

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
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Helpline No. 0172-2864100



Smt. Harjit Kaur, W/o Sh. Pawan Kumar,
R/o 123, Street No. 3, Gurbachan Colony,
Lalheri Road, Khanna, Distt. Ludhiana

.....Appellant

..Vs

Public Information Officer,
O/o Commandant, 13th Battalion, PAP,
New Secretariat, Sector 1, Chandigarh

First Appellate Authority
O/o ADGP/Armed BNS, Jalandhar

.....Respondent

AC No. 3003 of 2021
(In the Commission office)

Present : (i) Smt Harjit Kaur, Appellant along with Advocate Sh. Shakti Paul Sharma.
(ii) For the Respondent: Shri Sham Sundar, DSP (9876516539) and Sh Sanjiv Abrol, ASI (9326900786)

ORDER

This order may be read with reference to the previous order dated 06.10.2021.

2. The Counsel for the Appellant states that the information has not been provided to them so far.
3. The Respondent has filed their reply vide Commission diary no. 27240 dated 03.12.2021 as under:-

"2. It is submitted that the State Government in exercise of the power conferred by Sub Section (4) of Section 24 of the Right to Information Act issued a notification dated 23rd February, 2006 notifying that the Right to Information Act 2005 does not apply to the Armed Police including Armed Battalions of Punjab Armed Police.

3. It is further submitted that the information so sought by the applicant/appellant relates to third party information as the name of the appellant has not been got entered in service record by Late Head Constable Hari Chand, No. 13/436 as his daughter nor he nominated the applicant/appellant to receive his pensionary/financial benefits. Apart from the above, the applicant/appellant being a married daughter of Late Head Constable Hari Chand, No. 13/436, is dependent on her husband and as per rules she is not entitled to receive any retiral/financial benefits



AC No. 3003 of 2021

of the retiree. Thus the information sought by the appellant amount to be third party information and the same is defined under Section 8(1) (j) read with Section 11 of the RTI Act.”

Copy of the same is taken on record.

4. After hearing both the parties and perusing the case file, it is ascertained that the Respondent has filed his reply. Copy of the same is handed over to the Counsel for the Appellant. He has to peruse the same and will file his response/rejoinder. He has therefore requested for adjournment of this case to some other date.

As per directions in the last orders, the PIO has failed to attend today's hearing. Taking a lenient view, one last opportunity is given to him to appear personally before the Commission and state his case.

5. To come up on **16.02.2022 at 12:00PM in the Commission office**. Copy of the orders be sent to the parties.

Dated : 06.12.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Registered post:

CC: Sh. J.S. Khera, Commandant-cum-PIO, 13th Battalion PAP New Secretariat, Sector 1, Chandigarh

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Sh Jasbir Singh, (M-9888296107)
Guru Nanak Nagar, Village Bolapur,
Jhabewal, PO Ramgarh,
Distt Ludhiana-141123

.....Appellant

..Vs

Public Information Officer,
O/o SDM, Amlah,
Distt Fatehgarh Sahib

First Appellate Authority ,
O/o SDM, Amlah,
Distt Fatehgarh Sahib
Registered post
Public Information Officer
O/o SDM, Fatehgarh Sahib

.....Respondent

AC No. 3254 of 2021
(In the Commission office)

Present : None for the parties.

ORDER

This order may be read with reference to the previous order dated 13.09.2021 vide which the respondent was absent.

2. Today neither the Appellant nor the Respondent is present.
3. The respondent has sent his reply that the information is lying with the PIO, o/o SDM, Fatehgarh Sahib. Since, the information is to be provided by the PIO, O/o SDM, Fatehgarh Sahib. I, therefore, order that PIO, O/o SDM, Fatehgarh Sahib be impleaded as Respondent No.2. I further direct that PIO, O/o SDM, Fatehgarh Sahib should supply the information to the appellant before the next date of hearing.
4. Since both the parties are absent, hence taking a lenient view one last opportunity is given to both the PIOs to appear before the Commission and state their case.

