

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.
Ph: 0172-2864100, Email: - pcic20@punjabmail.gov.in



Shri Rajiv Kumar
#3036, Sector 47-D,
Chandigarh.

..... Complainant

Vs

Public Information Officer
o/o Director General of Police, Punjab, Chandigarh.Respondent

COMPLAINT CASE No. 1038 of 2018

Present:- None on behalf of the complainant.

Shri Purshotam Kumar, Head Constable, on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 27.02.2019 vide which the respondent-PIO was directed to check up as to whether any such conditions have been laid down and supply a copy of the same, in case these are available, otherwise submit a status report on the next date of hearing.

2. The complainant is absent without intimation.

3. The representative of the respondent-PIO states that copy of Rule No. PPR 14.49 consisting of two pages has been sent to the complainant vide their letter dated 26.03.2019. After supply of the same, no observation has been received from the complainant in their office till date. He further states that with the supply of Rule 14.49, complete information has been supplied to the complainant and nothing has been kept pending, which could be supplied to him according to his application for seeking information under the provisions of RTI Act, 2005.

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COMPLAINT CASE No. 1038 of 2018

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4. After hearing the representative of the respondent-PIO and going through the record available on the case file, it is revealed that complete information has been supplied to the complainant and nothing has been kept pending, which could be supplied to the complainant as per his RTI application dated 19.9.2017. Accordingly, the instant case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

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Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.
Ph: 0172-2864100, Email: - pcic20@punjabmail.gov.in



Mahant Sanjay Gir,
Shop No.21, Bala Ji Shopping Complex,
Durgiana Abadi, Amritsar.

..... Complainant

Vs

Public Information Officer
o/o Additional Chief Secretary to Government of Punjab,
Departments of Revenue and Rehabilitation,
Chandigarh.

.....Respondent

COMPLAINT CASE No. 1029 of 2018

Present:- None on behalf of the complainant.

Shri Paramjit Singh, Superintendent, on behalf of the respondent-PIO.

ORDER

In this case, Mahant Sanjay Gir, complainant, vide his RTI application dated 08.06.2018, addressed to the PIO, sought certain information regarding location of Religious Places and Cremation Grounds.

2. The appellant was absent on 19.11.2018, 22.01.2019 and on 27.02.2019 and he is also absent today without intimation.

3. On 19.11.2018, the representative of the respondent-Additional Chief Secretary to Government of Punjab, Departments of Revenue and Rehabilitation, Chandigarh has informed that this case does not relate to their office and therefore RTI application of the applicant was transferred to Chief Administrator, PUDA Mohali under Section 6(3) of the Right to Information Act, 2005. Consequently, after discussing the matter at length, PIO/PUDA, Mohali was impleaded as a necessary party with the direction to supply the requisite information and status report to the complainant with a copy to the Commission.

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COMPLAINT CASE No. 1029 of 2018

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4. On 22.01.2019, none was present on behalf of the PIO/PUDA, Mohali. However, a letter dated 18.01.2019 was received stating that the requisite information may be available with the Amritsar Development Authority, Amritsar, who has been directed to supply the information to the complainant and a detailed reply to the Commission.

5. On 27.02.2019, none was present on behalf of the complainant as well as the respondent-PIO. Viewing the callous attitude of the Public Information Officer of the office of Amritsar Development Authority, Amritsar, he was directed to supply the requisite information to the complainant and submit a status report, failing which punitive action under the provisions of RTI Act, will be initiated against him.

6. Today, the complainant is absent without intimation. APIO/Amritsar Development Authority, PUDA Bhawan, Amritsar is present and submits a letter dated 03.04.2019 stating that no information exists and available in their office in material form. Hence, no information can be provided to him.

7. After hearing the representative of the respondents and going through the record available on the case file, it is observed that no information can be given to the complainant under the provisions of the RTI Act, 2005 as it is not available in the record of Commission in material form in their office. Hence, the present case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

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Shri Arun Garg
s/o Shri Sham Lal,
#40-41, Central Town,
Village Dad, P.O. Lalton Kalan,
District Ludhiana.

..... Complainant

Vs

Public Information Officer
o/o District Magistrate,
Peshi Branch, Ludhiana.

FAA-District Magistrate,
Ludhiana.

.....Respondent

COMPLAINT CASE No. 1008 of 2018

Present:- None is present on behalf of the complainant.

Shri Sarabjeet Singh, Clerk, on behalf of the respondent-PIO.

ORDER

1. On 19.11.2018, the PIO was directed to make more efforts to trace the missing record and supply the requisite information to the complainant and the case was fixed for hearing on 18.12.2018.

2. The case could not be heard on 18.12.2018 and was further adjourned to 22.01.2019 due to administrative reasons.

3. On 22.101.2019, the representative of the respondents stated that the missing record has been traced and requisite information has been sent to the complainant by registered post on 26.12.2018. Accordingly, the complainant was

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COMPLAINT CASE No. 1008 of 2018

-2-

directed to furnish observations to the PIO, if any, on the provided information with a copy to the Commission.

4. On 27.02.2019, the representative of the respondent-PIO submitted a letter No.1207/PB dated 25.02.2019 from Assistant Commissioner (General), Ludhiana vide which he has informed that Assistant Commissioner (Grievance) was appointed as Inquiry Officer in this case to conduct inquiry and fix responsibility of the employees, who are responsible for misplacing the record. Upto 25.02.2019, the inquiry could not be completed due to transfer of Inquiry Officer. The respondents were directed to complete the inquiry and submit an inquiry report to the Commission before the next date of hearing.

