



Sh. Jasbir Singh, S/o Sh. Harbans Singh,  
R/o Village Jalal Khera, P.O Sular,  
Distt. Patiala.

... Appellant

Versus

**Public Information Officer,**  
O/o DFSO,  
Ludhiana.

**First Appellate Authority,**  
O/o DFSO,  
Ludhiana.

...Respondent

**Appeal Case No. 179 of 2021**

**PRESENT:     None for the Appellant**  
**Sh.Sudhanshu Inspector and Smt.Damanjeet Kaur, AFSO for the**  
**Respondent**

**ORDER:       Facts of the case:-**

That the appellant through an RTI application dated 30.09.2020 has sought information regarding depot holder block No.133 Ashok Nagar Ludhiana – details of wheat, pulses and other items received relating to BPL/APL/Blue cards – a copy of licenses of depot holders of Ashok Nagar copy of entry register of APL/BPL card holders – list of APL/BPL cardholders and other information as enumerated in the RTI application concerning the office of DFSO Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 05.11.2020 which took no decision on the appeal.

That the case first came up for hearing on 13.05.2021 through video conferencing at DAC, Ludhiana. Since the VC had been temporarily closed by District Administration due to a large number of corona cases in Ludhiana, the hearing could not take place. The case was adjourned.

That on the date of the next hearing on **17.08.2021**, the appellant claimed that the PIO has not supplied the information.

The respondent was absent on 2<sup>nd</sup> consecutive hearing nor had supplied the information. The PIO was directed to provide the information to the appellant within 15 days of the receipt of the order otherwise the commission will be constrained to proceed against the PIO as per the provisions of section 20 of the RTI Act.

That on the date of the hearing on **09.11.2021**, the appellant informed that the PIO has not supplied the information despite the order of the Commission.

The respondent was absent on 3<sup>rd</sup> consecutive hearing nor was represented as well as not provided the information. There has been an enormous delay of more than one year in providing the information. The PIO was issued a **show cause notice under section 20 of the RTI Act 2005 and directed to file an affidavit in this regard.**

The PIO was again directed to provide information to the appellant within 10 days of the receipt of the order.

That on the date of the last hearing on 16.03.2022, the appellant informed that the PIO has not supplied the information.

The respondent was absent on the 4<sup>th</sup> consecutive hearing nor had filed a reply to the show-cause notice as well as not appearing before the Commission.

To secure an erring PIO's presence before the commission, a bailable Warrant of the PIO-O/o District Food Supply Officer, Ludhiana was issued under section 18(3) of the RTI Act through Senior Superintendent of Police, Ludhiana for his presence before the Commission on **09.05.2022**.

That the case has come up for hearing today on **09.05.2022**. Sh.Sudhanshu Inspector and Smt.Damanjeet Kaur, AFSO are present on behalf of the PIO and submitted a reply from the PIO which has been taken on record. In the reply, it has been mentioned that they tried to contact the appellant via his mobile many times but he could not be contacted. Further, the information was sent to the appellant vide letter dated 05.04.2022 through the registered post but the same has been received back undelivered.

The appellant is absent and vide email has sought exemption due to illness.

Having gone through the record, the Commission observes that there is nothing on record which shows that the RTI has been attended to within the prescribed time and the information, if any, has been sent to the appellant. The reply of the PIO is not satisfactory since the PIO is making lame excuses and has never been present at any of the hearings despite various notices of the Commission and has appeared only after the issuance of a bailable warrant.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-Food Supply Officer, Ludhiana is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request. The PIO is also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information. Moreover, the PIO has chosen not to reply to the show cause, which can be inferred that the PIO has nothing to say on the matter.

Hence, given the above facts a penalty of **Rs.10,000/-** is imposed on the PIO-DFSO Ludhiana which will be deposited in the Govt. Treasury. The PIO is directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

Further, the Commission is of the view that since the complainant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

Hence the PIO- DFSO Ludhiana is directed to pay an amount of **Rs.2500/-** via demand draft through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the commission of the compliance of the order and submit proof of having compensated the appellant.

The case is adjourned. To come up for compliance **02.08.2022** at 11.00 AM.

