

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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Sh Ramandeep Singh Ahluwalia,
Ward No.18, Street no.-2,
Kartar Nagar, Amloh Road,
Khanna, Distt- Ludhiana-141401

.... Appellant

Versus

Regd. Post:- Public Information Officer,
O/o EO,
MC, Khanna

First Appellate Authority,
O/o Regional Deputy Director,
Urban Local Government,
Ludhiana

..Respondent

AC No. 2547 of 2018

Present : (i).Sh. Ramandeep Singh Ahluwalia the appellant
(ii)None is present on behalf of the respondent

ORDER

This order may be read with reference to the previous order dated 09.07.2019 and 01.04.2019 vide which compensation of Rs. 2000/- was awarded to the appellant.

2. Today the appellant Sh. Ramandeep Singh Ahluwalia states that no information has been given to him so far. He further states that the Cheque of Rs. 2000/-, which was given by the respondents has been bounced.

3. Today the respondents are not present.

4. After hearing the appellant and examining the case file, it is observed that no information has been given to the appellant so far. Even, respondents are not present today. The Commission takes a serious view of this matter and is constrained to enhance the amount of compensation from Rs. 2000/- to Rs. 5000/- (Rs. Five Thousand only). Besides, the Commission would also consider invoking of penalty provisions against the respondent-PIO in case he fails to provide the required information and

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AC No. 2547 of 2018

payment of the awarded compensation. The respondent may provide the information to the appellant and make the payment of compensation to him before the next date of hearing by way of Demand Draft. A compliance report in this regard be sent to the Commission accordingly.

5. To come up on **01.08.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 09.07.2019

(Preety Chawla)
State Information Commissioner

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Sh. Gulshan Rai Sanger,
Mohalla Vaid Hem Raj
Nawanshahr

Complainant.

Versus

Public Information Officer,
o/o DPI(Colleges),
Punjab School Education Board Complex,
7th floor, Phase 8, Mohali

...Respondent

Complaint Case No. 325 of 2018

Present : (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. H.S.Bhalla, Sh. Jai Singh Rana, Sr. Assistant
and Sh. Rajneesh Goyal, Law Officer

ORDER

This order may be read with reference to the previous order dated 03.06.2019.

2. Today the complainant is absent.
3. Respondent states that the information has been sent to the complainant. Sh. H.S. Bhalla states that the penalty amount was deposited in the Government Treasury. He has submitted the copy of the same in the Commission, which is taken on record. Therefore Sh. H.S. Bhalla is exempted from further hearings.
4. Sh.Jai Singh Rana, Sr. Assistant has not filed reply to the show cause notice issued to him. Last opportunity is given to him to file his reply, failing which penalty will be imposed on him on the next date of hearing.
5. To come up on **12.09.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 09.07.2019

(Preety Chawla)
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Registered post

Sh Ramandeep Singh Ahluwalia,
Ward No.18, Street No-2,
Kartar Nagar, Amloh Road,
Khanna, Distt –Ludhiana-141401

.....Complainant.

Vs

Public Information Officer,
O/o EO, MC,Khanna
Distt Ludhiana
First Appellate Authority,
Regional Deputy Director,
Urban Local Government,
Ludhiana

.....Respondent

AC .No. 4218 of 2018
AC No. 4219 of 2018
alongwith
AC No. 4220 of 2018

Present: (i) Sh. Ramandeep Singh Ahluwalia the appellant
(ii) For the Respondent: None is present on behalf of the respondent

ORDER

Failing to get any information within 30 days, the appellant had filed first appeal with the First Appellate Authority under the provisions of Section 19(1) of the RTI Act, 2005 and subsequently approached the Commission in second appeal under Section 19(3) of the RTI Act 2005, and accordingly, a notice of hearing was issued to the parties for 05.02.2019.

2. On 05.02.2019, the above-said appeal cases i.e.AC: 4218 of 2019, AC: 4219 of 2018 and AC: 4220 of 2018 were clubbed together. On that day, none was appeared on behalf of the respondents, therefore last opportunity was given to the respondents to appear before the Commission and state their case.