5. In compliance to the previous order dated 27.02.2019, the representative of the respondent-PIO places inquiry report on the record of the case file. The concluding para of which is as under:-

ਮਿਸਲ ਤੇ ਆਏ ਬਿਆਨਾ/ਗਵਾਹਾਂ/ਸਬੂਤਾਂ ਨੂੰ ਘੋਖਣ ਉਪਰੰਤ ਮੈਂ ਇਸ ਸਿੱਟੇ ਤੇ ਪੁਜਾ ਹਾਂ ਕਿ ਜੋ ਪ੍ਰਾਰਥੀ ਅਰੁਣ ਗਰਗ ਪੁੱਤਰ ਸ਼ਾਮ ਲਾਲ ਵਲੋਂ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ ਅਧੀਨ ਸੂਚਨਾ ਮੰਗੀ ਗਈ ਸੀ, ਉਹ ਰਿਕਾਰਡ ਨਾਂ ਮਿਲਣ ਕਾਰਨ ਦੇਰੀ ਨਾਲ ਮੁਹਈਆਂ ਕਰਵਾਈ ਗਈ ਹੈ। ਇਸ ਸ਼ਾਖਾ ਵਿਚ ਕੰਮ ਦਾ ਵਰਕ ਲੋਡ ਜ਼ਿਆਦਾ ਹੋਣ ਕਰਕੇ ਕੰਮ ਵਾਲੇ ਦਿਨ ਤੋਂ ਇਲਾਵਾਂ ਵੀ ਰਿਕਾਰਡ ਦੀ ਭਾਲ ਕੀਤੀ ਗਈ, ਫਿਰ ਵੀ ਰਿਕਾਰਡ ਨਾਂ ਮਿਲਣ ਤੇ ਦੁਬਾਰਾ ਫਾਈਲਾਂ ਵਾਲੇ ਬੰਡਲਾਂ ਨੂੰ ਖੋਲ੍ਹ ਕੇ ਇਕੱਲੀ ਇਕੱਲੀ ਫਾਇਲ ਖੋਲ੍ਹ ਕੇ ਚੈਕ ਕੀਤੀ ਗਈ। ਇਹ ਫਾਇਲ ਕਿਸੇ ਦੂਜੀ ਫਾਈਲ ਦੇ ਨਾਲ /ਹੇਠਾਂ ਬੰਨੀ ਮਿਲੀ। ਫਾਇਲ ਮਿਲਣ ਤੇ ਰਿਕਾਰਡ ਪ੍ਰਾਰਥੀ ਨੂੰ ਦਿਤਾ ਗਿਆ ਅਤੇ ਉਤਾਰਾ ਮਾਨਯੋਗ

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COMPLAINT CASE No. 1008 of 2018

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ਚੀਫ ਇੰਫਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨਰ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ ਜੀ ਨੂੰ ਵੀ ਕੀਤਾ ਗਿਆ। ਸੂਚਨਾ ਦੇਰੀ ਨਾਲ ਸਪਲਾਈ ਕਰਨ ਵਿਚ ਕਿਸੇ ਕਰਮਚਾਰੀ ਦੀ ਕੋਈ ਮੰਦਭਾਵਨਾ ਨਹੀਂ ਸੀ ਬਲਕਿ ਰਿਕਾਰਡ ਨਾਂ ਉਪਲਬਧ ਹੋਣ ਕਾਰਨ ਹੋਈ ਹੈ। ਇਸ ਲਈ ਇਸ ਕੇਸ ਨੂੰ ਦਾਖਲ ਦਫ਼ਤਰ ਕਰਨ ਦੀ ਸਿਫਾਰਸ਼ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਜੀ।

6. Today, the complainant is absent. However, a letter dated 27.03.2019 has been received from him through e-mail informing that he is cardiac patient and he has been advised by the PGI, Chandigarh to avoid exertion. In view of the advice of the PGI, Chandigarh, he is unable to appear before the Commission at Chandigarh and he has further requested for adjournment of the case.

7. After hearing the representative of the respondent and going through the record available on the case file it is revealed that complete information has been provided to the complainant and nothing has been kept pending, which could be supplied to the complainant. Hence, the present complaint case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

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Shri Jasbir Singh
r/o Village Bholapur, P.O. Ramgarh,
Chandigarh Road, Ludhiana-141123.

.....Appellant

Vs

Public Information Officer
o/o Sub Divisional Magistrate (East),
Ludhiana.

First Appellate Authority
o/o the Deputy Commissioner, Ludhiana.

.....Respondents.

Appeal Case .No. 1490 of 2018

Present:- None on behalf of the appellant.

Ms. Neelam, Clerk, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 27.02.2019 vide which PIO/Sub Divisional Magistrate, Ludhiana (East) by DRO-cum-PIO, Ludhiana. On that date the appellant informed that deficiencies had been sent to the PIO on 30.01.2019. Accordingly, the PIO was directed to supply the complete information to the appellant after removing the deficiencies pointed out by him and submit a status report before the next date of hearing.