**Sd/-**

**Chandigarh**  
**Dated 09.05.2022**

**(Khushwant Singh)**  
**State Information Commissioner**



Sh.Vikarm Vaid,  
H No-1527, Gali No-2,  
Bagh Rama Nand,  
Amritsar.

... Appellant

Versus

**Public Information Officer,**  
O/o Director of Local Govt, Pb  
Sector-35-A, Chandigarh.

**First Appellate Authority,**  
O/o Addl, Director,  
Deptt of Local Govt, Pb  
Sector-35-A, Chandigarh.

...Respondent

**Appeal Case No. 1336 of 2020**

**PRESENT: Sh.Vikram Vaid as the Appellant**  
**Shri Santokh Lal, Accountant O/o Nagar Panchayat Mehatpur and**  
**Sh.Des Raj-EO-NC Adampur(earlier EO-Nagar Panchayat Mehatpur) for**  
**the Respondent**

**ORDER:**

The appellant, through an RTI application dated 05.11.2019, has sought information regarding details of funds allotted to Mehatpur Nagar Panchayat after 01.09.2006 in Nakodar – objective plan for which funds were allotted – bank details of Mehatpur Panchayat – internal audit report – AG Punjab audit report – deficiency found in the audit report and other information concerning the office of Director of Local Govt. Department, Pb Chandigarh. The appellant was not provided with the information, after which the appellant filed the first appeal before the first appellate authority on 22.12.2019, which did not decide on the appeal.

The case came up for hearing first on 07.10.2020. Sh.Santokh Lal Account was present on behalf of Nagar Panchayat Mehatpur who pleaded that the information has been sent to the appellant vide letter dated 03.10.2020 and a copy of the same submitted to the Commission. The appellant claimed that he has not received the information.

Since as per the respondent, the information was sent on 03.10.2020, the appellant was directed to point out the discrepancies to the PIO once the information is received and the PIO was directed to remove the same.

**On the date** of hearing on **09.03.2021**, due to the non-functioning of VA at DAC Amritsar, the appellant could not be heard.

The Commission received an email from the appellant in which the appellant has pointed out deficiencies, which was taken on the file of the Commission. The respondent had brought the information and claimed that all deficiencies have been redressed.

A copy of the additional information was sent to the appellant along with the order.

The case was adjourned.

On the date of hearing on **18.05.2021**, the appellant claimed that the PIO has not sorted out the discrepancies relating to point-4 since the audit reports for the year 2012 to 2015 was unattested, the audit reports for the years 2015-16 was not legible and audit report for the year 2018 had not been received.

The respondent was absent. The PIO was directed to sort out the discrepancies and provide attested legible copies of the information. The PIO was also directed to provide the remaining information relating to point-4 and be present at the next date of hearing.

On the date of the last hearing on **31.08.2021**, the appellant claimed that despite orders of the Commission, the PIO has not supplied the complete information.

The respondent was absent on 2<sup>nd</sup> consecutive hearing nor had complied with the order of the Commission. **A show cause notice was issued to the PIO and directed to file a reply on an affidavit.** The PIO was again directed to sort out the discrepancies and provide complete information to the appellant within 10 days of the receipt of the order.

On the date of the last hearing on **29.03.2022**, the respondent present from the office of Nagar Panchayat Mehatpur pleaded that available information has already been provided to the appellant on 08.03.2021. As per the appellant, the information was not supplied to him by the PIO.

The PIO was absent nor had filed a reply to the show cause notice as well not complied the order of the Commission to provide complete information.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO and as per respondent, Sh.Des Raj was the EO-cum-PIO, Nagar Panchayat Mehatpur when the RTI application was filed till 17.10.2021 (now transferred and posted as EO-NC, Adampur), Sh.Des Raj, EO-NC Adampur (earlier PIO-Nagar Panchayat Mehatpur) was held guilty of not providing the information on time as prescribed under section 7, and a penalty of **Rs.10,000/-** was imposed on him with the direction to deposit the same in the Govt. Treasury and produce a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

The PIO- Nagar Panchayat Mehatpur was also directed to pay an amount of **Rs.2500/-** via demand draft through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time and submit proof of having compensated the appellant.

**Hearing dated 09.05.2022:**

The case has come up for hearing today through video conferencing at DAC Amritsar. Sh.Des Raj-EO-NC Adampur (earlier EO-Nagar Panchayat Mehatpur) and Sh.Santosh Lal, Accountant are present at Chandigarh and informed that the discrepancies as pointed out by the appellant relating to point-4 have been sorted out and complete information has been supplied to the appellant.

