



Sh.Ravinder Singh Gill,
986, Near Dev Hotel,
Main Bazar,Moga.

...Appella

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Versus

Public Information Officer,
O/o SDM,
Moga.

First Appellate Authority,
O/o SDM,
Moga.

.... Respondent

Appeal Case No. 1165 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant, through an RTI application dated 23.10.2019 has sought information regarding the status of action taken on the application dated 15.10.2019 relating to the cancellation of "rapat" dated 13.06.2011 and mutation No.69186 & 23095 as per the decision of SDM Moga and other information concerning the office of SDM Moga. The appellant was not provided with the information, after which the appellant filed the first appeal before the first appellate authority on 06.12.2019, which took no decision on the appeal.

The case was first heard on 06.10.2020. The respondent present pleaded that the appellant had earlier filed a similar appeal case No.3502/2018 for seeking exactly the same information which was disposed of by Dr.Pawan Kumar Singla, State Information Commissioner on 23.06.2020 since the information was provided, and the appellant was satisfied with the reply of the PIO. The Commission also received a reply from the PIO through an email which was taken on the file of the Commission.

The appellant was absent and vide letter received in the Commission on 25.09.2020 informed that the information is incomplete since as per the order of the First Appellate Authority, the information from patwari halka Moga Mahil Singh-1I has been provided (but it is incomplete), and the information from patwari halka Moga Mahil Singh-1 has not been provided.

Having gone through the record, it was found that the appellant had earlier filed a similar appeal case for seeking exactly the same information which was disposed of by the Id bench of Dr.Pawan Kumar Singla on 23.06.2020 whereas, in the certificate submitted to the Commission, the appellant has certified that no appeal or complaint has earlier been filed, pending or decided by any of the State Information Commissioner.

The appellant was directed to personally appear before the Commission on the next date of hearing and plead his case.

On the date of hearing on **28.01.2021**, the appellant informed that as per order/decision of First Appellate Authority-cum-SDM Moga, the information provided by Patwari Halka Mahil Singh-II is incomplete till the information from Patwari Halka Moga Mahil Singh-1 is provided.

The Commission also received a letter from the appellant on 21.01.2021 which was taken on the file of the Commission.

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Regarding the plea of the respondent that the information has already been provided to the appellant in a similar appeal case No.3502/2018 which was disposed of by the SIC Dr.Pawan Kumar Singla, the Commission has gone through the record found that the appellant in this appeal case had sought information regarding action taken on the application dated 15.10.2019 whereas in the appeal case No.3502/2018, the appellant had sought information regarding action taken on his application dated 18.06.2018. Hence the PIO was directed to clarify whether the matter of complainant dated 18.06.2018 in appeal case No.3502/2018 the and complaint dated 15.10.2019 in the present case is same or different.

On the date of hearing on **07.05.2021**, the respondent present from the office of SDM Moga informed that the information has to be provided by the Tehsildar Moga. The representative from the office of Tehsildar Moga had not brought the sought information.

The appellant was absent. Having seen the copy of the RTI application and order of Ld.SIC in appeal case No.3502/2018 submitted by the PIO O/o SDM Moga, it was concluded that the information sought in both the cases is different and not the same as claimed by the PIO.

The PIO- Tehsildar Moga was directed to provide complete information to the appellant within ten days and send a compliance report to the Commission.

On the date of the hearing on **10.08.2021**, as per the appellant, the complete information was not provided by the PIO despite the order of the Commission.

The respondent had asked for some clarification regarding the khasra number which the appellant provided during the hearing. The respondent further informed that the information has to be provided by the concerned Patwari.

The respondent was directed to procure the information from the concerned Patwari and provide to the appellant within 10 days and send a compliance report to the Commission.

On the date of hearing on **14.12.2021**, the Commission received a letter from the appellant on 07.12.2021 stating that the information provided by the PIO is incomplete.

The respondent was absent. The case was adjourned.

The case was last heard on 14.03.2022 through video conferencing at DAC Moga. As per the appellant, the PIO has not supplied the information.

At the hearing on 10.08.2021, Sh.Sandeep Kumar, JA-RTI Branch o/o Tehsildar Moga appeared and informed that the information has to be provided by the concerned patwari. The respondent was directed to procure the information from the concerned patwari and provide it to the appellant.

The respondent was absent nor was represented as well as not complied with the order of the Commission.

The case was marked to the Deputy Commissioner, Moga with the instruction to reconcile and resolve the matter before the next date of hearing.

Hearing dated 08.08.2022:

The case has come up for hearing today through video conferencing at DAC Moga. Both the parties are absent.

On the hearing dated 14.03.2022, the case was marked to the Deputy Commissioner, Moga, with the instructions to reconcile and resolve the matter before the next date of hearing.

Neither the PIO office of the Sub-Divisional Magistrate, Moga, has appeared to attend the hearing today nor has any communication been received from the office of the Deputy Commissioner Moga. The Deputy Commissioner is directed to reconcile this information before the next date of hearing. A copy of the RTI application is being sent along for reference.

The case is adjourned and to come up for further hearing on **23.11.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Moga.

Chandigarh
Dated: 08.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to 1. Deputy Commissioner, Moga

2. Tehsildar-Moga.



Sh Brij Mohan, S/o Late Sh Sukhvir Kaur,
W/o Late sh Ashok Walia, H No-126,
Street No-5, North Estate, Bathinda.