2. The representative of the respondents states that she has checked up the record of their office and no letter dated 30.01.2019 from the complainant has been

Contd.....p/2

received in their office. She submits a copy of letter dated 04.04.2019 stating that after the supply of reply/information on 22.01.2019, no observation has been received from the appellant till date, the contents of which are reproduced below:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸੰਬੰਧ ਵਿਚ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਅਪੀਲ ਕਰਤਾ ਸ੍ਰੀ ਜਸਵੀਰ ਸਿੰਘ ਪਿੰਡ ਭੋਲਾਪੁਰ ਚੰਡੀਗੜ੍ਹ ਰੋਡ ਲੁਧਿਆਣਾ ਨੂੰ ਇਸ ਦਫ਼ਤਰ ਵਲੋਂ ਮਿਤੀ 22.01.2019 ਨੂੰ ਆਪ ਜੀ ਦੀ ਅਦਾਲਤ ਵਿਚ ਪੇਸ਼ ਹੋ ਕੇ ਜਵਾਬ ਦਾਅਵੇ ਦੀ ਕਾਪੀ ਦਿਤੀ ਗਈ ਸੀ ਅਤੇ ਅਦਾਲਤ ਵਿਚ ਵੀ ਫਾਈਲ ਕੀਤੀ ਗਈ ਸੀ। ਜਿਸ ਵਿਚ ਉਸ ਸਮੇਂ ਉਸ ਜਵਾਬ ਦਾਅਵੇ ਨੂੰ ਵਾਚਣ ਲਈ ਕੁਝ ਸਮੇਂ ਦੀ ਅਪੀਲ ਕਰਤਾ ਵਲੋਂ ਮੰਗ ਕੀਤੀ ਗਈ ਸੀ, ਜਿਸ ਵਿਚ ਆਪ ਜੀ ਵਲੋਂ ਉਸ ਨੂੰ ਇਹ ਹਦਾਇਤ ਕੀਤੀ ਗਈ ਸੀ ਕਿ ਜੇ ਵੀ ਇਯ ਜਵਾਬ ਦਾਅਵੇ ਵਿਚ ਆਪ ਨੂੰ ਕਮੀ ਨਜ਼ਰ ਆਉਂਦੀ ਹੋਵੇ ਤਾਂ ਇਸ ਸੰਬੰਧੀ ਇਨ੍ਹਾਂ ਦੇ ਸਾਡੇ ਦਫ਼ਤਰ ਨਾਲ ਸੰਪਰਕ ਕਰਕੇ ਆਪਣੀ ਕਮੀ ਦੂਰ ਕਰਵਾ ਸਕਦੇ ਹੋ। ਇਸ ਤਰ੍ਹਾਂ ਅਪੀਲ ਕਰਤਾ ਵਲੋਂ ਮਿਤੀ 22.01.19 ਤੋਂ ਬਾਅਦ ਇਸ ਦਫ਼ਤਰ ਵਿਚ ਨਹੀਂ ਆਇਆ ਅਤੇ ਨਾਂ ਹੀ ਉਸ ਵਲੋਂ ਇਸ ਦਫ਼ਤਰ ਨੂੰ ਕੁਝ ਵੀ ਲਿਖਤੀ ਰੂਪ ਵਿਚ ਦਿਤਾ ਇਸ ਲਈ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਇਸ ਅਪੀਲ ਕੇਸ ਨੂੰ ਫਾਇਲ ਕਰਨ ਦੀ ਕ੍ਰਿਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ ਜੀ।

3. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that as per the submission of the representative of the respondent, complete information as available in the material form with the respondents has been supplied to him and nothing has been kept pending, which could be supplied to him. Accordingly, the case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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Shri Sadhu Singh
s/o Shri Sajjan Singh,
Village Rurka,
PO Dehlon,
Distt. Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Station House Officer,
Police Station, Dehlon,
Distt. Ludhiana.

First Appellate Authority
o/o Station House Officer,
Police Station, Dehlon,
District Ludhiana.

.....Respondents.

Appeal Case .No. 1888 of 2018

Present:- None on behalf of the appellant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 13.03.2019 vide which it was mentioned that no reply to the show cause notice issued to Shri Kulwant Singh, SHO, Police Station, Dehlon, District Ludhiana had been filed. He was again directed to supply the requisite information to the appellant and pay compensation amount of Rs.3000/- to him before the next date of hearing by way of bank draft failing which action for imposing penalty would be taken ex-parte.

2. Today, the appellant is not present without intimation.

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3. None is present on behalf of the respondents without any intimation. Viewing the absence of the respondent seriously, the PIO is directed to supply the requisite information alongwith a bank demand draft of Rs.3000/- to the appellant and reply to the Show Cause Notice issued to Shri Kulwant Singh, SHO, Police Station, Dehlon, District Ludhiana failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

4. Since my term is expiring on 04.05.2019, I am not in a position to fix next date of hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission. Fresh date of hearing will be intimated by the concerned Bench in due course of time.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

DR (With original file)

PUNJAB STATE INFORMATION COMMISSION

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Shri Narinder Pal Singh
H.No.11851, Street No.3,
SAS Nagar, Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Station House Officer,
Police Station, Shimlapuri,
Ludhiana.

First Appellate Authority
o/o Commissioner of Police,
Ludhiana.

.....Respondents.

Appeal Case No. 2001 of 2018

Present:- Shri Narinder Pal Singh, appellant, in person.

Shri Davinder Singh, Deputy Superintendent of Police, Mohali alongwith
Shri Daljit Singh, Assistant Sub Inspector on behalf of the respondents.

ORDER

In this case, during hearing on 06.11.2018, the appellant informed that compensation amount of Rs. 1000/- had not been paid to him nor the requisite information had been provided to him. None was present on behalf of the respondent-PIO without intimation. Viewing the defying attitude of the PIO seriously, compensation amount of Rs. 1000/- awarded on the last date of hearing was enhanced to Rs. 3,000/- to be paid to the appellant through Bank Draft before the next date of hearing. Besides, a Show-Cause Notice was issued to Shri Davinder Singh, S.H.O., Police Station, Shimlapuri, Ludhiana for imposition of penalty. He was also asked to avail an opportunity of personal hearing on the next date of hearing before imposition of penalty. The case was adjourned to 05.12.2018.