3. On the next date i.e.11.03.2019, Sh. Ajay Kumar, JE was present and he had brought the information, which was handed over to the appellant. Hence, the appellant was directed to send deficiencies to the respondent. Accordingly, the appeal was adjourned on 01.04.2019.

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AC.No. 4218 of 2018
AC No. 4219 of 2018
alongwith
AC No. 4220 of 2018

4. Again on 01.04.2019, neither the respondent nor his representative was present. He was not even bothered to file their reply; therefore, a show cause notice was issued to the respondent-PIO, Sh. Ranveer Singh, EO, o/o MC, Khanna.
5. On the next date of hearing, i.e. 09.05.2019, again Sh. Ajay Kumar, JE was present and stated that he had brought the information, which was handed over to the appellant. But the appellant was not satisfied with the same. And one more opportunity was given to the PIO to appear before the Commission. Accordingly the appeals were adjourned for today i.e. 09.07.2019.
6. Today again the appellant Sh. Ramandeep Singh Ahluwalia states that no information has been given to him so far. The respondents are absent today.
7. Respondent may take note that the RTI Act 2005 is meant for promoting transparency in governmental functioning by bringing to light governmental actions done behind closed doors so that the common man is kept well informed of the goings on in the public authorities with a view to strengthening democracy. The RTI Act 2005 is not to be used as a substitute for availing of services available under various statutes for matters not involving the bringing to light the mannerism of / flaws in the working of public authority.
8. In view of the defying attitude of the respondent-PIO (Sh. Ranveer Singh, EO) neither attending the court nor submitting any explanation for the delay in supplying the information within the time schedule as prescribed under the RTI Act 2005, the court comes to a logical conclusion that it is a fit case for the imposition of penalty amounting to Rs. 25000/- (Rupees Twenty five thousand only) on the PIO. But, taking a lenient view, I impose a penalty of **Rs. 2500/- (Rs. Twenty Five hundred only) on Mr. Ranveer Singh, EO-cum-PIO.**

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AC .No. 4218 of 2018

AC No. 4219 of 2018

alongwith

AC No. 4220 of 2018

9. The Deputy Director Local Government, Punjab is directed to deduct the amount of penalty of Rs. 2500/- from the salary of **Mr. Ranveer Singh, EO-cum-PIO** and deposited in the State Treasury in the following Head of Account and to report its compliance to the Commission:-

"0070-Other Administrative Services

60 other Services

800-Other Receipts

86-Fee under the RTI Act, 2005

10. This has also resulted in much avoidable inconvenience and hardship to the Appellant. He is, therefore, entitled to be compensated under Section 19(8)(b) of RTI Act 2005 for the loss and detriment suffered by him. In the circumstances, I am of the view that ends of justice would be met if a sum of **Rs.2000/- (Rupees Two Thousand Only)** is awarded to the Appellant as compensation. I order accordingly.

11. This amount shall be payable by the Respondent from the State exchequer within fifteen days from the receipt of this order under intimation to the Commission.

12. To come up **on 05.09.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 09.07.2019

Sd/-
(Preety Chawla)
State Information Commissioner

Through registered post

CC: Sh. Ranveer singh, EO-cum-PIO, O/o MC,Khanna, Distt. Ludhiana

Director Local, Governemnt Punjab, Plot No. 3,Sector 35A, Dakshin Marg, Chandigarh -160035

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Smt. Jaspreet Kaur, W/o Shri Nirbhai Singh
R/o Village Alluna, Tehsil Rajpura
Distt. Patiala

Vs

Public Information Officer,
O/o District Controller Food Civil and Consumer Affairs
Patiala

.....Complainant

.....Respondent

CC.No. 256 of 2019

Present : (i) Smt.Jaspreet Kaur the complainant alongwith Sh. Nirbhai Singh
(ii) For the respondent : Dr. Roop Preet Sandhu, DFSO, Sh.Manpreet Singh, Inspector and Sh.Rajat Goyal, Inspector

ORDER

This order may be read with reference to the previous order dated 16.05.2019 vide which the appellant was directed to inspect the record.