Regarding the deposit of penalty imposed, Sh.Des Raj has filed a reply which has been taken on record. In the reply, S. Desraj has pleaded review of the imposed penalty on the following grounds –

That the RTI application had been filed with Director Local Govt. Punjab Chandigarh and no RTI application, First appeal or notice of the Commission was received in their office.

**Appeal Case No. 1336 of 2020**

That what they received was only a letter (dated 25.08.2020) from the Local Govt. Pb Chandigarh on 10.09.2020 alongwith the RTI application of the appellant. The information was sent to the appellant immediately vide letter dated 01.10.2020 through registered post.

That they attended the hearing of the Commission on 07.10.2020 and the discrepancies which were pointed out by the appellant were also sorted out vide letter dated 08.03.2021 including information relating to point-4. Further, no letter/order of the Commission for an appearance on 18.05.2021 and 31.08.2021 was received in the Nagar Panchayat Mehatpur and hence nobody could appear on the given dates.

Sh.Des Raj-EO-NC Adampur(earlier PIO Mehatpur) has pleaded that before his transfer from Mehatpur to Adampur, complete information was provided to the appellant and there no delay has occurred on his part thus the decision to impose the penalty be reviewed.

The PIO-Nagar Panchayat has also filed a reply on the same line and has requested for review of the decision of granting compensation amount.

The PIO-Director of Local Govt. Pb, Chandigarh is directed to appear personally on the next date of hearing alongwith explanation on the statement of Sh.Des Raj, EO-NC Adampur(earlier PIO Mehatpur) and EO-Nagar Panchayat Mehatpur. A copy of the reply of both the PIOs is being sent to the PIO-Director Local Govt. Pb Chandigarh for reference.

To come up for further hearing on **14.09.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Amritsar. The PIO is to appear at Chandigarh.

**Chandigarh**  
**Dated:09.05.2022**

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

- CC to: 1. Sh.Des Raj, EO-Nagar Council,**  
**Adampur, District Jalandhar**
- 2. EO-cum-PIO-Nagar Panchayat,**  
**Mehatpur, District Jalandhar.**



Sh Ramesh Kumar, S/o Late Sh Amarnath,  
H NO-U-1652, Sardar Nagar,  
Opp Old Central Jail, Ajnala Road,  
Amritsar.

... Appellant

Versus

Public Information Officer,  
O/o Bureau of Investigation, Pb  
Sector-9, Chandigarh.

First Appellate Authority,  
O/o Bureau of Investigation, Pb  
Sector-9, Chandigarh.

...Respondent

**Appeal Case No. 3514 of 2021**

**PRESENT: Sh.Ramesh Kumar as the Appellant**  
**Sh.Surinder Pal, HC and Sh.Prem Masih ASI O/o BOI Pb Chandigarh for the**  
**Respondent**

**ORDER:**

The appellant through an RTI application dated 18.06.2021 has sought information regarding a copy of the reply received from IGP Border Range, Amritsar in reference to Memo Number 2901/CC-1 dated 30.12.2020 – a copy of reply forwarded to the office of DGP in reference to that memo on the basis of which information/status report was called from the office of PIO as enumerated in the RTI application from the office of Bureau of Investigation, Pb Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 10.07.2021 which took no decision on the appeal.

The case first came up for hearing on 23.02.2022 through video conferencing at DAC Amritsar/ Chandigarh. The appellant claimed that the PIO has not supplied the information.

The respondent was absent. The PIO was directed to provide information to the appellant within 15 days and send a compliance report to the Commission.

**Hearing dated 09.05.2022:**

The case has come up for hearing today through video conferencing at DAC Amritsar. The respondent present pleaded that the reply has been sent to the appellant vide letter dated 12.01.2022.