Contd.....p/2

2. On 05.12.2018, the appellant informed that compensation had not been paid to him nor the requisite information had been supplied to him. None was present on behalf of the respondent PIO. Viewing the callous and lackadaisical attitude of Shri Davinder Singh, SHO, Police Station, Shimlapuri, Ludhiana, one last opportunity was afforded to him to submit reply to the Show-Cause Notice issued to him by the Commission, supply the requisite information to the appellant and pay compensation amount of Rs. 3000/- to the appellant through Bank Draft, before the next date of hearing, failing which action for imposing penalty would be initiated ex-parte. He was again offered an opportunity of personal hearing on the next date of hearing before imposition of penalty. The case was adjourned to 05.02.2019. After the hearing was over and the appellant had left, Shri Rajiv Kumar, M.H.C., Police Station, Shimlapuri, Ludhiana, appeared before the Commission and he was apprised of the proceedings taken place during the hearing of the case.

3. On 05.02.2019, the appellant informed that no information had been supplied to him nor compensation amount of Rs. 3000/- had been paid to him. Reply to the Show Cause Notice issued to Shri Davinder Singh, S.H.O. Police Station, Shimlapuri, Ludhiana had also not been filed by him till date. Even then, while taking a lenient view, one last opportunity was afforded to him to file reply to the Show-Cause Notice issued by the Commission and supply requisite information to the appellant before the next date of hearing. Besides, compensation amount of Rs. 3,000/- was enhanced to Rs. 5000/- to be paid to the appellant, by the Public Authority through a Bank Draft, for the loss and detriment suffered by him, before the next date of hearing. The case was adjourned for 13.03.2019.

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4. On 13.03.2019, the appellant informed that neither information has been supplied to him nor compensation amount has been paid to him. None was present on behalf of the respondents without any intimation. It had come to the notice of the Commission that Shri Davinder Singh, SHO, Police Station, Shimlapuri, Ludhiana had been promoted as Deputy Superintendent of Police and posted at Mohali and Shri Parmod Kumar has been posted as Station House Officer, Shimlapuri, Ludhiana. Accordingly, Shri Davinder Singh, DSP was directed to submit reply to the Show-Cause Notice issued to him by the Commission for the delay in supply of information and avail an opportunity of personal hearing on the next date of hearing, failing which action will be taken for imposing penalty upon him ex-parte and Shri Parmod Kumar, present SHO, Police Station, Shimlapuri, Ludhiana was directed to supply the requisite information to the appellant and pay compensation amount of Rs. 5,000/- to the appellant before the next date of hearing and submit compliance report on the next date of hearing.

.5. Today, the appellant informs that neither information nor amount of compensation has been given to him. Shri Davinder Singh former SHO, Police Station, Shimlapuri, Ludhiana now posted as Deputy Superintendent of Police, Mohali appears and submits that due to his transfer from Police Station, Salem Tabri, Ludhiana, no intimation regarding date of hearing has been given to him by the concerned SHO. On receipt of communication regarding hearing from the Commission, he is appearing and explained his position regarding absence. In view of his inability to appear before the Commission, show cause notice issued to him is dropped with the direction to be careful in future otherwise disciplinary action will be initiated. He further requests that Shri Ram Singh, ASI was transferred

Contd.....p/4

from the Police Station, Shimlapuri and he has relinquished the charge without handing over the concerned papers to the Police Station, Shimlapuri. He further states that he is not bothering about the appearance in other cases also. Disciplinary action has been initiated against Shri Ram Singh, ASI, for not handing over the record to the concerned SHO. He requests that he has relinquished the charge of the office of Police Station, Saltem Tabri, Ludhiana and he offers that he will help the complainant in taking the action on his complaint, if a fresh copy of the complaint is handed over to him. He further submits that a draft of Rs.5000/- as compensation through Bank Draft will be prepared and sent to the appellant as early as possible.

6. After hearing both the parties and going through the record available on the case file, it is revealed that Shri Ram Singh, ASI, has relinquished the charge without handing over the charge. Disciplinary action for not handing over the charge against Shri Ram Singh, ASI, has been initiated by the department. The appellant is advised to send a copy of the complaint to the respondents, who will take action on its receipt. The respondents are directed to send a demand draft of Rs.5000/- within ten days. The respondents assure that action will be initiated on receipt of photocopy of application and they will give compensation amounting to Rs.5000/- through bank draft within ten days. The respondents assure that they will send the compensation amount of Rs.5000/- through demand draft positively by ten days. On the assurance of the respondent, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

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Shri Narinder Pal Singh
H.No.11851, Street No.3,
SAS Nagar, Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Station House Officer,
Police Station, Shimlapuri,
Ludhiana.

First Appellate Authority
o/o Commissioner of Police,
Ludhiana.

.....Respondents.

Appeal Case No. 1999 of 2018

Present:- Shri Narinder Pal Singh, appellant, in person.

Shri Davinder Singh, Deputy Superintendent of Police, Mohali alongwith
Shri Daljit Singh, Assistant Sub Inspector on behalf of the respondents.

ORDER

In this case, during the hearing on 06.11.2018, the appellant informed that compensation amount of Rs. 1000/- had not been paid to him nor the requisite information had been provided to him. None was present on behalf of the respondent-PIO without intimation. Viewing the defying attitude of the PIO seriously, compensation amount of Rs. 1000/- awarded on the last date of hearing was enhanced to Rs. 3,000/- to be paid to the appellant through Bank Draft before the next date of hearing. Besides, a Show-Cause Notice was issued to Shri Davinder Singh, S.H.O., Police Station, Shimlapuri, Ludhiana for imposition of penalty. He was also asked to avail an opportunity of personal hearing on the next date of hearing before imposition of penalty. The case was adjourned to 05.12.2018.