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AC No. 3254 of 2021

5. To come up on **14.02.2022** at **12:00PM** in the **Commission office**. Copy of the orders be sent to the parties.

Dated : 06.12.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh.Manjit Singh, S/o Sh. Gurbachan Singh
R/o Ward No. 10, Namdev Marg, Tehsil and Distt. Mansa
(9915865633)

.....Appellant

..Vs

Public Information Officer,
O/o D.G.P.Punjab, Punjab Police Headquarter, Sector 9
Chandigarh

First Appellate Authority
O/o D.G.P.Punjab, Punjab Police Headquarter, Sector 9
Chandigarh

2. Public Information Officer,
O/o SSP, Mansa

.....Respondent

AC No. 3026 of 2021
(In the Commission office)

Present : None for the parties.

ORDER

This order may be read with reference to the previous order dated 06.10.2021 vide which PIO O/o SSP, Mansa was impleaded as Respondent no.2.

2. Today neither the Appellant nor the Respondent is present. However, the PIO O/o SSP, Mansa has sent their reply vide Commission diary no. 27019 dated 02.12.2021 mentioning therein as under:-



AC No. 3026 of 2021

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਬੇਨਤੀ ਹੈ ਕਿ ਪ੍ਰਾਰਥੀ ਮਨਜ਼ੀਤ ਸਿੰਘ ਵਾਸੀ ਮਾਨਸਾ ਨੇ ਜੋ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਸੀ, ਉਹ ਮੰਗੀ ਗਈ ਸੂਚਨਾ/ਦਰਖਾਸਤ ਨੰਬਰੀ 2421/ਸੀ.ਸੀ-4 ਮਿਤੀ 08-09-2020 ਦਾ ਸੰਬੰਧ ਪੀ.ਸੀ ਬਰਾਚ ਨਾਲ ਹੈ ਪੀ.ਸੀ. ਬਰਾਚ ਤੋਂ ਸੂਚਨਾ/ਦਰਖਾਸਤ ਹਾਸਿਲ ਕਰਕੇ ਇਹ ਸੂਚਨਾ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰਬਰ 180-81ਆਰ.ਟੀ.ਆਈ ਮਿਤੀ 01-10-2021 ਅਤੇ 205/ਆਰ.ਟੀ.ਆਈ ਮਿਤੀ 16.11.2021 ਰਾਹੀਂ ਇਸ ਦੇ ਘਰ ਦੇ ਪਤੇ ਪਰ ਡਾਕ ਰਾਹੀਂ ਭੇਜੀ ਗਈ ਹੈ ਸੂਚਨਾ ਭੇਜਣ ਬਾਰੇ ਇਸ ਦੇ ਮੋਬਾਇਲ ਫੋਨ ਨੰਬਰ ਪਰ 99158-65633 ਪਰ ਨੋਟ ਕਰਵਾ ਦਿੱਤਾ ਗਿਆ ਸੀ। ਡਾਕ ਰਾਹੀਂ ਭੇਜੀ ਗਈ ਸੂਚਨਾ ਸਬੰਧੀ ਪੋਸਟ ਲੈਟਰ ਦੀਆਂ ਫੋਟੋ ਕਾਪੀ ਨਾਲ ਲਫ ਹਨ ਜੀ।

Copy of the same is taken on record.

3. The perusal of the file shows that both the parties are not present today. The PIO O/o Respondent no.2 has filed their reply mentioning that the information has been sent to the Appellant. The Appellant is not present today, hence, an opportunity is given to the Appellant to appear before the Commission and state their case.
4. To come up on **14.02.2022 at 12:00PM in the Commission office**. Copy of the orders be sent to the parties.

Dated : 06.12.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Iqbal Singh Advocate,
R/o House No 162, Ward No 8,
Mohalla Mahitia Wala, Banur, Distt-Mohali-140601

.....Appellant

..Vs

Public Information Officer,
O/o EO, Nagar Council, Banur, Distt Mohali

First Appellate Authority ,
O/o Deputy Director, Local Bodies, Patiala

.....Respondent

AC No. 3338 of 2021
(In the Commission office)

Present : (i) None for the Appellant
(ii) For the respondent: Sh Ashok Kumar, Jr Asstt. (96288-00004)

ORDER

This order may be read with reference to the previous order dated 13.09.2021.