The Commission has received a letter of the AIGP(Admn) O/o BOI on 11.03.2022 which has been taken on record. In the reply, it has been mentioned that the appellant had filed a number of complaints in their office which were sent to IGP Border Range, Amritsar for further action and the reply with detail of complaints was sent to the appellant vide letter dated 12.01.2022. The PIO has mentioned in the letter that in reference to letter No.2901 dated 30.12.2020 of this office, the reply was received from IGP Border Range Amritsar on 31.05.2021 and in response to their letter/reply, this office sent a reply to the IGP Border Range Amritsar on 18.06.2021 that after considering the report, the complaint has been filed and being sent for further necessary action as per the report. The appellant was sent a reply on 12.01.2022.

**Appeal Case No. 3514 of 2021**

The appellant is not satisfied with the provided information.

Hearing both the parties, the PIO is directed to reconcile and provide complete information to the appellant.

The case is adjourned. To come up for further hearing on **21.09.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar. The PIO to appear at Chandigarh.

**Chandigarh**  
**Dated: 09.05.2022**

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

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: - [psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh Ramesh Kumar, S/o Late Sh Amarnath,  
H NO-U-1652, Sardar Nagar,  
Opp Old Central Jail, Ajnala Road,  
Amritsar.

... Appellant

Versus

Public Information Officer,  
O/o SSP, (Rural),  
Amritsar.

First Appellate Authority,  
O/o SSP, (Rural),  
Amritsar.

...Respondent

**Appeal Case No. 3513 of 2021**

**PRESENT: Sh.Ramesh Kumar as the Appellant**  
**Sh.Rashminder Singh-ASI O/o SSP-Rural, Amritsar for the Respondent**

**ORDER:**

The appellant through an RTI application dated 21.06.2021 has sought information regarding FIR No.83/18 registered at PS Raja Sansi on 16.08.2018 vide memo no.987/5AP dated 15.12.2018 – a copy of charge sheet/challan forwarded by SHO-PS Raja Sansi in Trial court - a copy of rule under which the same was held up by the SHO as enumerated in the RTI application from the office of SSP-Rural Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 10.07.2021 which took no decision on the appeal.

The case first came up for hearing on 23.02.2022 through video conferencing at DAC Amritsar. As per the appellant, the PIO had not supplied the information.

The respondent informed that the challan has been filed in the court hence the information cannot be provided.

Having gone through the RTI application and the reply of the PIO, the commission found that the respondent's contention is an attempt to mislead and stonewall the information. The PIO was directed to provide information from the file that is in the custody of the police on the first two points. Point number three is in a query form, however, if information exists on record it be provided.

**Hearing dated 09.05.2022:**

The case has come up for hearing today through video conferencing at DAC Amritsar. As per the appellant, the PIO has not yet filed a challan in the court and has not supplied the information.

The appellant basically wants to know the laid out procedure to be followed for filing challan in the court after completion of an investigation.



**Appeal Case No. 3513 of 2021**

The PIO is directed to provide a copy of such rule/procedure, and if no such document exists in the record, to give it in writing.

The case is adjourned. To come up for further hearing on **21.09.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar.

**Chandigarh**  
**Dated: 09.05..2022**

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



Sh Ramesh Kumar, S/o Late Sh Amarnath,  
H NO-U-1652, Sardar Nagar,  
Opp Old Central Jail, Ajnala Road,  
Amritsar.

... Appellant

Versus

Public Information Officer,  
O/o IGP, Border Range,  
Amritsar.

First Appellate Authority,  
O/o IGP, Border Range,  
Amritsar.

...Respondent

**Appeal Case No. 3515 of 2021**

**PRESENT: Sh.Ramesh Kumar as the Appellant**  
**Sh.Rashminder Singh-ASI O/o SSP-Rural, Amritsar for the Respondent**

**ORDER:**

The appellant through an RTI application dated 18.06.2021 has sought information regarding a copy of the reply/report forwarded to the Director Bureau of Investigation Punjab with reference to Bureau memo No.2901/C.C-1 dated 30.12.2020 as enumerated in the RTI application from the office of IGP-Border Range, Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 10.07.2021 which took no decision on the appeal.

The case first came up for hearing on 23.02.2022 through video conferencing at DAC Amritsar. As per the appellant, the PIO had not supplied the information.

The respondent had brought no information. The Commission received a copy of a letter from the office of IGP Border Range, Amritsar on 15.02.2022 addressed to SSP Amritsar(Rural) with the direction to attend the hearing in the Commission. It was further been mentioned in the letter that the reply to the RTI application has been sent to the appellant vide letter dated 06.07.2021.

