RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.
Helpline No. 0172-2864100; Phone No-0172-2864120

Email: psicsic31@punjabmail.gov.in Visit us - www.infocommpunjab.com Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Yogesh Mahajan, S/o Late Sh. Kuldip Raj Mahajan, ( President of Anti Corruption Council ),

Opposite Water Tank, Municipal Market, Mission Road,

Pathankot (M: 98143-54649)

V/s.

**Public Information Officer**,

**O/o** The Executive Engineer, Water Supply and Sanitation, Division No. 01, Ferozepur, Outside Zira Gate, Ferozepur.

First Appellate Authority,

**O/o** The Superintending Engineer, Water Supply and Sanitation Circle, Ferozepur.

Respondent

**Appellant** 

Appeal Case No. 1800 of 2021
{Heard through Cisco Webex Meetings Software}

**Present**: The Appellant, Sh. Yogesh Mahajan is present.

None is present from the Department.

ORDER:

The date of RTI Application is 06.01.2021, the date of First Appeal is 08.02.2021 and the date of Appeal filed in the Commission is 07.04.2021.

In today's hearing, the Appellant, Sh. Yogesh Mahajan states that the information relating to this present case has been received by him on 07.08.2021 i.e. Saturday and further requests for an adjournment as he seeks some time to go through it and would point out deficiencies if there would be any.

On the other hand, none is present from the Department and no intimation has been received from the Department relating to today's hearing.

In view of above, an opportunity is given to the Appellant and he is directed to go through the supplied information and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which it would be presumed that he has nothing to say and the case will be decided on merits.

The respondent PIO concerned is directed to supply the information again to the Appellant, if there would be any deficiencies raised by the Appellant to their Department well in time and also directed supply the copy of information as well as postal receipts to the Commission vide which the information has already been sent to the Appellant.

The PIO is also directed to appear in person on the next date of hearing, which is going through Cisco Webex Meeting Software.

This case is adjourned to 26.10.2021 at 11:00 A.M. and both the parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/ Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Dated: 10.08.2021

Sd/-(Sanjiv Garg) State Information Commissioner Punjab

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Email: psicsic31@punjabmail.gov.in Visit us - www.infocommpunjab.com Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Yogesh Mahajan, S/o Late Sh. Kuldip Raj Mahajan, ( President of Anti Corruption Council ),

Opposite Water Tank, Municipal Market, Mission Road,

Pathankot (M: 98143-54649)

V/s.

**Public Information Officer**,

**O/o** The Executive Engineer, Water Supply and Sanitation, Division No. 01, Ferozepur, Outside Zira Gate, Ferozepur.

First Appellate Authority,

**O/o** The Superintending Engineer, Water Supply and Sanitation Circle, Ferozepur.

Respondent

**Appellant** 

Appeal Case No. 1802 of 2021
{Heard through Cisco Webex Meetings Software }

**Present**: The Appellant, Sh. Yogesh Mahajan is present.

None is present from the Department.

ORDER:

The date of RTI Application is 06.01.2021, the date of First Appeal is 08.02.2021 and the date of Appeal filed in the Commission is 07.04.2021.

In today's hearing, the Appellant, Sh. Yogesh Mahajan states that the information relating to this present case has been received by him on 07.08.2021 i.e. Saturday and further requests for an adjournment as he seeks some time to go through it and would point out deficiencies if there would be any.

On the other hand, none is present from the Department and no intimation has been received from the Department relating to today's hearing.

In view of above, an opportunity is given to the Appellant and he is directed to go through the supplied information and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which it would be presumed that he has nothing to say and the case will be decided on merits.

The respondent PIO concerned is directed to supply the information again to the Appellant, if there would be any deficiencies raised by the Appellant to their Department well in time and also directed supply the copy of information as well as postal receipts to the Commission vide which the information has already been sent to the Appellant.

The PIO is also directed to appear in person on the next date of hearing, which is going through Cisco Webex Meeting Software.

This case is adjourned to 26.10.2021 at 11:00 A.M. and both the parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/ Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Sd/-(Sanjiv Garg) State Information Commissioner Punjab

Dated: 10.08.2021

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Email: psicsic31@punjabmail.gov.in Visit us - www.infocommpunjab.com Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Yogesh Mahajan, S/o Late Sh. Kuldip Raj Mahajan, ( President of Anti Corruption Council ),

Opposite Water Tank, Municipal Market, Mission Road,

Pathankot (M: 98143-54649)

V/s.