2. The appellant is not present today. However, he has sent an e-mail stating as under:-

"That appellant has an unexpected urgent work on 06-12-2021 due to this urgency appellant could not appear on this hearing date."

3. The Respondent states that the information demanded by the Appellant is not specific. Hence, they have sent a letter to the Appellant asking him to inspect the record. They have also filed a copy of the same as under:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਤੇ ਹਵਾਲੇ ਅਧੀਨ ਦਰਖਾਸਤ ਪੱਤਰ ਰਾਹੀਂ ਆਪ ਨੂੰ ਇਸ ਪੱਤਰ ਰਾਹੀਂ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਵੱਲੋਂ ਜੋ ਦਰਖਾਸਤ ਪੱਤਰ ਮਿਤੀ 05-04-2021 ਰਾਹੀਂ ਦਫਤਰ ਨਗਰ ਕੌਂਸਲ ਬਨੂੜ ਪਾਸੋਂ ਰਿਕਾਰਡ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ ਸੀ, ਉਹ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਸਪੱਸ਼ਟ ਨਹੀਂ ਹੈ। ਇਸ ਲਈ ਆਪ ਨੂੰ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਨੂੰ ਜੋ ਵੀ ਰਿਕਾਰਡ ਦੀ ਜ਼ਰੂਰਤ ਹੈ, ਉਹ ਰਿਕਾਰਡ ਆਪ ਦਫਤਰ ਨਗਰ ਕੌਂਸਲ ਬਨੂੜ ਵਿਖੇ ਵੇਖ ਸਕਦੇ ਹੋ ਅਤੇ ਜਿਸ ਵੀ ਰਿਕਾਰਡ ਦੀ ਜ਼ਰੂਰਤ ਹੈ, ਉਹ ਰਿਕਾਰਡ ਆਪ ਨੂੰ ਮੌਕੇ ਦੇ ਉੱਤੇ ਹੀ ਤੁਰੰਤ ਮੁਹੱਈਆ ਕਰਵਾ ਦਿੱਤਾ ਜਾਵੇਗਾ।

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AC No. 3338 of 2021

4. After perusing the case file, it is ascertained that the Appellant is not present today. Hence, an opportunity is given to the Appellant to appear before the Commission and state his case. Further, the Respondent-PIO is directed to file his point-wise specific reply on the next date of hearing with a copy to the appellant.
5. To come up on **14.02.2022 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Dated : 06.12.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh.Brighh Bhan, S/o Sh. Saroop Chand,
R/o House No. 33, Kahangarh Road,
Pataran, Distt. Patiala (9876101698)

.....Appellant

..Vs

Public Information Officer,
O/o EO,Nagar Council, Zirakpur
Distt. Mohali

First Appellate Authority
O/o EO,Nagar Council, Zirakpur
Distt. Mohali

.....Respondent

AC No. 2821 of 2021
(In the Commission office)

Present : (i) None for the appellant.

(ii) For the respondent: Sh Nirdosh Sharma, Building Inspector and Sh Gulshan Mehta,
Advocate

ORDER

This order may be read with reference to the previous order dated 29.09.2021.

2. The appellant is not present today. However, he has filed his submissions via e-mail.
Copy of the same is taken on record.

3. The Respondent states that the Appellant has demanded voluminous information.
However, as specifically pointed out by the Appellant, the information has been sent to the
appellant by registered post. They have also filed a copy of the same today.

4. After perusing the case file, it is ascertained that the Appellant has demanded
voluminous information. The appellant has even denied to inspect the record in the O/o
Respondent on the previous date of hearing. He may take note that there is the judgment
of The Supreme Court of India in Civil Appeal No. 6454 of 2011 Central Board of Secondary
Education Vs Aditya Bandopadhyay and ors. has in its judgment dated 09.08.2011
observed as under -

*(37 Indiscriminate and impractical demands or directions under RTI Act for
disclosure of all and sundry information (unrelated to transparency and
accountability in the functioning of public authorities and eradication of corruption)
would be counter-productive as it will adversely affect the efficiency*

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AC No. 2821 of 2021

of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising 'information furnishing', at the cost of their normal and regular duties.)