... Appellant

Versus

Public Information Officer,
O/o DPI (Colleges), Punjab,
PSEB, Phase-8, Mohali.

First Appellate Authority,
O/o DPI (Colleges), Punjab,
PSEB, Phase-8, Mohali.

... Respondent

Appeal Case No. 4411 of 2019

PRESENT: None for the Complainant
None for the Respondent

ORDER:

The appellant, through RTI application dated 25.07.2019, has sought information regarding a copy of acknowledgement/diary number of a letter dated 11.11.2004 as per DPI office record- a copy of reply sent to SSD Girls College Bathinda by DPI –a copy of action taken report – a copy of record vide which the said application was sent to other offices for required action – action recommended or ordered by any office to DPI colleges etc. as enumerated in the RTI application from the office of DPI (Colleges)Pb Mohali. The appellant was not provided with the information, after which the complainant filed a complaint in the Commission on 28.08.2019.

The case first came up for hearing before Sh.N.S.Brar, State Information Commissioner on 24.02.2020 where Ms.Paramjit Kaur, Sr.Assistant, appeared and informed that due to shifting of the office and the record being very old, the complete record couldn't be traced. However, the appellant may inspect the available record and get the relevant information per available record.

The case again came up for hearing before Ms.Preety Chawla, State Information Commissioner on 02.09.2020, wherein the respondent was absent and, as per the appellant, the information was not provided. The case was adjourned.

The case was again heard on 14.01.2021 by the same bench. None was present on behalf of the respondent. The PIO was issued a show-cause notice under section 20 of the RTI Act and directed to file a reply.

On the date of hearing on 17.03.2021, Sh.Avtar Singh, Sr.Assistant, appeared and informed that the information had been supplied to the appellant. The respondent also submitted his reply, which was taken on record.

The appellant was not satisfied. The appellant was directed to inspect the record on 19.03.2021 and get the relevant record. The PIO was directed to allow inspection of the record and provided the relevant information to the appellant.

The reply of the PIO was not in order. The PIO was directed to file a fresh reply to the show-cause notice.

None was present on the next date of hearing on 18.05.2021, and the case was adjourned. On the date of hearing on 03.08.2021, the respondent filed a reply to the show-cause notice, and after having gone through the reply, the show cause notice was dropped. However, the PIO was directed to provide complete information to the appellant since the appellant was not satisfied with the provided information.

On the hearing date on 24.08.2021, the counsel for the appellant informed that the PIO had supplied misleading information. The respondent was absent. The case was adjourned.

The case last came up for **hearing before this bench on 13.04.2022** through video conferencing at DAC Bathinda. Sh.Varun Bansal, counsel for the appellant, appeared and informed that despite the order of the Commission, the PIO had not supplied the complete information.

The respondent was absent nor had complied with the order of the Commission to provide the complete information.

Since the PIO-DPI(Colleges), Pb Mohali was flouting the spirit of the RTI Act continuously and not appearing before the commission despite various orders of the Commission, to secure an erring PIO's presence before the commission, aailable warrant of the PIO was issued Under Section 18(3) of the RTI Act. through Senior Superintendent of Police, SAS Nagar, Mohali for his presence before the Commission on **08.08.2022**.

Hearing dated 08.08.2022 :

The case has come up for hearing today through video conferencing at DAC Bathinda. The appellant is absent nor is represented.

The PIO-DPI(Colleges), Pb Mohali is again absent.

As per information, Smt. Jaswinder Kaur, Dy. Director, is the PIO in this case. To secure the presence of the PIO, the Information Commission is empowered to issue warrants to the PIO Under Section 18(3) of the RTI Act. Aailable Warrant of Smt.Jaswinder Kaur, Dy.Director cum-PIO O/o DPI (Colleges), Pb, PSEB Complex, Phase-8, Mohali is hereby issued through Senior Superintendent of Police, Mohali for his presence before the Commission on **19.09.2022**.

To come up for further hearing on **19.09.2022 at 11.00 AM**.

Chandigarh
Dated: 08.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

**BAILABLE WARRANT OF PRODUCTION
BEFORE SHRI KHUSHWANT SINGH, STATE INFORMATION
COMMISSIONER, PUNJAB AT CHANDIGARH**

In case : Brij Mohan Versus PIO, O/O DPI(Colleges), Punjab, Mohali in Appeal case No. 4411 of 2019

UNDER SECTION 18(3)(a) OF THE RIGHT TO INFORMATION ACT, 2005.

APPEAL CASE NO. 4411 OF 2019

NEXT DATE OF HEARING: 19.09.2022 at 11.00AM.

To

**The Senior Superintendent of Police,
Mohali.**

Whereas Smt. Jaswinder Kaur, Dy. Director(Colleges)-cum-PIO O/o DPI(Colleges), Punjab, has failed to appear before the State Information Commissioner despite the issuance of notice/ summon in the above mentioned appeal case. Therefore, you are hereby directed to serve this bailable warrant on Smt. Jaswinder Kaur, Dy. Director(Colleges), Punjab to appear before the State Information Commissioner, Punjab, at Red Cross Building, Sector-16, Madhya Marg, Chandigarh, on **19.09.2022 at 11.00 AM.**

Chandigarh
Dated : 08.08.2022

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