**Public Information Officer**,

**O/o** The Executive Engineer, Water Supply and Sanitation, Division No. 03, Bathinda.

First Appellate Authority,

**O/o** The Superintending Engineer, Water Supply and Sanitation Circle, Bathinda.

Respondent

**Appellant** 

Appeal Case No. 1804 of 2021
{Heard through Cisco Webex Meetings Software}

**Present**: The Appellant, Sh. Yogesh Mahajan is present.

None is present from the Department.

ORDER:

The date of RTI Application is 06.01.2021, the date of First Appeal is 08.02.2021 and the date of Appeal filed in the Commission is 07.04.2021.

In today's hearing, the Appellant, Sh. Yogesh Mahajan states that no information has been supplied to him and requests for the same.

On the other hand, none is present from the Department and no intimation has been received from the Department relating to today's hearing.

Commission takes a serious view of the casual approach of the Respondent / PIO as information is still not supplied to the Appellant till date.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to the 'concerned' Public Information Officer O/o The Executive Officer, Water Supply and Sanitation, Division No.03, Bathinda, as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing. A copy of the RTI Application be sent to the concerned PIO along with this order through registered post.

The concerned PIO is directed to supply the requisite information to the Appellant by registered post or email before the next date of hearing positively and if the information is not available with them then the PIO is directed to file a proper reply in the form of an affidavit explaining the reason, why the information could not be supplied to the Appellant till date, failing which an action would be taken against the concerned PIO.

The PIO is also directed to submit the copy of the postal receipts to the Commission vide which information would have been supplied to the Appellant, by the next date of hearing.

### Appeal Case No. 1804 of 2021 {Heard through Cisco Webex Meeting Software}

2/2



Also, the Appellant, Sh. Yogesh Mahajan is directed to go through the supplied information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission.

This case is adjourned to 26.10.2021 at 11:00 A.M. and both the parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/
Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Sd/-

(Sanjiv Garg)
State Information Commissioner
Punjab

**Show Cause:** 

Dated: 10.08.2021

(Regd. Post) Public Information Officer,

**O/o** The Executive Engineer, Water Supply and Sanitation, Division No. 03, Bathinda.

{Encl. RTI Application}

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Helpline No. 0172-2864100; Phone No-0172-2864120
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Email: psicsic31@punjabmail.gov.in Visit us - www.infocommpunjab.com Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Yogesh Mahajan, S/o Late Sh. Kuldip Raj Mahajan, ( President of Anti Corruption Council ),

Opposite Water Tank, Municipal Market, Mission Road,

Pathankot (M: 98143-54649)

V/s.

**Public Information Officer**,

**O/o** The Executive Engineer, Water Supply and Sanitation, Division No. 03, Bathinda.

First Appellate Authority,

**O/o** The Superintending Engineer, Water Supply and Sanitation Circle, Bathinda.

Respondent

**Appellant** 

Appeal Case No. 1805 of 2021
{Heard through Cisco Webex Meetings Software}

**Present**: The Appellant, Sh. Yogesh Mahajan is present.

None is present from the Department.

ORDER:

The date of RTI Application is 06.01.2021, the date of First Appeal is 08.02.2021 and the date of Appeal filed in the Commission is 07.04.2021.

In today's hearing, the Appellant, Sh. Yogesh Mahajan states that no information has been supplied to him and requests for the same.

On the other hand, none is present from the Department and no intimation has been received from the Department relating to today's hearing.

Commission takes a serious view of the casual approach of the Respondent / PIO as information is still not supplied to the Appellant till date.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to the 'concerned' Public Information Officer O/o The Executive Officer, Water Supply and Sanitation, Division No.03, Bathinda, as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing. A copy of the RTI Application be sent to the concerned PIO along with this order through registered post.

The concerned PIO is directed to supply the requisite information to the Appellant by registered post or email before the next date of hearing positively and if the information is not available with them then the PIO is directed to file a proper reply in the form of an affidavit explaining the reason, why the information could not be supplied to the Appellant till date, failing which an action would be taken against the concerned PIO.

The PIO is also directed to submit the copy of the postal receipts to the Commission vide which information would have been supplied to the Appellant, by the next date of hearing.

#### Appeal Case No. 1805 of 2021 **{Heard through Cisco Webex Meeting Software}**

2/2



Also, the Appellant, Sh. Yogesh Mahajan is directed to go through the supplied information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission.

This case is adjourned to 26.10.2021 at 11:00 A.M. and both the parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/ Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Sd/-(Sanjiv Garg)

**State Information Commissioner Punjab** 

**Show Cause:** 

Dated: 10.08.2021

(Regd. Post) **Public Information Officer,** 

> **O/o** The Executive Engineer, Water Supply and Sanitation, Division No. 03, Bathinda.

> > {Encl. RTI Application}

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH. Helpline No. 0172-2864100; Phone No-0172-2864120

Email: psicsic31@punjabmail.gov.in Visit us - www.infocommpunjab.com Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Surjit Singh Aujla,

Village Aujla Duk, P.O. Lidar Kalan, District Jalandhar. M: 98767-57790

V/s.

**Public Information Officer**,

**O/o** The Superintending Engineer,

Water Supply and Sanitation Circle, Ludhiana.

First Appellate Authority,

**O/o** The Superintending Engineer,

Water Supply and Sanitation Circle, Ludhiana.

Respondent

**Appellant** 

**Appeal Case No. 1821 of 2021** 

{Heard through Cisco Webex Meetings Software }

**Present**: The Appellant, Sh. Surjit Singh is absent.

Sh. Gurbax Singh, PIO from O/o Water Supply and Sanitation Department, Ludhiana,

Ms. Dupinder Kaur, Senior Assistant, from O/o Water Supply and Sanitation Division, Khanna

along with

Sh. Jagjit Singh, SDO, from O/o Water Supply and Sanitation Division No.01, Ludhiana

are present from the Department.

ORDER:

The date of RTI Application is 20.11.2020, the date of First Appeal is 15.01.2021 and the date of Appeal filed in the Commission is 07.04.2021.

In today's hearing, the Appellant, Sh. Surjit Singh is absent without any intimation to the Commission.

On the other hand, the PIO, Sh. Gurbax Singh states that the information has been collected from the various departments and has also been supplied to the Appellant. He further mentions about a letter vide endorsement number 4612 dated 19.07.2021 along with annexure and a cover letter endorsement number 4395 dated 16.07.2021 along with an email dated 09.08.2021 in which a copy of letter number 8218 dated 09.08.2021 which has been sent to the Commission and is taken on record.

In view of above, an opportunity is given to the Appellant and he is directed to go through the supplied information and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which it would be presumed that he has nothing to say and the case will be decided on merits.

The Appellant is directed to appear in person for clarifying the facts of this case on the next date of hearing, positively.

The respondent PIO concerned is directed to supply the information again to the Appellant, if there would be any deficiencies raised by the Appellant to their Department well in time and supply the copy of postal receipts to the Commission vide which the information has already been sent to the Appellant.

This case is adjourned to 26.10.2021 at 11:00 A.M. and all the concerned parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Dated: 10.08.2021

Sd/-

(Sanjiv Garg) State Information Commissioner Punjab

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Email: psicsic31@punjabmail.gov.in Visit us - www.infocommpunjab.com Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Surjit Singh Aujla,

Village Aujla Duk, P.O. Lidar Kalan, District Jalandhar. M: 98767-57790

V/s.

**Public Information Officer**,

**O/o** The Executive Engineer.

Water Supply and Sanitation Circle, Garhshankar.

First Appellate Authority,

**O/o** The Superintending Engineer,

Water Supply and Sanitation Circle, Hoshiarpur.

Respondent

**Appellant** 

**Appeal Case No. 1822 of 2021** 

{Heard through Cisco Webex Meetings Software }

**Present**: The Appellant, Sh. Surjit Singh is absent.

Sh. Prem Chand, Junior Assistant from O/o Water Supply and Sanitation Division No.01,

Ludhiana is present from the Department.

ORDER:

The date of RTI Application is 20.11.2020, the date of First Appeal is 15.01.2021 and the date of Appeal filed in the Commission is 07.04.2021.

In today's hearing, the Appellant, Sh. Surjit Singh is absent without any intimation to the Commission.

On the other hand, the Junior Assistant, Sh. Prem Chand states that the information has been sent to the Appellant and further mentions about an email dated 09.08.2021 and an email dated 10.08.2021 which has been sent to the Commission and is taken on record.

In view of above, an opportunity is given to the Appellant and he is directed to go through the supplied information and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which it would be presumed that he has nothing to say and the case will be decided on merits.

The Appellant is directed to appear in person for clarifying the facts of this case on the next date of hearing, positively.

The respondent PIO concerned is directed to supply the information again to the Appellant, if there would be any deficiencies raised by the Appellant to their Department well in time and supply the copy of postal receipts to the Commission vide which the information has already been sent to the Appellant.

This case is adjourned to 26.10.2021 at 11:00 A.M. and all the concerned parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Dated: 10.08.2021

Sd/-

(Sanjiv Garg)
State Information Commissioner

Punjab

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Email: psicsic31@punjabmail.gov.in Visit us - www.infocommpunjab.com Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Rajesh Aggarwal, S/o Sh. Ram Roop,

Social Worker & RTI Activist,

Sunam (Sangrur) M: 94179-15100

V/s.

**Appellant** 

**Public Information Officer**,

**O/o** The Assistant Superintendent of Police

(Deputy Superintendent of Police), Sub Division Sunam.

First Appellate Authority,

**O/o** The Inspector General of Police,

Sunam.

Respondent

Appeal Case No. 1829 of 2021

{Heard through Cisco Webex Meetings Software }

Present: The Appellant, Sh. Rajesh Aggarwal is absent.

Sh. Kuldeep Singh, ASI, In charge of RTI Cell, O/o SSP, Sangrur.

ORDER:

The date of RTI Application is 21.12.2020, the date of First Appeal is 15.02.2021 and the date of Appeal filed in the Commission is 07.04.2021.

In today's hearing, the Appellant, Sh. Rajesh Aggarwal is absent and an email dated 04.08.2021 and 06.08.2021 which has been received in the Commission from the Appellant is taken on record.

On the other hand, the ASI, Sh. Kuldeep Singh states that the partial information has been supplied to the Appellant and further seeks for an adjournment as he needs some time to supply the remaining information. He further mentions about an email dated 06.08.2021 which has been sent to the Commission and is taken on record.

In view of above, the concerned PIO is directed to supply the requisite information (i.e. point wise) to the Appellant by hand or through registered post before the next date of hearing positively and if the information is not available with them then the PIO is directed to file a proper reply in the form of an affidavit explaining the reason, why the information could not be supplied to the Appellant till date, failing which an action would be taken against the concerned PIO.

The PIO is also directed to submit the copy of the postal receipts to the Commission vide which information would have been supplied to the Appellant, by the next date of hearing.

Also, the Appellant, Sh. Sh. Rajesh Aggarwal is directed to go through the supplied information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission.

This case is adjourned to 26.10.2021 at 11:00 A.M. and both the parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/ Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Sd/-(Sanjiv Garg) **State Information Commissioner Punjab** 

Dated: 10.08.2021

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Mahabir Singh, S/o Sh. Bishan Dass,

R/o Village Samrala, P.O. Sarna Station,

Tehsil & District Pathankot. M: 94179-45645

V/s.

Complainant

**Public Information Officer**,

**O/o** The Executive Engineer, Water Supply and Sanitation Department, District Administrative Complex at Malikpur, District Pathankot.

Respondent

Complaint Case No. 440 of 2021

{Heard through Cisco Webex Meetings Software }

**Present**: The Complainant, Sh. Mahabir Singh is absent.

Sh. Viasa Dutt, Head Draftsmen is present from the Department.

ORDER:

The date of RTI Application is 31.08.2019 and the date of Complaint filed in the Commission is 09.04.2021.

In today's hearing, the Complainant, Sh. Mahabir Singh is absent without any intimation to the Commission.

On the other hand, the Head Draftsmen, Sh. Viasa Dutt states that the information has already been sent to the Complainant vide letter number 6510 dated 22.06.2021 and a copy of the same cover letter having endorsement number 6511 dated 22.06.2021 has been sent to the Commission and is taken on record. He further mentions about an email dated 10.08.2021 which has been sent to the Commission and is taken on record.

In view of above, an opportunity is given to the Complainant and he is directed to go through the supplied information and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which it would be presumed that he has nothing to say and the case will be decided on merits.

The Complainant is directed to appear in person on the next date of hearing, positively.

The respondent PIO concerned is advised to supply the information again to the Complainant, if there would be any deficiencies raised by the Complainant to their Department well in time.

This case is adjourned to 26.10.2021 at 11:00 A.M. and both the parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Dated: 10.08.2021

Sd/-(Sanjiv Garg) State Information Commissioner

Punjab

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Harjit Singh, S/o Sh. Dalbir Singh,

Village Harkhowal, P.O. Dhakhowal, District Hoshiarpur (146111)

M: 88721-07599

V/s.

**Public Information Officer**,

**O/o** The Block Primary Education Officer, Block Hoshiarpur 2-A, District Hoshiarpur.

Respondent

Complainant

Complaint Case No. 439 of 2021

{Heard through Cisco Webex Meetings Software }

**Present**: The Complainant, Sh. Harjit Singh is present.

None is present from the Department.

ORDER:

The date of RTI Application is 11.02.2021 and the date of Complaint filed in the Commission is 09.04.2021.

In today's hearing, the Complainant, Sh. Harjit Singh states that no information has been supplied to him.

On the other hand, none is present from the Department and a letter dated 10.06.2021 which has been received from the Department to the Commission is taken on record.

<u>Commission takes a serious view of the casual approach of the Respondent / PIO as the attested copies of service book of the Complainant himself is still not supplied to him and the reply dated 10.06.2021 sent to the Commission is not satisfactory in nature.</u>

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to the 'concerned' PIO O/o Block Primary Education Officer, Block Hoshiarpur 2-A, District Hoshiarpur, as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing.

The concerned PIO is advised to supply the requisite information (pointwise and attested copies of information) to the Complainant by hand or through registered post before the next date of hearing, failing which an action would be taken against the concerned PIO and if the information is not available with them then the PIO is advised to file a proper reply in the form of an affidavit explaining with the reason, why the information could not be supplied to the Complainant till date.

A copy of this order be sent to the concerned PIO through registered post.

The Complainant is advised to go through the supplied information, once he receives the

# Complaint Case No. 439 of 2021 {Heard through Cisco Webex Meetings Software } 2/2



**information** from the Respondent/PIO and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to 26.10.2021 at 11:00 A.M. and both the parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/ Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Sd/-(Sanjiv Garg) State Information Commissioner Punjab

**Show Cause:** 

Dated: 10.08.2021

(Regd. Post) Public Information Officer,

O/o The Block Primary Education Officer, Block Hoshiarpur 2-A, District Hoshiarpur.

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Email: psicsic31@punjabmail.gov.in Visit us - www.infocommpunjab.com Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Bharat Bhushan Mattu,

H. No. 153, Akash Nagar, Near Greenland School, Central Post Office, Ludhiana **M: 97799-28472** 

Appellant

V/s.

(Regd. Post) Public Information Officer,

**0/o** The District Education Officer, (Elementary Education),

Mini Secretariat, Ludhiana (Punjab)

Encl.: RTI Application dated 09.12.2020

**Deficiency letter of the Appellant dated 09.03.2021** 

(Regd. Post)First Appellate Authority,

**O/o** The Director, Public Instruction (Elementary), Punjab, P.S.E.B. Complex, Sector 68, S.A.S Nagar (Mohali)(Punjab)

Encl.: RTI Application dated 09.12.2020
Deficiency letter of the Appellant dated 09.03.2021

Respondent

<u>Appeal Case No. 1264 of 2021</u> {Heard through Cisco Webex Meetings Software }

**Present**: The Appellant, Sh. Bharat Bhushan is absent.

Sh. Rajpal Jain, Senior Assistant is present from the Department.

ORDER:

This case was last heard on 31.05.2021 vide which the Appellant was advised to visit the concerned office on 31.05.2021 at 2.30 p.m. for collecting the required information.

In today's hearing, the Appellant, Sh. Bharat Bhushan is absent due to his ill health and further it has been observed that an email dated 09.08.2021 has been received in the Commission from the Appellant through which a letter dated 09.08.2021 is attached in which he has written that the deficiencies which has been pointed out by him through letter dated 09.03.2021 is still pending and further written that information which has been received by him vide letter dated 05.08.2021 is not satisfactory in nature, which is taken on record.

On the other hand, the Senior Assistant, Sh. Rajpal Jain states that this information relates with the office of DPI (Elementary) and the RTI was <u>not transferred to DPI (Elementary)</u> by their office in time. He further mentions about a letter dated 08.06.2021 and copy letter dated 29.07.2021 which has been sent to the Commission and is taken on record.

In view of above, the concerned PIO's (i.e. The <u>PIO</u> O/o The District Education Officer, (Elementary Education), Mini Secretariat, Ludhiana (Punjab) and the <u>PIO</u> O/o The Director, Public Instruction (Elementary), Punjab, P.S.E.B. Complex, Sector 68, S.A.S Nagar (Mohali)(Punjab)) are directed to supply the requisite information (i.e. point wise reply after removing the deficiencies) to the Appellant by hand or through registered post before the next date of hearing positively and if the information is not available with them then the PIO is directed to file a proper reply in the form of an affidavit explaining the reason, why the information could not be supplied to the Appellant till date, failing which an action would be taken against the concerned PIO.

The concerned PIO's are also directed to submit the copy of the postal receipts to the Commission vide which information would have been supplied to the Appellant, by the next date of hearing.

### <u>Appeal Case No. 1264 of 2021</u> {Heard through Cisco Webex Meetings Software }



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Both the PIO's are also directed to appear on the next date of hearing for clarifying the facts of this case which is going to be heard through Cisco Webex Meeting Software. A copy of this order along with the RTI Application and a deficiency letter dated 09.03.2021 of the Appellant be sent to the both the PIO's.

Also, the Appellant, Sh. Bharat Bhushan is directed to go through the supplied information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission.

This case is adjourned to 26.10.2021 at 11:00 A.M. and all the concerned parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Sd/-

(Sanjiv Garg)
State Information Commissioner
Punjab

Dated: 10.08.2021

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.
Helpline No. 0172-2864100; Phone No-0172-2864120

Email: psicsic31@punjabmail.gov.in Visit us - www.infocommpunjab.com Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



**Appellant** 

Respondent

Sh. Ajay Kumar, S/o Late Sh. Ram Rakha,

H. No. A-1346, Street No. 01,

Radha Swami Colony, Fazilka (152123)

V/s.

(Regd. Post) Public Information Officer,

**O/o** The Block Primary Education Officer,

, Fazilka – 2 (Punjab)

**Encl RTI Application** 

(Regd. Post) The Managing Committee,

**O/o** Sri Harparsad Vidya Pracharni Sabha, Sri Jain Elementary Primary School, Shivpuri Road, Fazilka (Punjab) Encl. RTI Application

First Appellate Authority,

**O/o** The Block Primary Education Officer, Fazilka – 2 (Punjab)

**Appeal Case No. 948 of 2021** 

{Heard through Cisco Webex Meetings Software }

**Present**: The Appellant, Sh. Ajay Kumar is present.

Sh. Atul Jain, Manager at Jain Elementary School is present

None is present from O/o BPEO, Fazilka – 2 (Punjab).

ORDER:

This case was last heard on 19.05.2021 vide which the Junior Assistant, Sh. Munish Kumar states that this information sought through RTI request is regarding an official of office of 'Sri Harparsad Vidya Pracharni Sabha' which doesnot relate to the office of Block Primary Education Officer, Fazilka and can be obtained from the office of Sri Jain Elementary Primary School, Fazilka.

In today's hearing, the Appellant, Sh. Ajay Kumar states that no information has been supplied to him.

On the other hand, Manager at Jain Elementary School states that the Appellant knows everything as he was included or part of every meeting and decision.

On further discussion with both the parties, the Manager, Sh. Atul Jain states that they receive the grant from the Government and from the last three years they have not received any grant. So, it is proved that the office of The Managing Committee, O/o Sri Harparsad Vidya Pracharni Sabha, Sri Jain Elementary Primary School, Shivpuri Road, Fazilka (Punjab) is a public authority and further the Manager, Sh. Atul Jain is directed to supply the requisite information (i.e. point wise reply) to the Appellant by hand or through registered post before the next date of hearing positively and if the information is not available with them then the PIO is directed to file a proper reply in the form of an affidavit explaining the reason, why the information could not be supplied to the Appellant till date.

Commission takes a serious view of the casual approach of the Respondent / PIO Office of The Block Primary Education Officer, Block Fazilka - 2 as information is still not supplied to the Appellant and for not appearing in today's hearing.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to the 'concerned' Public Information Officer O/o The Block Primary Education Officer, Block Fazilka - 2, as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

1/2

Appeal Case No. 948 of 2021
{Heard through Cisco Webex Meetings Software }
2/2



In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing. A copy of the RTI Application be sent to the concerned PIO along with this order through registered post.

The concerned PIO is directed to supply the requisite information to the Appellant by registered post or email before the next date of hearing positively and if the information is not available with them then the PIO is directed to file a proper reply in the form of an affidavit explaining the reason, why the information could not be supplied to the Appellant till date, failing which an action would be taken against the concerned PIO.

The PIO is also directed to submit the copy of the postal receipts to the Commission vide which information would have been supplied to the Appellant, by the next date of hearing.

Also, the Appellant, Sh. Ajay Kumar is directed to go through the supplied information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission.

This case is adjourned to 26.10.2021 at 11:00 A.M. and all the concerned parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Dated: 10.08.2021

Sd/-

(Sanjiv Garg) State Information Commissioner Punjab

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Balbir Singh, S/o Sh. Man Singh,

**R/o** Village Ramgarh, Tehsil and Distt. Patiala (Punjab)

Complainant

(Regd. Post) Public Information Officer,

**0/o** The Land Acquisition Collector, PWD (Building and Roads), Model Town, Jalandhar (Punjab)

Respondent

#### <u>Complaint Case No. 621 of 2020</u> {Heard through Cisco Webex Meetings Software }

V/s.

Present: Advocate, Sh. Abhinav Sharma is present on behalf of the Complainant, Sh. Balbir

Singh.

None is present from the Department.

ORDER:

In today's hearing, the representative of the Complainant, Advocate Sh. Abhinav Sharma states that no information has been supplied to them.

On the other hand, none is present from the Department.

After going through the case file, it has been observed that on the hearing dated 22.10.2020 a show cause notice was issued to the concerned department and later on the next date of hearing dated 15.03.2021 and 19.05.2021 nobody appeared from the Department.

After going through the case file, it has been observed that the Respondent / PIO vide letter number 183 dated 01.07.2020 signed by Land Acquisition Collector, PWD (B & R), Jalandhar had returned The 'Indian Postal Order' of Rs. 10/- to the complainant, intimating him that information demanded through RTI request relates with revenue and is not available in the official record and he can visit the office to inspect the relevant record in working hours.

Commission takes a serious view of the casual approach of the Respondent / PIO as neither the respondent PIO nor any of his representative is present in today's hearing. He has also not sent any intimation regarding his non-availability. The respondent PIO has neither supplied the requisite information to the information seeker nor sent any reply in an affidavit, to each and every query, raised by the Complainant through RTI request even after the directions were given by the Commission. In the previous orders, the concerned PIO was directed to appear in person on the next date of hearing for clarifying the facts of this case but still nobody appeared from the office of Public Information Officer, O/o The Land Acquisition Collector, (Building and Roads), Jalandhar (Punjab).

Last and final opportunity is given to the Public Information Officer, O/o The Land Acquisition Collector, (Building and Roads), Jalandhar (Punjab) and further directed to appear in person on the next date of hearing which is going to be heard through Cisco Webex Meeting Software, for clarifying the facts and for explaining along with the reason why the information is not available with them.

# Complaint Case No. 621 of 2020 {Heard through Cisco Webex Meetings Software } 2/2



The Show cause notice which was issued to the concerned PIO vide order dated 22.10.2020 still stands.

Final opportunity is also given to the respondent PIO concerned either to supply the certified copies of the required information through registered post or e-mail to the complainant or file a point wise reply, in an affidavit, to each and every query, raised by the complainant through his RTI request as per official record by the next date of hearing with a copy to the Commission by the next date of hearing, failing which disciplinary action under Section 20 (2) of the RTI Act, would be recommended against him for willful delay in supplying the information to the RTI applicant.

Also, the complainant, Sh. Balbir Singh is directed to go through the supplied information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission.

This case is adjourned to 26.10.2021 at 11:00 A.M. and all the concerned parties are directed to be present on the next date of hearing i.e. 26.10.2021 which is going to be heard through Software/ Application Cisco Webex Meetings. Joining Meeting Number of Cisco Webex is 1589136034.

Copy of the order be sent to the parties.

Dated: 10.08.2021

Sd/-(Sanjiv Garg) State Information Commissioner Punjab

(Regd. Post) Public Information Officer,

**O/o** The Land Acquisition Collector, PWD (B & R) Model Town, Jalandhar (Punjab)

**{Encl. RTI Application}**