5. Since, the appellant is absent, hence taking a lenient view one last opportunity is given to him to appear before the Commission and state his case. It is made clear in case the appellant does not appear on the next date of hearing, appropriate order in his absence shall be passed. Copies of the order be sent to the parties.

6. To come up on **14.02.2022 at 12:00PM** in the Commission office for further proceedings. Copy of the orders be sent to the parties.

Dated : 06.12.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Smt Jaswant Kaur, Sh Arvinder Pal Singh,
House No 32, Gurjivan Vihar, Dhakouli,
Zirakpur, Distt. Mohali-160104 (9988456526)

.....Appellant

..Vs

Public Information Officer,
O/o EO, MC, Zirakpur
Distt Mohali

First Appellate Authority
O/o EO, MC, Zirakpur
Distt. Mohali

.....Respondent

AC No. 2402 of 2021
(In the Commission office)

Present : (i) Smt Jaswant Kaur, appellant.

(ii) For the respondent: Sh Nirdosh Sharma, Building Inspector and Sh Gulshan Mehta,
Advocate

ORDER

This order may be read with reference to the previous order dated 29.09.2021.

2. The appellant states that the complete information has not been provided to them till date.
3. The Respondent states that the information, as available in their official record, has been provided to the Appellant.
4. Today all the points relating to the RTI application of the Appellant have been discussed between both the parties. Accordingly, the Respondent is directed to file their point-wise specific reply before the next date of hearing.
5. To come up on **14.02.2022 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Dated : 06.12.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Ram Singh, (M-9465659866)
S/o Sh Rakha Singh, R/o #286,
Ward No 17, Kurali, Tehsil Kharar, Distt Mohali

.....Appellant

..Vs

Public Information Officer,
O/o SSP Mohali
First Appellate Authority ,
O/o IGP, Ropar Range, Ropar

.....Respondent

AC No. 3438 of 2021
(In the Commission office)

Present : (i) Sh Ram Singh, the appellant.

(ii) For the respondent: Smt Rajwinder Kaur, Head Constable

ORDER

This order may be read with reference to the previous order dated 13.09.2021 vide which the Respondent was directed to file their reply on affidavit.

2. The Respondent states that the enquiry has been finalized hence, she has brought the complete information today. Copy of the same is handed over to the Appellant.

3. The Appellant states that the information provided to him is not complete and he is not satisfied with it.

4. After hearing both the parties and perusing the case file, it is ascertained that the complete information has not been provided to the Appellant till date. Hence, the Appellant is directed to visit the office of the Respondent on 09.12.2021 at 11:00AM, inspect the relevant records, identify the documents copies whereof are required by him; and the respondent shall provided copies thereof, according to his RTI application, in accordance with the relevant provisions of the RTI Act, 2005.

5. To come up on **14.02.2022 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Dated : 06.12.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Rajinder Kumar, (M-946380671)
S/o Sh Mehar Chand, R/o Ward No. 02,
Supreme Enclave, Near Vishavkarma Bhawan,
Link Road, Mansa-151505

.....Appellant

..Vs

Public Information Officer, (REGISTERED POST)
O/o Supdt. Home Affairs and Justice (Home Branch-6)
Pb Civil Sectt, Chandigarh

First Appellate Authority ,
O/o Supdt. Home Affairs and Justice (Home Branch-6)
Pb Civil Sectt, Chandigarh

.....Respondent

AC No. 3385 of 2021
(Through Video-Conferencing)

Present : (i) Sh Rajinder Kumar, the appellant.
(ii) None for the respondent

ORDER

This order may be read with reference to the previous order dated 13.09.2021.

2. No one has appeared on behalf of the Respondent today.
3. The Appellant states that no information has not been given to him so far.
4. After hearing the appellant and going through the case file, it is observed that the appellant filed RTI on 08.12.2020, but after lapse of more than eleven months, no information has been given to the appellant so far, which shows that the respondent-PIO has no regard for the orders issued by the Commission. Moreover the respondent is absent today without any intimation.
5. lackadaisical attitude of the respondents, the Respondent-PIO ***O/o Supdt. Home Affairs and Justice (Home Branch-6) Punjab***, is directed to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed

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AC No. 3385 of 2021

upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8)(b) of the Act for detriment suffered.