2. Sh. Nirbhai Singh (husband of the complainant) states that he had gone to the office of the respondent, but the respondent had not allowed him to inspect the record.

3. Respondent states that the complainant had not visited their office. Her husband come to inspect the record; therefore, he has not allowed inspecting the record. He further states that he has brought the original record today in the Commission; the complainant can inspect the same and obtain the information.

4. The Complainant has gone through the same and states that he has received information pertaining to the year 2016, but he has not received the information of the year 2017.

Respondent has promised that the complete information will be provided to the complainant as earliest as possible. The complainant expressed his satisfaction over the same

5. On the assurance of the respondent, the complaint case is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 09.07.2019

(Preety Chawla)
State Information Commissioner

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Sh. Gurnam Singh, S/o Shri Bachtar Singh
R/o House No. 10, Mohalla Mahitia Wala,
Banaur, Distt.Mohali

..... Appellant

Vs

Registered post:- Public Information Officer,
o/o Naib Tehsildar, Sub Tehsildar Mullanpur Dakha
Distt. Ludhiana

Registered post First Appellate Authority
o/o SDM, Mini Sectt., Ludhiana

.....Respondent

Appeal Case No. 3211 of 2018

Present: (i) Sh. Iqbal Singh on behalf of the appellant
(ii) None is present on behalf of the respondent

ORDER

This order may be read with reference to the previous order dated 09.05.2019 vide which an amount of Rs. 2500/- was awarded as compensation.

2. The counsel of the appellant states that no information has been given to him so far.

3. Respondent is absent today.

4. After hearing the appellant, it is found that neither the information nor the compensation has been paid to the appellant so far.

5. Last opportunity is given to the respondent –PIO Sh. Gurpyar Singh, Naib Tehsildar to appear before the Commission and state his case.

5. To come up on **05.09.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 09.07.2019

(Preety Chawla)
State Information Commissioner

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Sh Sunil Kumar,
S/o Sh Hans Raj,
R/o Dhandi Dada Nirania,
Backside Cantt, Hanumangarh Road,
Abohar, Distt Fazilka

.....Appellant

Vs

Registered post: Public Information Officer,
O/o DC, Ferozepur

First Appellate Authority-cum-
Financial Commissioner Revenue,
Civil Secretariate, Pb Chd

.....Respondent

AC .No. 3873 of 2018
alongwith
AC .No. 3855 of 2018
AC .No. 3874 of 2018
AC .No. 3854 of 2018
AC .No. 3853 of 2018
AC .No. 3856 of 2018

Present : (i) Sh Jagdish, on behalf of the Appellant
(ii) For the Respondent: Sh Kuldeep Singh, Clerk

ORDER

This order may be read with reference to the previous order dated 11.06.2019.

2. The Respondent states that they had contacted the Appellant to provide information, as the information is lying in the office of the Respondent but the Appellant has failed to visit the office of the Respondent. Further the Respondent states that the Appellant has also not arranged any Urdu translator for the record to be translated from Urdu language.

3. Today, both the parties mutually agreed that the applicant shall visit the office of respondent on **15.07.2019 at 11:00AM**, inspect the relevant records, identify the documents copies whereof are required by him; and the respondent shall provided copies thereof, according to his RTI application, in accordance with the relevant provisions of the RTI Act, 2005.

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AC .No. 3873 of 2018

alongwith

AC .No. 3855 of 2018

AC .No. 3874 of 2018

AC .No. 3854 of 2018

AC .No. 3853 of 2018

AC .No. 3856 of 2018

Further the Appellant is directed to arrange the translator for the translation of the record in Urdu language. On the assurance of the Respondent to provide the information to the appellant, the case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 09.07.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Tejinder Singh,
R/o Village Bholapur,
PO Ramgarh, Chandigarh Road,
Ludhiana (M-9041004313)

.....Complainant.