Having gone through the RTI application, the PIO was directed to provide the status of the report/reply forwarded to the Director Bureau of Investigation Punjab with reference to Bureau memo No.2901/C.C-1 dated 30.12.2020 and send a compliance report to the Commission.

**Hearing dated 09.05.2022:**

The case has come up for hearing today through video conferencing at DAC Amritsar. As per the appellant, the PIO has not supplied the information.

As per the respondent, the IGP Border Range, Amritsar has already sent its report to the office of Bureau of Investigation Pb, Chandigarh.

**Appeal Case No. 3515 of 2021**

The PIO is directed to procure the information and provide the appellant, with a copy of the Commission.

The case is adjourned. To come up for further hearing on **21.09.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar.

**Chandigarh**  
**Dated: 09.05.2022**

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



Sh. Gorakha Singh, S/o ShChanan Singh,  
R/o Village Dalla Rajputan,  
Tehsil Ajnala, Distt Amritsar.

... Complainant

Versus

Public Information Officer,  
O/o DFSO,  
Amritsar.

... Respondent

**Complaint Case No. 41 of 2021**

**PRESENT:   None for the Complainant**  
**None for the Respondent**

**ORDER:**

The case first came up for hearing on 05.05.2021. The complainant was absent.

As per record, there was no response of the RTI application within the time prescribed under the RTI Act and there has been an enormous delay in attending to the RTI application, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

**On the date of the next hearing on 27.07.2021**, as per the respondent, the information had been provided to the complainant.

The PIO was absent due to some medical emergency. The Commission received a reply from the PIO through email which was taken on the file of the Commission.

In the reply, the PIO mentioned that the RTI application was sent to their distribution branch with the direction to provide the information. However, as per the report of the inspector distribution branch, the information was in the custody of Sh. Harjot Singh, Inspector Food Supply Ajnala, was directed to report and the reply was sent to the complainant vide letter dated 15.12.2020. However, despite letters and reminders, the concerned inspector did not supply the information. Due to this negligence, the concerned inspector has been issued a show-cause notice with a copy to Director Food, Civil Supplies and Consumer Affairs, Pb Chandigarh on 26.07.2021 for taking appropriate action against the concerned inspector.

The decision to be taken after hearing, Inspector Harjot Singh. Inspector Harjot Singh and the PIO were directed to be present on the next date of the hearing.

On the date of the hearing on **09.09.2021**, due to a technical fault in the VC, the hearing could not take place. The case was adjourned.

On the date of the last hearing on **04.01.2022**, Sh. Harjot Singh, Inspector appeared on behalf of the respondent and informed that the information has already been provided to the complainant.

The complainant was absent.

The PIO was absent nor had filed a reply to the show-cause notice. The PIO was given one last opportunity to file a reply to the show-cause notice otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will take the decision ex-party.

**Hearing dated 09.05.2022:**

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

Earlier order stands. The case is adjourned.

To come up for further hearing on **21.09.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Amritsar.

**Chandigarh**  
**Dated 09.05.2022**

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



Sh Sanjeev Kumar,  
H No-14- A/29, Shivpuri, Mohalla,  
Dhuri, Distt Sangrur.

... Appellant

Versus

**Public Information Officer,**  
O/o Sri Ganesh Mandir,  
Chamber Bagh, Backside Mahavir Mandir,  
Near Old Age Home, Dhuri, Distt Sangrur.

**First Appellate Authority,**  
O/o Manager, Sri Ganesh Mandir,  
Chamber Bagh, Backside Mahavir Mandir,  
Near Old Age Home,  
Dhuri, Distt Sangrur.

...Respondent

**Appeal Case No. 1409 of 2021**

**PRESENT:   None for the Appellant**  
**None for the Respondent**

**ORDER:**

The appellant through RTI application dated 05.12.2020 has sought information regarding balance sheets relating to income and expenditure of Sri Ganesh Mandir for the last 10 years – funds received through donation along with receipts issued – expenses made along with expenditure bills – information relating to managing committee for last 10 years and other information as enumerated in the RTI application from the office of Manager Sri Ganesh Mandir Dhuri. The appellant was not provided with the information after which the appellant filed the first appeal on 06.01.2021.