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

6. To come up on **09.02.2022 at 12:00PM** in the Commission office for further proceedings. Copy of the orders be sent to the parties.

Sd/-

Dated : 06.12.2021

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Sukhwinder Singh, S/o Village Sande Hasham
Tehsil and Distt. Ferozepur – 152004 (9780061008)

.....Appellant

..Vs

Public Information Officer, **(Registered Post)**
O/o Panchayat Secretary
Gram Panchayat, Sher Khan Wala, Block Ghal Khurd
Ferozepur

First Appellate Authority
O/o DDPO, Ferozepur

.....Respondent

AC No. 3379 of 2021
(Through Video-Conferencing)

Present : (i) Sh Sukhwinder Singh, appellant.
(ii) None for the respondent

ORDER

This order may be read with reference to the previous order dated 27.09.2021 vide which the respondent stated that he has not received RTI application of the appellant, hence copy of the same was sent to the Respondent with directions to provide complete information to the Appellant.

2. No one has appeared on behalf of the Respondent today.
3. The Appellant states that no information has been given to him so far.
4. After perusing the case file, it emerges that PIO has delayed/ denied in providing the information to the Appellant. In view of the above, **PIO-Sh Mohinder Singh, O/o Respondent is directed** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8)(b) of the Act for detriment suffered.

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AC No. 3379 of 2021

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

5. To come up on **09.02.2022 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Dated: 06.12.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Ravi Kumar, (M-9988654265)
S/o Sh Avtar Chand, Patti, Chhikram,
Tehsil Phillaur, Distt Jalandhar-144037

.....Appellant

..Vs

Public Information Officer,
O/o Principal, Govt Sr Sec School, Pasla
Distt Jalandhar
First Appellate Authority ,
O/o DEO (SE) Jalandhar

.....Respondent

AC No. 3303 of 2021
(Through Video-Conferencing)

Present : (i) Sh. Ravi Kumar the appellant
(ii) For the respondent: Sh Prem Singh, Principal (94631-38061) Sh. Pawan Kumar,
Sr Asstt.O/o DEO(SE) Jalandhar (97795-91559)

ORDER

This order may be read with reference to the previous order dated 13.09.2021.

2. The Appellant Sh. Ravi Kumar states that partial information has been provided to him. He further states that he has pointed-out the deficiencies to the Respondent.
3. The Respondent states that the information, after the removal of deficiencies, will be provided to the Appellant.
4. In view of the above, the Respondent is directed to provide complete information to the Appellant after the removal of deficiencies. Further, if any information is not available in the official record of the Respondent he is directed to file an affidavit that the information that has been supplied is true, complete and no other information relating to this RTI application is available in the record.
5. To come up on **09.02.2022 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Dated : 06.12.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh Amardeep Singh, S/o Harchand Singh,
Village Kuhil Khurd, PO Lehal, Tehsil Payal,
Distt Ludhiana-141117 (M-8437151402)

.....Appellant

..Vs

Public Information Officer,
O/o BDPO, Block Malaud, Ludhiana

(REGISTERED POST)

First Appellate Authority ,
O/o BDPO, Malaud, Distt Ludhiana

.....Respondent

AC No. 3299 of 2021
(Through Video-Conferencing)

Present : (i) Sh Amardeep Singh, appellant.
(ii) None for the respondent

ORDER

This order may be read with reference to the previous order dated 13.09.2021 vide which the Appellant was directed to inspect the record in the O/o Respondent on 20.09.2021.

2. No one has appeared on behalf of the Respondent today

3. The Appellant states that he had inspected the record in the O/o Respondent but he has not received the complete information pertaining to point no.1 and 2.

4. After perusing the case file, it emerges that the appellant has not received complete information so far. It is observed that the PIO has delayed/ denied in providing the information to the Appellant, which shows that the respondent-PIO has no regard for the orders issued by the Commission.

5. In view of the above, **PIO- BDPO, Block Malaud, Ludhiana** is directed to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not

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AC No. 3299 of 2021

imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8)(b) of the Act for detriment suffered.

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

7. To come up on **09.02.2022 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Dated : 06.12.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab