to comply with the earlier order of the Commission which still stands and be present on the next date of hearing otherwise the Commission will be constrained to decide the case ex-parte assuming that you have nothing to say on the matter.

A copy of the order is being sent to the STC, Punjab, Chandigarh to get the order served to the concerned PIO and to ensure compliance of this order, as well as ensure that the concerned PIO provide the information and appear personally or through its representative at the next date of hearing. It may also be noted that the PIO-RTA Sangrur has shown dereliction in attending to the summons of the Commission from time to time.

The case is adjourned. To come up for further hearing on **13.11.2019 at 11.00 AM.**

Chandigarh
Dated 05.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-STC, Pb, Sector 17, Chandigarh.



Sh. Ajit Singh, S/o Sh.Gurcharan Singh,
Village Arnauli, P.O Morinda,
Tehsil Chamkaur Sahib, Distt.Roopnagar.

... Appellant

Versus

Public Information Officer,
O/o Deputy Chief Engineer,
Operational Division, PSPCL,
Roopnagar.

First Appellate Authority,
O/o Chief Engineer,
Operational (South), PSPCL,
Patiala.

...Respondent

Appeal Case No. 128 of 2019

Present: None for the Appellant
Sh.Bawa Singh, SDO-cum-APIO, PSPCL Sukhrampur for the Respondent

ORDER:

The case was first heard on 09.04.2019. The respondent present informed that the information has been provided to the appellant vide letter dated 17.04.2019. The Commission observed that the PIO had provided partial information regarding point-1 and denied the disclosure of information on point-2. However, the exemption of disclosure of information was not specifically quantified that why this information was being denied.

The respondent present also pleaded that the information is voluminous in nature and there are about 1000 files which approximately will lead to 7000 pages of information sought. The appellant was represented by Sh.Gurjant Singh who was not aware of the information sought. The case was adjourned for adjudication on the next date of hearing.

The case was last heard on **28.05.2019**. The respondent present reiterated that the information is voluminous and will consist of around 7000 pages. The appellant was again absent and the representative appeared on his behalf not aware of the information. The Commission directed the appellant to inspect the record and get the information not more than 100 pages. The PIO was directed to provide the information upto 100 pages. The PIO was also directed to explain the reasons for delay in providing the information.

Hearing dated 05.08.2019:

The respondent present pleaded that as per order of the Commission, the appellant has not come for inspection of the record and they do not have any mobile number for contacting him telephonically. Regarding delay in attending to the RTI application, the respondent has submitted reply dated 02.08.2019 which is taken on the file of the Commission. In the letter, the PIO has stated that due to non-availability of requisite staff and heavy work load in the office, the information has been delayed. The respondent also assured to be careful in future.

Appeal Case No. 128 of 2019

Having gone through the reply, the Commission finds no malafide on the part of the PIO. However, the previous order stands. The appellant if still interested to seek information, he is advised to inspect the record within two months and get the relevant information. The PIO is directed to provide the information as per previous order.

With the above order, the case is **disposed off and closed**.

Chandigarh
Dated 05.08.2019

Sd/-
(KhushwantSingh)
State Information Commissioner



Sh. Gurmukh Singh, S/o Sh.Mohinder Singh,
H No-610, Sector-11, Preet Nagar,
Kharar, Distt.Mohlai.

... Appellant

Versus

Public Information Officer,
O/o General Manager,
PRTC, Chandigarh.

First Appellate Authority,
O/o PRTC, Head Officer,
Patiala.

...Respondent

Appeal Case No. 143 of 2019

Present: Sh.Gurmukh Singh as the Appellant
Sh.Gurvinder Singh, Earlier PIO O/o GM PRTC Chandigarh for the
Respondent

ORDER:

The case was first heard on 09.04.2019. The respondent present pleaded that the information has been provided to the appellant vide letter dated 03.04.2019. The appellant was not satisfied. The respondent further informed that since the dealing official has been on medical leave, the complete information could not be provided and the remaining information will be provided on joining the dealing official.

Since there had been an enormous delay of seven months, the PIO was issued a **show cause notice under section 20 of the RTI Act** and the PIO was directed to file reply on an affidavit. The PIO was also directed to provide the information within a week and be present personally on the next date of hearing.

The case was last heard on **28.05.2019**. The respondent present pleaded that the information has been provided to the appellant again vide letter dated 12.04.2019 and a copy submitted to the Commission. In the reply, the PIO had mentioned that as per record available, the appellant had not filed claim for reimbursement of TA bills from January 2013 to December 2013 and that no reimbursement was made. The appellant however, shown a document that he had filed claim for reimbursement of TA but the reimbursement was not made. Senior authority of the department was directed to look into the matter and resolve it as per provisions of the Department.

The respondent did not bring any reply to the show cause and said that the delay had occurred at the level of previous PIO Sh.Gurvinder Singh who has been now transferred and posted at Head Office Patiala. Sh.Gurvinder Singh, PRTC Patiala (earlier PIO-PRTC Chandigarh) was hereby directed to appear personally and reply to the show cause notice on an affidavit on the next date of hearing.

Appeal Case No. 143 of 2019

Hearing dated 05.08.2019:

Sh.Gurvinder Singh, earlier PIO-PRTC Patiala is present who pleaded that the information has been provided to the appellant. The appellant is not satisfied with the information. The respondent has also submitted reply to the show cause notice on an affidavit which is taken on the file of the Commission.

The PIO is directed to remove the discrepancies and provide whatever the information is available on record, to the appellant. The case will be adjudicated on the next date of hearing.

The case is adjourned. To come up for further hearing on **13.11.2019 at 11.00 AM.**

**Chandigarh
Dated 05.08.2019**

**Sd/-
(KhushwantSingh)
State Information Commissioner**

**CC to: Sh.Gurvinder Singh, O/o PRTC,
Patiala(Earlier PIO-PRTC Chandigarh)**



Sh. Lalit Mohan, S/o ShSatpalGargi,
13813-A, Street No-7, GaneshaBasti,
Bathinda.

... Appellant

Versus

Public Information Officer,
O/o Secretary, Regional Transport Officer,
Faridkot.

First Appellate Authority,
O/o Sate Transport Commission,
Pb, Chandigarh.

...Respondent

Appeal Case No. 152 of 2019

Present: None for theAppellant
None for the Respondent

ORDER: The case was first heard on **10.04.2019**: The respondent present pleaded that the information has been provided to the appellant on 01.04.2019. The appellant had received the information and was satisfied. The appellant however, pleaded that the information has been provided with a delay of one year.

The Commission observed that there has been an enormous delay of one year in attending to the RTI application, and issued a **show cause notice under section 20 of the RTI Act and** directed the PIO to file reply on an affidavit. The appellant was exempted.

The case was last heard on **29.05.2019**. In reply to the show cause, the respondent submitted an affidavit which was taken on the file of the Commission. The PIO in the reply stated that the appellant had filed RTI application with the office of SDM Faridkot which was transferred by them to this office. The PIO further stated that since the record was with Vigilance Department which was not handed over by them to this office in time, the information was delayed.

Having gone through the affidavit, the PIO was directed to elaborate point-6 of the affidavit and specify through documentary evidence, so that the Commission can ascertain the exact time when the record was returned by the Vigilance Department, to arrive at a conclusion whether the plea of the PIO is bonafide or not.

Hearing dated 05.08.2019:

The information stands provided. The appellant was exempted. The respondent is absent. The PIO is given one more opportunity to comply with the earlier order and be present on the next date of hearing.

To come up for further hearing on **13.11.2019 at 11.00 AM.**

Chandigarh
Dated 05.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Tejinder Singh,
R/o Village Bholapur, P.O Ramgarh,
Chandigarh Road, Ludhiana.

...Appellant.

Versus

Public Information Officer,
SDM, Licensing Authority & Registering,
Sri Anandpur Sahib.

First Appellate Authority,
DC,
Ropar.

...Respondent

Appeal Case No. 1325 of 2018

Present: Ms.Gursimran Kaur for the Appellant
Sh.Jasmer Singh,ClerkO/o SDM Sri Anandpur Sahib for the Respondent

ORDER: The case was first heard on **25.06.2018**. The PIO was directed to forward the RTI application relating to point No.4, 5 & 9 to the concerned department and PIO of that department was directed to provide the information to the appellant and be present on the next date of hearing. “

The case was again heard on **01.08.2018**: The PIO was directed to provide the information relating to point No.4 as per original order. The PIO, STC was also directed to provide the information concerning them and to appear on the next date of hearing.

The case again came up for hearing on **05.09.2018**: The respondent present from the office of SDM (Licensing and Registering Authority) pleaded that the information regarding point No.4 has been sent to the appellant. The APIO from State Transport Commission had notbrought the information regarding point No.9 as according to him there was no clarity about which sub-division the information was sought. However, since it was clear that the information sought is concerning Anandpur Sahib, the PIO was directed to send the information regarding point No.9 to the appellant within 10 days of the receipt of the orders of the Commission.

The case was again heard on **09.10.2018**. The appellant was absent and vide e-mail informed that he has not received the remaining information.

The respondentpresent pleaded that the information pertains to the Anandpur Sahib. It was observed that the PIO is dilly dallying in providing this particular information and therefore, the PIO, STC, Punjab was directed to coordinate and collect the information from the concerned department and send the same to the appellant within 15 days through registered post. The PIO was also directed to send the compliance report to the Commission.

The case further case for hearing on **21.11.2018**. The respondent from the O/o STC Punjab pleaded that the information regarding point No.9 has been sent to the appellant vide letter dated 26.10.2018 and the appellant has also been informed that there is no driving test track in Sub Division Anandpur Sahib and the driving test track is available in Ropar. The PIO was directed to collect the information regarding driving track tests undertaken by the residents of SriAnandpurSahib from the concerned division and provide the same to the appellant .

The case was again heard on **15.01.2019**. The appellant informed that the information has not been provided. The respondent was absent. The Commission took a serious view of the scant regard of the PIO and directed the PIO-STC Punjab Chandigarh to provide the

information to the appellant as per earlier order of the Commission within 10 days otherwise the Commission will be constrained to take action as per RTI Act.

The case was further heard on **11.03.2019**. The respondent present from STC Punjab informed that the information has been provided to the appellant. The appellant was not satisfied and stated that he has sought information regarding driving tracks test record. The respondent further pleaded that the information is available with the office of SDM Ropar. The PIO-STC, Punjab was directed to coordinate and procure the record from the concerned authority and provide the information to the appellant.

The Commission observed that there was ambiguity regarding the custody of the record. The PIO-SDM, Ropar and the PIO-SDM Anandpur Sahib were also directed to coordinate and send complete record to the PIO-STC, Punjab for compliance and PIO-STC was directed to provide the information in CD to the appellant before the next date of hearing.

The case was last heard on **23.04.2019**. The appellant was absent and vide letter received in the Commission on 22.04.2019 informed that the PIO-SDM Anandpur Sahib has provided incomplete information and the PIO-SDM Ropar has not provided the information.

The respondent present from the office of STC, Punjab pleaded that the PIO-SDM Ropar is not cooperating in providing the information inspite of directions of the Commission as well as to their oral commutation to procure the same. The PIO-SDM Ropar was impleaded in the case and directed to provide the information as per earlier order otherwise the Commission will be constrained to issue show cause and act as per the provisions of the RTI Act.

The case was last heard on **12.06.2019**. The respondent present pleaded that the remaining information has been provided to the appellant in a pen drive and the appellant has acknowledged having received the same. The appellant however, pleaded that he has been harassed by not providing the information after a lapse of one & half year, the PIO be panelized and suitable compensation be given to the appellant for unnecessary harassment and delay in providing the information

Having gone through the entire sequence of the events, it was observed that the PIO-SDM Sri Anandpur Sahib has not handled the RTI application in time as well as with appropriate due diligence and has misled the Commission. The PIO-SDM Sri Anandpur Sahib was directed to pay an amount of **Rs.5000/-** via demand draft drawn through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO was directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

Hearing dated 05.08.2019:

The respondent present pleaded that compensation amount of Rs.5000/- by way of demand draft No.215431 dated 29.07.2019 has been provided to the appellant vide letter dated 30.07.2019 and a copy of the same is submitted to the Commission. The appellant has received the same.

No further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated: 05.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: - PIO, STC Punjab, Chandigarh
- PIO-SDM, Ropar.

DrAshishKapoor,
First Floor Annexe, H No-695,
Phase-2, Mohali.

...Appellant.

Versus

Public Information Officer,
O/o A.E.O, GMADA,
Mohali.

First Appellate Authority,
O/o Estate Officer, GMADA,
Mohali.

...Respondent

Appeal Case No. 2017 of 2018

Present: Sh.Ashish Kapoor as the Appellant
Sh.Gulshan Kumar, PIO GMADA for the Respondent

ORDER: The case was first heard on **13.08.2018**. The respondent present pleaded that the information available with them relating to 5 sectors has been provided to the appellant and the sector 72 & 73 are allotted to societies. The other sectors i.e. Sector 48 to 54 are in Chandigarh. The PIO was directed to give the same in writing within 5 days to the appellant.