The case first came up for hearing on 15.09.2021 through video conferencing at DAC Sangrur. The appellant claimed that the PIO has not supplied the information.

The respondent was absent, nor was represented.

The respondent was given one more opportunity to appear before the Commission on the next date of hearing along with a written reply to this notice.

On the date of the last hearing on **04.01.2022**, because of the non-presence of the staff in the DC office Sangrur due to farmers' protests the hearing could not take place. The case was adjourned.

**Hearing dated 09.05.2022:**

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

The case is adjourned. To come up for further hearing on **21.09.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Sangrur.

**Chandigarh**  
**Dated: 09.05.2022**

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



Dr. Gurcharan Singh,  
Street No-3, Indra Basti,  
Sangrur.

... Appellant

Versus

**Public Information Officer,**  
O/o The Director (Education),  
Shiromani Gurudwara Parbhandhak Committee,  
6- Kalgidhar Niwas,  
Sector-27-B, Chandigarh.

**First Appellate Authority,**  
O/o The Secretary,  
SGPC, Amritsar.

...Respondent

**Appeal Case No. 737 of 2009**

**Present:**       None for the Appellant  
                  Sh.Simarjit Singh-PIO for the Respondent

**ORDER:**

The appellant Dr.Gurbachan Singh through RTI application dated 27.07.2009 addressed to Director (Education) SGPC Chandigarh sought information on seven issues relating to the interviews conducted for the post of Director(Education) SGPC Chandigarh. Having failed to get the information, he approached the State Information Commission. Notice was issued to the PIO for his appearance before the Commission on 28.10.2009. Sh.Balwinder Singh O/o Director (Education)-SGPC Chandigarh and Sh. Simarjit Singh-GPA-SGPC Amritsar appeared on the date of the hearing. Sh. Balwinder Singh O/o Director(Education) SGPC Chandigarh submitted a written reply vide letter dated 27.10.2009 that the SGPC being a religious body manage the affairs of the Sikh Community through a board/trust and is not covered under the purview of RTI Act since it is not financed by the Government.

The stand of respondent No.2 however, was that the information would be supplied to the appellant, for which he sought time. The case was adjourned.

On the date of hearing on 04.12.2009, it was concluded that the information sought in the present case does not pertain to any religious affairs, but relates to the selection process of the teachers recruited by the Directorate of Education, SGPC, there were no reasons to withhold the information and the PIO was directed to supply the information within a period of 15 days.

On the next date of hearing 22.12.2009, the respondent SGPC moved an application for review/recall/ modification of order dated 04.12.2009 which was decided and dismissed vide order dated 27.01.2009 and the PIO was directed to ensure that the information is supplied to the complainant as per order dated 04.12.2009.

On the date of hearing on 18.02.2010, since the PIO did not comply with the order of the Commission, a **show-cause notice** was issued to the PIO for non-supply of information and for violation of an order of the Commission.

## **Appeal Case No. 737 of 2009**

On the date of the next hearing on 15.03.2010, Sh.I.P.S. Kohli, advocate along with Sh. Simarjit Singh, GPA-cum-PIO appeared on behalf of the respondent and submitted a copy of the order passed by Hon'ble Shri K.Kannan of Hon'ble Punjab and Haryana High Court in CWP No.4082/2010, whereby an interim order for stay was granted by the High court. Since the stay was granted and the case was pending in the High Court, the case was adjourned Sine-die on 27.08.2014.

The Hon'ble High Court in its order dated 04.07.2019 passed the following order:

"..... The court does not find any illegality in the impugned order passed by the Commission calling for interference. There is no merit in these writ petitions, the same, therefore, stand dismissed."

The case came up for hearing before this Bench on **09.09.2021**.

During the hearing, the Commission observed that since the writ petition filed by the respondent in the High Court for quashing of the order dated 14.09.2009 passed by the Commission was dismissed by the Hon'ble High Court, the order of the Commission dated 04.12.2009 still stands to be complied with by the PIO-SGPC, Amritsar.

However, the commission was of the view that since the RTI application was filed by the complainant in the year 2009, an opportunity was given to the complainant if still interested in the information to file a suitable reply and appear before the Commission on the next date of hearing to pursue his case.

On the date of the last hearing on **04.01.2022**, the respondent present informed that they have filed LPA No.408/21 against the order of the Hon'ble High Court in CWP No.4082 which is fixed for hearing on 19.01.2022 and sought adjournment.

The appellant was absent. The case was adjourned.

### **Hearing dated 09.05.2022:**

The case has come up for hearing today through video conferencing at DAC Amritsar/Sangrur. The respondent present reiterated his earlier plea that they have filed LPA No.408/21 against the order of the Hon'ble High Court in CWP No.4082 which is fixed for arguments on 10.05.2022.

The appellant is absent nor has sent his reply as per the order of the Commission.

The case is adjourned. To come up for further hearing on **21.09.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar. The appellant to appear through VC at DAC Sangrur.

**Chandigarh**  
**Dated: 09.05.2022**

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





Sh Harbir Singh,  
Principal (Retd),  
# 307, Charan Bagh,  
Patiala.

... Complainant

Versus

**Public Information Officer,**  
O/o Shiromani Gurudwara Parbhandhak Committee,  
Amritsar.

...Respondent

**Complaint Case No. 2729 of 2009**

**Present:**       None for the Appellant  
                  Sh.Simarjit Singh-PIO for the Respondent

**ORDER:**

The complainant through RTI application dated 23.07.2009 sought information pertaining to the proceedings of the selection committee constituted for selection for the post of Director(Education) SGPC which had met on 25.09.2009. The information was not provided by the PIO within the statutory period, the complainant filed a complaint in the Commission and a notice was issued to the PIO O/o SGPC Amritsar who appeared on 22.10.2009 and submitted that the information will be furnished to the complainant within a period of 10 days. Thereafter, the PIO moved an application dated 02.11.2009 that the SGPC is not covered under the purview of the RTI Act since it is not financed by the Government.

On the date of hearing on 04.12.2009, it was concluded that the information sought in the present case does not pertain to any religious affairs, but relates to the selection process of the teachers recruited by the Directorate of Education, SGPC, there were no reasons to withhold the information and the PIO was directed to supply the information within a period of 15 days.

On the next date of hearing 22.12.2009, the respondent SGPC moved an application for review/recall/ modification of order dated 04.12.2009 which was decided and dismissed vide order dated 27.01.2009 and the PIO was directed to ensure that the information is supplied to the complainant as per order dated 04.12.2009.

On the date of hearing on 03.03.2010, since the PIO did not comply with the order of the Commission, a show-cause notice was issued to the PIO for non-supply of information and for violation of the order of the Commission.

On the date of the next hearing on 15.03.2010, Sh.I.P.S. Kohli, advocate along with Sh. Simarjit Singh, GPA-cum-PIO appeared on behalf of the respondent and submitted a copy of the order passed by Hon'ble Shri K.Kannan of Hon'ble Punjab and Haryana High Court in CWP No.4082/2010, whereby an interim order for stay was granted by the High court. Since the stay was granted and the case was pending in the High Court, the case was adjourned Sine-die on 27.08.2014.

**Complaint Case No. 2729 of 2009**

The Hon'ble High Court in its order dated 04.07.2019 has passed the following order:

“..... The court does not find any illegality in the impugned order passed by the Commission calling for interference. There being no merit in these writ petitions, the same, therefore, stand dismissed.”

The case came up for hearing before this Bench on 09.09.2021.

During the hearing, the Commission observed that since the writ petition filed by the respondent in the High Court for quashing the order dated 14.09.2009 passed by the Commission stands dismissed by the Hon'ble High Court, the order of the Commission dated 04.12.2009 still stands to be complied with by the PIO-SGPC, Amritsar.

However, the Commission was of the view that since the RTI application dated back to 2009, the complainant if still interested in the information, was directed to file a suitable reply and appear before the Commission on the next date of hearing to pursue his case.

On the date of the last hearing on **04.01.2022**, the respondent present informed that they have filed LPA No.408/21 against the order of the Hon'ble High Court in CWP No.4082 which is fixed for hearing on 19.01.2022 and sought adjournment.

The complainant was absent. The complainant vide letter received in the Commission informed that being old, he cannot appear before the Commission. The case was adjourned.

**Hearing dated 09.05.2022:**

The case has come up for hearing today through video conferencing at DAC Amritsar. The respondent present reiterated his earlier plea that they have filed LPA No.408/21 against the order of the Hon'ble High Court in CWP No.4082 which is fixed for arguments on 10.05.2022.

The appellant is absent nor is represented.

The case is adjourned. To come up for further hearing on **21.09.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar. The appellant to appear through VC at DAC Patiala.

**Chandigarh**  
**Dated: 09.05.2022**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commission.**



Smt. Harjit Kaur, W/o Sh. Gurdeep Singh,  
H No-107, Ward No-2, Anaj Mandi,  
Kuruli, Distt Mohali.

... Appellant

Versus

**Public Information Officer,**  
O/o SDE, Water Supply and Sanitation  
Department, Bassi Pathana,  
Distt.Fatehgarh Sahib.

**First Appellate Authority,**  
O/o XEN,  
Water Supply and Sanitation Division,  
Fatehgarh Sahib.

...Respondent

**Appeal Case No. 3104 of 2020**

**Present: Smt.Harjit Kaur as the Appellant**  
**None for the Respondent**

**ORDER:**

The appellant through RTI application dated 20.02.2020 has sought information regarding the joining date of JE Krishan Lal in Fatehgarh Sahib – a copy of bills of contractor Ajmer Singh Book No.01.06.15 to 31.10.2015 – a copy of bill book of contractor Davinder Singh, Randhir Singh – a copy of bill book of contractor Amandeep Singh and other information as enumerated in the RTI application, concerning the office of SDE Water Supply & Sanitation Division, Bassi Pathana. The appellant was not satisfied with the reply of the PIO vide letter dated 28.02.2020 & 17.03.2020 after which the appellant filed the first appeal before the First Appellate Authority on 10.07.2020 which took no decision on the appeal.

The case first came up for hearing on 03.03.2021 through video conferencing at DAC Mohali. The respondent present pleaded that the information has been provided to the appellant vide letter dated 28.02.2020 and 17.03.2020. The appellant claimed that the PIO had denied the information stating that the information is 3<sup>rd</sup> party and the 3<sup>rd</sup> party has not given its consent to disclose the information.

Having gone through the RTI application and hearing both the parties, the Commission over-ruled the stance of the PIO that the information is the third party because what the appellant is seeking is a record of the bills used from the public exchequer. The PIO was directed to provide information on all points to the appellant. The information is to be provided within 15 days of the receipt of the order with a copy to the Commission.

On the date of the next hearing on **09.06.2021**, as per the appellant, the information was not provided by the PIO.

The respondent pleaded that the information was to be collected from different departments, and since only 50% of the staff was allowed in the offices due to the Corona pandemic, complete information could not be collected on time. The respondent, however, had assured to provide complete information within 15 days.

The PIO was directed to comply with the earlier order of the Commission and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

On the date of hearing on **28.09.2021**, the appellant informed that the PIO has supplied some of the information vide letter dated 12.08.2021 which was incomplete since the PIO had not supplied the bills of the contractors.

The PIO was absent.

As per the respondent, no further information was available in the record.

The PIO was directed to file a point-wise reply on an affidavit stating that whatever information that has been provided is complete, true and no further information is available on record. The PIO is to appear personally before the Commission on the next date of hearing.

On the date of hearing on **04.01.2022**, the respondent present pleaded that since some of the records were not traceable, complete information was not supplied. Now they have traced out the record and assured to provide the remaining information to the appellant.

The PIO was directed to reconcile the case and provide the remaining information to the appellant as per the RTI application within 15 days of the receipt of the order and send a compliance report to the Commission.

**Hearing dated 09.05.2022:**

The case has come up for hearing today through video conferencing at DAC Mohali. As per the appellant, the PIO has neither supplied the complete information nor has provided the affidavit as per the order of the Commission.

The respondent is absent nor is represented as well has not complied with the order of the Commission to provide remaining information or to file a point-wise reply on an affidavit.

From the facts of the case, it is clear that the PIO is trying to conceal the information and not providing the information. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under section 20 of the RTI Act 2005 for not supplying the complete information within the statutorily prescribed period of time. He/she should file an affidavit in this regard.** If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such person(s) of the show cause and direct them to appear before the Commission along with the written replies.

To come up for further hearing on **21.09.2022 at 11.00 AM.**

**Chandigarh  
Dated 09.05.2022**

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