Vs

Registered post :- **Public Information Officer,**
O/o SHO, Police Station City-I,
Barnala

.....Respondent

CC .No.135 of 2019

Present : (i) Sh Tejinder Singh, Complainant.
(ii) None for the Respondent.

ORDER

This order may be read with reference to the previous order dated 09.05.2019.

2. No one has appeared on behalf of the Respondent today.
3. The Complainant states that he has not received any information so far.
4. The perusal of the file shows that no one has appeared on behalf of the Respondent today nor were they present on the previous two hearings also. The Respondent has not even bothered to inform the Commission about their absence.
5. In view of the above, **PIO- O/o SHO, Police Station City-I, Barnala**, to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant.

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next

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CC .No.135 of 2019

date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

6. To come up for further proceedings on **05.09.2019 at 11:00 AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 09.07.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Tejinder Singh,
R/o Village Bholapur,
Post Office-Ramgarh, Chandigarh Road,
Ludhiana

.....Complainant.

Vs

Public Information Officer,
O/o Secretary,
Regional transport Authority, Patiala

First Appellate Authority,
O/o State Transport Commissioner, PB,
Sector-17, Chandigarh

.....Respondent

AC .No. 4178 of 2018

Present: (i) Sh Tejinder Singh, Appellant alongwith Sh Tirlochan Singh.
(ii) For the Respondent: Sh Arvind Kumar, Secy.

ORDER

This order may be read with reference to the previous order dated 09.05.2019.

2. The Respondent states that the information pertaining to point 2,3 and 4 have been provided to the Appellant. He further states that the information pertaining to point no. 1, documentation fee was demanded from the Appellant, but he has failed to deposit the same. Therefore, the information pertaining to point no 1 has not been provided till date.

3. The Appellant states that he has not received any such letter demanding documentation fee.

4. After hearing both the parties and perusing the case file, it is ascertained that the Respondent has failed to demand the documentation fee within the time-period given under the Act. Hence, the Respondent is directed to provide complete information to the Appellant on point no.1. In the hearing dated 05.02.2019, a show-cause notice was issued to PIO O/o Sh Gurpreet Singh Thind, RTA, Patiala, but, he has failed to file his reply till date. Sh Arvind Kumar states that PIO O/o Sh Gurpreet Singh Thind has been

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AC .No. 4178 of 2018

transferred to Bathinda. Hence, Sh Gurpreet Singh Thind, RTA is given one last opportunity to file his reply to the show-cause notice.

5. To come up on **05.09.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 09.07.2019

Sd/-
(Preety Chawla)
State Information Commissioner

Through Registered Post

CC: Sh Gurpreet Singh Thind, ADC(D), Bathinda

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Sh Rajesh Gupta, (M:9463990768)
Village Maili, Tehsil Garhshankar,
Distt Hoshiarpur

.....Complainant.

Vs

Public Information Officer,
O/o Director,
Animal Husbandry, Livestock Complex,
Sector 68, SAS Nagar
First Appellate Authority,
O/o Animal Husbandry, Livestock Complex,
Sector 68, SAS Nagar

.....Respondent

AC .No. 1874 of 2018

Present: (i) Sh Rajesh Gupta, Appellant.
(ii) For the Respondent: Sh KPS Pasricha, PIO

ORDER

This order may be read with reference to the previous order dated 13.05.2019.

2. The Respondent states that the information, as available, has been provided to the Appellant.
3. The Appellant states that he had pointed out deficiencies in the information provided but the complete information after removal of deficiencies has not been provided to him.
4. Today both the parties have discussed all the points regarding the RTI application of the Appellant. Hence, the Respondent is directed to provide complete information to the Appellant after the removal of the said deficiencies. Further, the Respondent is directed to provide the complete information, as available in the official record of the Respondent and in case, such information is not available then to file an affidavit for the same. To come up on **06.08.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 09.07.2019

Sd/-
(Preety Chawla)
State Information Commissioner