Contd.....p/2

2. On 05.12.2018, the appellant informed that compensation had not been paid to him nor the requisite information had been supplied to him. None was present on behalf of the respondent PIO. Viewing the callous and lackadaisical attitude of Shri Davinder Singh, SHO, Police Station, Shimlapuri, Ludhiana, one last opportunity was afforded to him to submit reply to the Show-Cause Notice issued to him, supply requisite information to the appellant and pay compensation amount of Rs. 3000/- to the appellant through Bank Draft, before the next date of hearing, failing which action for imposing penalty would be taken ex-parte. He was again offered an opportunity of personal hearing on the next date of hearing before imposition of penalty. The case was adjourned to 05.02.2019. After the hearing was over and the appellant had left, Shri Rajiv Kumar, M.H.C., Police Station, Shimlapuri, Ludhiana, appeared before the Commission. Accordingly, he was apprised of the proceedings taken place during hearing of the case.

3. On 05.02.2019, the appellant informed that no information had been supplied to him nor compensation amount of Rs. 3000/- had been paid to him. Reply to the Show Cause Notice issued to Shri Davinder Singh, S.H.O. Police Station, Shimlapuri, Ludhiana had also not been filed by him till date. Even then, while taking a lenient view, one last opportunity was afforded to him to file reply to the Show-Cause Notice and supply requisite information to the appellant before the next date of hearing. Besides, compensation amount of Rs. 3,000/- was enhanced to Rs. 5000/- to be paid to the appellant, by the Public Authority through a Bank Draft, for the loss and detriment suffered by him, before the next date of hearing. The case was adjourned for 13.03.2019.

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4. On 13.03.2019, the appellant informs that neither information had been supplied to him nor compensation amount had been paid to him. None is present on behalf of the respondents without any intimation. It had come to the notice of the Commission that Shri Davinder Singh SHO, Police Station, Shimlapuri, Ludhiana had been promoted as Deputy Superintendent of Police and posted at Mohali and Shri Parmod Kumar has been posted as SHO, Police Station, Shimlapuri, Ludhiana. Accordingly, Shri Davinder Singh, DSP was directed to submit reply to the Show-Cause Notice issued to him for the delay in the supply of information and avail an opportunity of personal hearing on the next date of hearing, failing which action would be taken for imposing penalty upon him ex-parte and Shri Parmod Kumar, present SHO, Police Station, Shimlapuri, Ludhiana was directed to supply the requisite information to the appellant and pay compensation amount of Rs. 5,000/- to the appellant before the next date of hearing and submit compliance report be submitted on or before the next date of hearing.

5. Today, the appellant informs that neither information nor amount of compensation has been given to him. Shri Davinder Singh former SHO, Police Station, Shimlapuri, Ludhiana now posted as Deputy Superintendent of Police, Mohali appears and submits that due to his transfer from Police Station, Salem Tabri, Ludhiana, no information regarding appearance has been received by him from the concerned SHO. On receipt of communication from the Commission, he is appearing and explained his position regarding absence. In view of his inability to appear before the Commission, show cause notice issued to him is dropped with the direction to be careful in future otherwise disciplinary action will be initiated. He further requests that Shri Ram Singh, ASI was transferred from the Police Station,

Contd.....p/4

Shimlapuri and he has relinquished the charge without handing over the concerned papers to the Police Station, Shimlapuri. He further states that he is not bothering about the appearance in other cases also. Disciplinary action has been initiated against Shri Ram Singh, ASI, for not handing over the documents to the concerned SHO. He requests that he has relinquished the charge of the office of Police Station, Saltem Tabri, Ludhiana and he offers that action would be initiated if the appellant gives him a copy of the complainant, and demand draft of Rs.5000/- as compensation through Bank Draft as early as possible.

5. After hearing both the parties and going through the record available on the case file, it is revealed that Shri Ram Singh, ASI, has relinquished the charge without handing over the charge. Disciplinary action against Shri Ram Singh, ASI, has been initiated by the department. The appellant is advised to send a copy of the complaint to the respondents, who will take action. The respondents are directed to send a demand draft of Rs.5000/- within ten days. The respondents assure that action will be initiated on receipt of photocopy of application and give compensation amounting to Rs.5000/- through bank draft within ten days. The respondents assure that they will send the compensation amount of Rs.5000/- through demand draft positively by ten days. On the assurance of the respondent, the present case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.
Ph: 0172-2864100, Email: - pcic20@punjabmail.gov.in



Shri Narinder Pal Singh
H.No.11851, Street No.3,
SAS Nagar, Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Commissioner of Police,
Ludhiana.

First Appellate Authority
o/o Commissioner of Police,
Ludhiana.

.....Respondents.

Appeal Case No. 2000 of 2018

Present:- Shri Narinder Pal Singh, appellant, in person.

Shri Davinder Singh, Deputy Superintendent of Police, Mohali alongwith
Shri Daljit Singh, Assistant Sub Inspector on behalf of the respondents.

ORDER

In this case, during the hearing on 06.11.2018, the appellant informed that no information had been provided to him till date. In view of the loss and detriment suffered by the appellant, a compensation of Rs. 1000/- was awarded to the appellant to be paid to the appellant through Bank Draft. Besides, Assistant Commissioner of Police, Atam Nagar, Ludhiana was directed to take action on the complaint of the appellant and furnish status report to the appellant, with a copy to the Commission. The case was adjourned to 05.12.2018.

