

**PUNJAB STATE INFORMATION COMMISSION  
RED CROSS BUILDING, NEAR ROSE GARDEN,  
SECTOR 16, CHANDIGARH.**

**Ph: 0172-2864116, Email: - [psic26@punjabmail.gov.in](mailto:psic26@punjabmail.gov.in)**

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**(Helpline No.0172-2864116(From 10.00 AM to 04.00PM on working days))**



Shri Prem Kumar Rattan,  
H.No.78/8, Park Road,  
Navi Mandi, Dhuri,  
District Sangrur

.....Appellant

Versus

**Public Information Officer**  
O/o Executive Officer,  
Municipal Council, Khanna,  
District Ludhiana.

**First Appellate Authority,**  
O/o Regional Deputy Director,  
Urban Local Govt.,Ludhiana.

...Respondents

**AC No.1592/2020**

**Present:** (i) Appellant- absent.  
(ii) Shri Rajesh Rehni, Junior Assistant, O/o Executive Officer,  
Municipal Council, Khanna, on behalf of the PIO, in person.

**ORDER:**

1. This order may be read with reference to the order dated 01.02.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. The appellant has not come present to attend the hearing.
3. Shri Rajesh Rehni, Junior Engineer O/o Executive Officer, Municipal Council, Khanna, District Ludhiana comes present to attend the hearing on behalf of the PIO. He states that the PIO was not aware of the instant appeal case as no basic application from the appellant was received. He states that it was only on receipt of order dated 01.02.2021 of the Commission from which it came to their notice that penalty has been imposed in this case for non appearance in the appeal case. He further states that the information has been supplied to the appellant vide letter dated 01.03.2021 and again vide letter dated 04.03.2021. He further states that the PIO has requested for waiving of penalty imposed in this case.

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**AC No.1592/2020**

4. The appellant is contacted on mobile phone. He states that he had received the information on 08.03.2021 and he had pointed out deficiencies to the PIO vide his letter dated 15.03.2021 by Courier as well as by e.mail, but no rectified information after removal of deficiencies pointed out by him has been received by him. Then the appellant is made to talk to representative of PIO Shri Rajesh Rehni. The appellant apprises of the position so stated on mobile phone.

5. On the asking of the Bench, the representative of PIO denies having received any deficiencies from the appellant.

6. The Bench apprises the representative of PIO that this is the fifth hearing of this appeal case in the Commission. However, on the last four consecutive hearings, neither the PIO has come present nor has reputed any of his representatives to attend the hearing. The Bench further makes it clear to Shri Rajesh Rehni that the contention of the PIO that no basic RTI application was received by them, is not tenable. On perusal of the case file, the Bench observes that no notice sent to the PIO has been received back undelivered. Moreover, the perusal of the case file also shows that the First Appellate Authority i.e. Deputy Director, Urban Local Bodies, Ludhiana had also directed the PIO to attend the hearing scheduled for 01.02.2021. Considering all these facts in totality, the Bench is not inclined to waive off the penalty imposed on the PIO.

7. The Bench directs the PIO to supply the rectified information to the appellant after removing the deficiencies as also to deposit the amount of penalty and to produce the evidence for having deposited the penalty on the next hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.07.2021 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh  
07.04.2021**

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

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Shri Baldev Singh  
S/o Shri Swaran Singh  
R/o B-1-933/7-A,  
New Deep Nagar Street No.5,  
Civil Lines, Ludhiana.

.....Appellant

Versus

**Public Information Officer**  
O/o Deputy Commissioner,  
Gurdaspur.

**First Appellate Authority**  
O/o Deputy Commissioner,  
Gurdaspur.

....Respondents

**AC No.3080 of 2020**

**Present:** (i) Appellant –absent.  
(ii) None on behalf of the PIO.

**ORDER:**

1. This order may be read with reference to the order dated 01.02.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Baldev Singh, appellant has not come present to attend the hearing. However, an e.mail dated 0704.2021 has been received from him stating that he visited PIO O/o D.C. Gurdaspur on 06.04.2021 and he was informed that due to non-availability of concerned officer, the information cannot be provided.
3. Neither the PIO has come present to attend the hearing nor any representative has been deputed to attend the hearing. However, a letter dated 06.04.2021 has been received by e.mail wherein the PIO has stated that for the information asked for, the Registry Clerk Shri Charan Dass from office of Sub Registrar, Gurdaspur was called who reported that Tehsildar, Gurdaspur is away to Chandigarh. Then he contacted Naib Teshsildar, Gurdaspru Shri Tarsem Lal who informed that on return of Tehsildar, Gurdaspur, the information sought will be provided to the appellant.
4. The Bench observes from the perusal of the file that the PIO was absent for the previous hearing. The PIO has also failed to attend today's hearing. The Bench further observes that the PIO has also not complied with the directions of the Bench. This indifferent attitude of the PIO is viewed adversely.



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**AC No.3080/2020**

5. The PIO O/o Deputy Commissioner, Gurdaspur is issued show cause notice to explain her absence and as to why action should not be taken against her for not complying with the directions of Bench and also as to why penalty should not be imposed in the instant case for not supplying information to the appellant. The PIO is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. She may take note that in case she does not file the written reply and does not avail herself of the opportunity of personal hearing on the next date fixed, it will be presumed that she has nothing to say and the Commission shall proceed to take further proceeding against the PIO ex-parte.

7. The PIO is directed to ensure that the requisite information is supplied to the appellant before the next hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.07.2021 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh  
07.04.2021**

**Copy to (By Regd. Post)**

Public Information Officer  
O/o Deputy Commissioner,  
Gurdaspur.

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