With the above order, the case was **disposed off and closed**.

Since the PIO did not comply with the order of the Commission, the PIO was asked vide letter dated 22.10.2018 to provide the information to the appellant before 06.11.2018 under intimation to the Commission through registered post.

The information seeker vide email brought to the notice of the Commission that the information has not been provided to him. The PIO through registered notice dated 10.05.2019 was called upon to appear before the Commission on 28.05.2019 alongwith written reply on an affidavit.

The respondent was absent. The Commission received a letter diary No.10435 on 27.05.2019 from the PIO that the information has been provided to the appellant. The appellant was absent and vide email has sought exemption. The appellant further informed that he has still not received the information.

The PIO was given one more opportunity to provide complete information to the appellant and be present on the next date of hearing alongwith the written reply on an affidavit.

Hearing dated 05.08.2019:

The respondent pleaded that the information has been provided to the appellant. The appellant informed that the information is incomplete since the PIO has not provided the information on left out sectors. The PIO is directed to sort out the discrepancies as pointed out by the appellant in his letter dated 22.06.2019, a copy of which is being enclosed with the order and provide the information. Whatever the information has been provided, need not be provided again.

With the above order, the case is **disposed off and closed**.

Chandigarh
Dated: 05.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - sicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh.Rakesh Kumar Gupta,
8/237, Jagraon Road, MandiMullanpur,
Distt Ludhiana.

.....Appellant.

Versus

Public Information Officer,
DFSC, Ludhiana (West),
Zone-D, Municipal Corporation Building,
Sarabha Nagar, Ludhiana

First Appellate Authority,
The Director, Food, Civil Supplies & Consumer Affairs,
Anaj Bhawan, Sector-39-C,
Chandigarh.

.... Respondent

Appeal Case No. 1669 of 2018

Present: None for the Appellant
Sh.Dalbara Singh, AFSO O/o DFSC and Sh.Tanveer Singh O/o Mandi Board on
behalf of the Respondent

ORDER:

The case was first heard on **06.08.2018**. Sh.Jaswinder Singh from the office of DFSC was present. The respondent present pleaded that the information being third party information cannot be provided since the third parties had not given their consent. Having gone through the merits of the case, the claim of the PIO that the information is third party information was not fully justified. The PIO was directed to provide the point-wise information to the appellant in accordance with the RTI Act.

The case was again heard on **23.10.2018**. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and informed that the information is incomplete.

Having gone through the RTI application and hearing both the parties, the PIO was directed to relook at the RTI application and send reply to the point No. 1 on an affidavit. The information regarding points 2, 4, 5, 6 & 9 be provided as per RTI application. Regarding point No.7, to provide certified copy of details of penalty. Regarding point No.8, to forward application to the PIO, Market Committee.

The case came up for hearing on **04.12.2018**. The respondent from the office of Market Committee has brought the information regarding point No.8 and handed over to the appellant. The appellant received the same and is satisfied. Regarding points 2,4,5,6 &9, the respondent from the office of DFSC pleaded that since the paddy season is going on, they are busy in the procurement of paddy and sought adjournment. The adjournment was granted. The PIO was directed to provide information as per earlier order which still stands.

Appeal Case No. 1669 of 2018

The case was again heard on **26.02.2019**. The appellant was absent and vide email informed that the PIO has not provided the information as per order of the Commission.

The PIO was directed to comply with the earlier order of the Commission which still stands.

The case was last heard on **07.05.2019**. The appellant is absent and vide email informed that the PIO has not provided the information as per order of the Commission. The respondent present from the office of Mandi Board informed that the information concerning them has already been provided.

The PIO-DFSC was directed to comply with the earlier order which still stands and provide the information to the appellant within 15 days and send a compliance report to the Commission, otherwise the Commission will be constrained to take action against the PIO as per provisions of the RTI Act.

Hearing dated 05.08.2019:

The appellant is absent nor has sent any communication whether he has received the information or not.

To come up for further hearing on **13.11.2019 at 11.00 AM**.

Chandigarh
Dated: 05.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: The PIO, Distt.Mandi Officer,
District Mandi Bhawan, Gill Road,
Ludhiana.