2. On 05.12.2018, the appellant informed that compensation had not been paid to him nor the requisite information had been supplied to him. None was present on behalf of the respondent PIO. Viewing the callous and lackadaisical attitude of Shri Davinder Singh, SHO, Police Station, Shimlapuri, Ludhiana, one last opportunity was afforded to him to supply the

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requisite information to the appellant and pay compensation amount of Rs. 1000/- to the appellant through a Bank Draft, before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005, would be initiated against him. The case was adjourned to 05.02.2019. After the hearing was over and the appellant had left, Shri Rajiv Kumar, M.H.C., Police Station, Shimlapuri, Ludhiana, appeared before the Commission. Accordingly, he was apprised of the proceedings taken place during the hearing of the case.

3. On 05.02.2019, the appellant informed that no information had been supplied to him nor compensation amount of Rs. 1000/- had been paid to him. Viewing the defying attitude of the PIO seriously, a Show-Cause Notice was issued to Shri Davinder Singh, S.H.O. Police Station, Shimlapuri, Ludhiana for imposition of penalty. An opportunity of personal hearing was afforded to him on the next date of hearing in the interest of natural justice before imposing penalty. Besides, compensation amount of Rs. 1,000/- was enhanced to 3000/- to be paid to the appellant, by the Public Authority through a Bank Draft, for the loss and detriment suffered by him, before the next date of hearing. The case was adjourned for 13.03.2019.

4. On 13.03.2019, the appellant informed that neither information had been supplied to him nor compensation amount had been paid to him. None is present on behalf of the respondents without any intimation. It had come to the notice of the Commission that Shri Davinder Singh, SHO, Police Station, Shimlapuri, Ludhiana had been promoted as Deputy Superintendent of Police and posted at Mohali and Shri Parmod Kumar has been posted as SHO, Police Station, Shimlapuri, Ludhiana. Accordingly, Shri Davinder Singh, DSP was directed to submit reply to the Show-Cause Notice issued to him for delay in supply of information and avail an opportunity of personal hearing on the next date of hearing, failing which action would

be taken for imposing penalty upon him ex-parte and Shri Parmod Kumar, present SHO, Police Station, Shimlapuri, Ludhiana is directed to supply the requisite information to the appellant and pay compensation amount of Rs. 3,000/- to the appellant before the next date of hearing and submit compliance report on the next date of hearing. Shri Davinder Singh, Deputy Superintendent of Police, Mohali requests that he will help in taking action on the complaint of the appellant, if a copy of the complaint is given to him.

5. After hearing both the parties and going through the record available on the case file, it is revealed that Shri Ram Singh, ASI, had relinquished the charge without handing over the charge. Disciplinary action against Shri Ram Singh, ASI, has been initiated by the department for not handing over the charge. According to the request of Shri Davinder Singh, Deputy Superintendent of Police, Mohali, the appellant is advised to send a copy of the complaint to the respondents. On receipt of the complaint from the appellant, the respondents are directed to take action on it and information be sent to him about action taken on his complaint to the appellant. The respondents are further directed to send a demand draft of Rs.3000/- within ten days. The representative of the respondents assures that action will be initiated on receipt of photocopy of application and he will send compensation amount of Rs.3000/- through bank draft within ten days. On the assurance of the representatives of the respondents, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

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Shri Jaspal Singh
s/o Shri Ramesh Arora,
H.No.319/3, Gurdeep Nagar,
Jagraon, Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Senior Superintendent of Police,
Jagraon, District Ludhiana.

First Appellate Authority
o/o Inspector General of Police,
Zone-2, Jalandhar.

.....Respondents.

Appeal Case No. 1995 of 2018

Present:- Shri Jaspal Singh, appellant, in person.

Shri Kamaljit Singh, Head Constable, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 13.03.2019 vide which the respondents were directed to ensure that the inquiry be finalized and a copy of the inquiry report be furnished to the appellant, with a copy to the Commission, before the next date of hearing.

2. The appellant states that he has not received any information till date. He further states that he has not received any 'parwana' for participating in the investigation.

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3. The representative of the respondents states that till date the inquiry has not been finalized. He further states that he will provide a copy of the inquiry report on its completion.

4. After hearing both the parties and going through the record available on the case file, it is revealed that inquiry is pending with the higher authorities of the police department and no information can be supplied until the inquiry is finalized. Hence, no useful purpose would be served by keeping this matter pending. On the assurance given by the respondent that a copy of inquiry report will be supplied to the appellant on its finalization. However, the case is **disposed of and closed**.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

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Sector: 16, Chandigarh.

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Dr. Rajesh Gupta,
#738, Sector 41-A,
Chandigarh.

.. ...Appellant

Vs

Public Information Officer
o/o Secretary, Punjab Public Service Commission,
Patiala.

First Appellate Authority
o/o Secretary, Punjab Public Service Commission,
Patiala.

.....Respondents

Appeal Case No. 2030 of 2018

Present:- Shri Rajesh Gupta, appellant, in person.

Shri Kamaljit Singh, Senior Assistant, on behalf of the respondents.

ORDER

On 4.10.2018, the representative of the respondents stated that information regarding copies of Government letter dated 1.7.2017 and 23.2.2017 and Punjab Public Service Commission's letter dated 21.10.2016 for reconsideration of the case and Commission's advice dated 27.2.2018 had been supplied to the appellant. The appellant stated that partial information had been received from the respondents vide their letter dated 23.07.2018 and no information regarding file notings and correspondence between the Government and Punjab Public Service Commission had been provided to him till date. The respondents were directed to provide the remaining information or send speaking order regarding notings and correspondence between the Government and Punjab Public Service Commission before the next date of hearing, which was fixed for 13.11.2018.

2. On 13.11.2018, it was observed that deliberation taken places in the Punjab Public Service Commission and were available in any shape or form needs to be provided to the appellant. It was also observed that whatever documents were

Contd.....p/2

available on record, needs to be shared with the appellant as the plea put-forth by the Punjab Public Service Commission was not tenable. Accordingly, it was directed that original file pertaining to this case be brought on the next date of hearing for the perusal of the Commission to enable it to arrive at a logical conclusion and the case was adjourned to 6.12.2018.

3. On 6.12.2018, it was revealed that complete information except proceedings of the meeting of Punjab Public Service Commission, Patiala, where the decision regarding imposition of punishment, had been provided. The respondents were directed to give a copy of extract of proceedings without signatures of the members to the appellant. With this direction to the respondents, the case was disposed of and closed.

4. The appellant-Dr. Gupta vide his email dated 07.02.2019 brought to the notice of Hon'ble CIC that no information had been provided to him so-far. He had requested that this case may be reheard at the earliest and PIO be directed to provide information immediately. The appellant had also requested to invoke provisions of Section 19 and 20 of RTI Act, because it had been sufficiently proved that the authorities in the Punjab Public Service Commission were deliberately and intentionally delayed the sought for information. In view of the request of the appellant, the case was fixed for rehearing on 13.03.2019.

5. On 13.03.2019, the appellant expressed his dissatisfaction with the provided information stating that file notings, as per his request under RTI Act, 2005, had not been provided to him. While quoting a judgment of Central Information Commission, New Delhi in G.S. Sandhu vs. Union Public Service Commission, the appellant requested that the PIO of the Punjab Public Service Commission, Patiala, may be directed to provide him a duly attested copy of file noting relating to his case. Consequently, after hearing both the parties and going through the said judgment of

Central Information Commission, the PIO of the Punjab Public Service Commission, Patiala was directed to supply a duly attested copy of file notings to the appellant and the case was adjourned to 08.04.2019.

6. On 08.04.2019, the respondent places on record letter dated 3.4.2019 enclosing noting portions of file regarding taking disciplinary action against the appellant, a copy of which has been sent to the appellant, which might have been received by him. The appellant states that copies of noting portion and correspondence between the Punjab Public Service Commission and the Government have not been provided to him. The representative of the respondents has brought original file for the perusal of the Commission and further states that complete information has been provided to him and nothing has been kept pending, which could be supplied to him. The appellant states that copy of one letter supplied to him is not legible. The representative of the respondents is directed to provide a copy of the said letter during the hearing. On this, he states that he will send the same to the appellant through registered post. The appellant states that he has doubt that they shall not furnish the same. So the appellant was allowed to take picture of the said letter. The appellant has taken picture of the said letter during the hearing. The representative of the respondents states that complete information as per his application for seeking information under the RTI Act, 2005 has been provided and nothing has been kept pending, which could be supplied to the appellant. The Commission is satisfied with the statement of the respondents. Accordingly, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

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Shri Sat Pal Sharma
o/o Shri Gian Chand Sharma,
H.No.3623, St. No.1, Durga Puri,
Haibowal Kalan, Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Commissioner of Police,
Ludhiana.

First Appellate Authority
o/o Commissioner of Police,
Ludhiana.

.....Respondents.

Appeal Case .No. 3685 of 2018

Present:- None on behalf of the appellant.

Shri Pawan Dev Singh, Sub Inspector, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 27.02.2019 vide which the representative of the respondents stated that information running into 23 pages has been sent vide letter dated 23.02.2019 through registered post. Accordingly, the appellant was directed to send his observations, if any, on the provided information to the PIO, with a copy to the Commission. The case was adjourned to 8.4.2019.

2. Today the representative of the respondents submits that no observation has been received from the appellant after the supply of information to the appellant through registered post. He places letter dated 05.04.2019 on the record of the case file, the contents of which are as under:-

ਉਪਰੋਕਤ ਵਿਸ਼ਾ ਤੇ ਹਵਾਲਾ ਅਧੀਨ ਬੇਨਦੀ ਹੈ ਕਿ ਉਕਤ ਅਪੀਲ ਕੇਸ ਦੀ ਤਾਰੀਕ ਪੇਸ਼ੀ 27.02.2019 ਪਰ ਮਾਨਯੋਗ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ ਜੋ ਵਲੋਂ ਅਪੀਲ ਕਰਤਾ ਨੂੰ ਅਗਲੀ ਤਾਰੀਕ ਪੇਸ਼ੀ 8.04.2019 ਤੋਂ ਪਹਿਲਾਂ ਪਹਿਲਾਂ ਸੂਚਨਾ ਸੰਬੰਧੀ ਆਬਜ਼ਰਵੇਸ਼ਨ ਦੇਣ ਦੀ ਹਦਾਇਤ ਕੀਤੀ ਗਈ ਸੀ। ਪਰ

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ਅਪੀਲ ਕਰਤਾ ਵਲੋਂ ਹੁਣ ਤਕ ਯੂਚਨਾ ਦੀ ਆਬਜ਼ਰਵੇਸ਼ਨਜ਼ ਮੌਜੂਦ ਨਹੀਂ ਹੋਈ ਹੈ ਜੀ।

3. The appellant has sent observations vide his letter dated 23.03.2019 to the Commission through e-mail, the contents of which are as under:-

"I have received the reply sent by the PIO office of the Commissioner of Police, Ludhiana sent vide No.3685/RTI dated 20.02.2019 and following deficiencies have been found:-

Para No.2 No reply has been given

Para No.4 No reply has been given.

Para No.5 Incomplete reply has been given by supplying the report of SIT but bases of the recommendation has not been supplied.

4. The respondents are directed to send reply to the above observations of the appellant as early as possible.

5. Since my term is expiring on 04.05.2019, I am not in a position to fix next date of hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission. Fresh date of hearing will be intimated by the concerned Bench in due course of time.

Dated : 08.04.2019

(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Jasbir Singh
Village Bholapur Jhabewal,
P.O. Ramgarh, District Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Deputy Commissioner,
Ludhiana.

First Appellate Authority
o/o Deputy Commissioner,
Ludhiana.

.....Respondents.

Appeal Case No. 3730 of 2018

Present:- None on behalf of the appellant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 27.02.2019. The respondents vide their letter No.835-37 dated 04.02.2019 has informed the Commission that information has been sent to the appellant. The representative of the respondents informed that the provided information is incomplete as list of IELTS Centres and Travel Agents has not been furnished. Accordingly, the respondent-PIO was directed to supply the remaining information to the appellant, with a copy to the Commissioner before the next date of hearing.

2. Today, the appellant is not present. However, a letter dated 25.03.2019 stating that he has received information regarding travel agents but no information has been received regarding points at Sr. No. 1 and 2.

Contd.....p/2

-2-

3. None is present on behalf of the respondents without any intimation. Viewing the absence of the respondent seriously, the PIO is directed to supply the requisite information to the appellant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

4. Since my term is expiring on 04.05.2019, I am not in a position to fix next date of hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission. Fresh date of hearing will be intimated by the concerned Bench in due course of time.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

DR (with original file)

STATE INFORMATION COMMISSION, PUNJAB

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Shri Tejinder Singh
r/o Village Bholapur,
P.O. Ramgarh, Chandigarh Road,
Ludhiana.

--Appellant.

Vs.

Public Information Officer
o/o Incharge, Police Post, Lalton Kalan,
District Ludhiana.

FAA-Police Commissioner,
Ludhiana.

-----Respondents.

Appeal Case No. 3572 of 2018

Present:- None on behalf of the appellant.
Shri Om Parkash, ASI, on behalf of the respondents.

ORDER

On 10.12.2018, none was present on behalf of the parties. Viewing the absence of the respondents seriously, the PIO was directed to supply the requisite information to the appellant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005, will be initiated against him. The case was adjourned to 05.02.2019.

2. On 05.02.2019, a letter dated 27.01.2019 was received from Incharge, Police Post, Lalton Kalan, Police Station Sadar, Ludhiana vide which reply had been sent to the appellant while denying the information under Section 8(1)(j) of the RTI Act, 2005. Accordingly, the appellant was directed to send his observation, if any, on the reply sent to the PIO with a copy to the Commission, before the next date of hearing and the case was adjourned to 13.03.2019.

3. On 13.03.2019, the representative of the respondents stated that information was denied to the appellant being relating to the third party. The appellant

Contd.....p/2

expresses dissatisfaction. Consequently, after discussing the sought for information and hearing both the parties, the respondent was directed to bring the original file on the next date of hearing for the perusal of the Commission, wherein it had been decided that the information, asked for by the appellant relates to third party. The case was adjourned 08.04.2019.

4. Today, the appellant is absent but an email has been received from him stating that he will not be able to appear before the Commission as he will be busy in attending swearing event/honour event. He further states that he has sent observations to the PIO and further requested for an adjournment.

5. The representative of the respondents states that information sought by the appellant is third party, which could not be supplied under Section 8 of the RTI Act, 2005.

6. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that information sought by the appellant is in public interest and should be given to the appellant on payment basis under the provisions of the RTI Act, 2005. The respondents are directed to provide copies of all the documents available in the concerned file to the appellant on receipt of the requisite fee. The representative of the respondents assures that he will provide the information on receipt of the fee as early as possible. On the assurance of the representative of the respondents, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

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Shri Bharat Bhushan Mattu,
H.No.153, Akash Nagar,
Near Greenland School,
PO Netaji Nagar, Salem Tabri,
Ludhiana-141008.

.....Appellant

Vs

Public Information Officer
o/o Secretary, 6th Pay Commission, Punjab,
Chandigarh.

First Appellate Authority
o/o Chairman, 6th Pay Commission, Punjab,
Chandigarh.

.....Respondents.

Appeal Case No. 3983 of 2018

Present:- None on behalf of the appellant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 13.03.2019 vide which it was mentioned that the appellant is unable to attend the hearing due to ill health. Accordingly, copies of letters dated 22.01.2019 and 02.03.2019 were sent to the PIO to supply complete information to the appellant after removing the deficiencies pointed out by him. They were also directed to explain factual position of the case, in person, on the next date of hearing and submit status report, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against them. The case was adjourned to 08.04.2019.

Contd.....p/2

-2-

2. Today the appellant is absent. However, a letter dated 29.03.2019 has been received from him that his observations sent vide letters dated 22.01.2019 and 02.03.2019 to the respondents have not be replied/removed till date.

3. None is present on behalf of the respondents without any intimation. Viewing the absence of the respondent seriously, the PIO is directed to supply the requisite information to the complainant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

4. Since my term is expiring on 04.05.2019, I am not in a position to fix next date of hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission. Fresh date of hearing will be intimated by the concerned Bench in due course of time.

Dated : 08.04.2019

(**S.S. Channy**)
Chief Information Commissioner
Punjab

DR (with original file)