



Sh Kuldip Kumar,  
# 5-C, Phase-1, Urban Estate,  
Focal Point, Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o District Food Supply Controller (West),  
Sarabha Nagar, Ludhiana.

**First Appellate Authority,**  
O/o District Food Supply Controller (West),  
Sarabha Nagar, Ludhiana.

...Respondent

**Appeal Case No. 1353 of 2021**

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

**ORDER:**

The appellant through the RTI application dated 06.10.2020 has sought information regarding Gopal Singh Kainth and Nirbha Singh working under FSO Jagraon – List of attachment with PDS No. in each case with the order of competent authority – list of beneficiaries who died during this period with RC No. – list of beneficiaries who migrated due to marriage with RC-ID – list of beneficiaries permanent/temporary migrated and other information as enumerated in the RTI application concerning the office of District Food Supply Controller (West) Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 28.11.2020 which took no decision on the appeal.

The case last came up for hearing on 29.07.2021 through video conferencing at DAC Ludhiana. Both the parties were absent. The case was adjourned.

**Hearing dated 10.11.2021:**

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

In the interest of justice, one more opportunity is granted and the case is adjourned.

To come up for further hearing on **21.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

**Chandigarh**  
**Dated:10.11.2021**

**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**  
**Visit us: - [www.infocompunjab.com](http://www.infocompunjab.com)**



Sh Kanchan Bala, D/o Sh Pawan Kumar,  
# B-12/233, Street No-4, Kamal Colony,  
Samrala, Distt Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o SMO, PHC,  
Dhudhan, Sadhan,  
Distt Patiala.

**First Appellate Authority,**  
O/o Civil Surgeon,  
Patiala.

...Respondent

**Appeal Case No. 1289 of 2021**

**PRESENT: None for the Appellant**  
**Dr.Prashant Gautam for the Respondent**

**ORDER:**

The appellant through RTI application dated 29.06.2020 has sought information on 08 points regarding departmental promotion of multipurpose health supervisors in 10/2018 – a copy of the pay register(complete salary statements) of health supervisors for the months 5/2019 to 06.2020 along with DA arrears to supervisors from 10/18 to 06/2020 and other information as enumerated in the RTI application concerning the office of SMO-PHC Dudhan Sadhan, Distt.Patiala. The appellant was asked to vide letter dated 20.07.2020 by PIO to deposit requisite fee of Rs.200/- which the appellant did not deposit and filed the first appeal before the First Appellate Authority on 16.11.2020, which took no decision on the appeal. After filing the first appeal, the PIO sent information to the appellant vide letter dated 24.11.2020 to which the appellant was not satisfied and filed 2<sup>nd</sup> appeal in the Commission on 09.03.2021.

The case last came up for hearing on 29.07.2021 through video conferencing at DAC Ludhiana. As per the respondent, the information had already been provided to the appellant vide letter dated 24.11.2020, 05.12.2020 and 29.06.2021. As per the appellant, the information was incomplete and not legible nor attested.

Hearing both the parties, the Commission directed the appellant to inspect the record on 02.08.2020 at 10.00 AM by visiting the office of PIO and get the deficiency resolved. The PIO was directed to allow inspection of the record on the given date and time and provide the appellant with the deficient information. It was made clear that only that information needs to be provided, which has been sought in the RTI application.

**Hearing dated 10.11.2021:**

The case has come up for hearing today through video conferencing at DAC Ludhiana/Patiala. As per the respondent, the information has been supplied to the appellant.

The appellant is absent and has sent her reply, which was received in the Commission on 08.11.2021. In the reply, the appellant has expressed non-satisfaction with the provided information. In the reply, the appellant has mentioned that as per the order of the Commission, she visited the office of PIO on 02.08.2021 for inspection of the record but the

**Appeal Case No. 1289 of 2021**

record was not shown to her. However, the PIO instead of allowing to inspect the record provided the same information that was shown during the last hearing and got an acknowledgement of the same. The appellant has now requested for physical hearing at Chandigarh as well as for direction to the PIO to get the record inspected before the Commission and to provide complete information as per the RTI application.

Keeping the above in view, I accept the plea of the appellant and direct the PIO to bring the entire record relating to this RTI application to the Commission on the next date of hearing.

The case is adjourned. To come up for further hearing on **21.03.2022 at 11.00 AM.**

**Chandigarh**  
**Dated:10.11.2021**

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



Sh Trilochan Singh,  
# 848-A, M.I.G Flat,  
Jamalpur Colony,  
Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o District Health Officer-  
Cum-Civil Supplies, Ludhiana.

**First Appellate Authority,**  
O/o Food & Drugs Administrator,  
Kharar.

... Respondent

**Appeal Case No. 1245 of 2021**

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

**ORDER:** The appellant through RTI application dated 23.11.2020 has sought information regarding action taken on the complaint dated 19.10.2020 filed against Sethi Ice Cream for taking action for supplying inferior quality items without registration and other information as enumerated in the RTI application concerning the office of District Health Officer-cum-Civil Supplies, Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 26.12.2020 which did not decide on the appeal.

The case last came up for hearing 29.07.2021 through video conferencing at DAC Ludhiana. Both the parties were absent.

The Commission received a letter on 21.06.2021 from the Appellate Authority cum District Health Officer O/o Civil Surgeon Ludhiana stating that the information has already been provided to the appellant by Food Safety Officer vide letter dated 22.02.2021.

The appellant vide email informed that the information is incomplete.

**Hearing dated 10.11.2021:**

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

The respondent is absent on 2<sup>nd</sup> hearing and there is nothing on record that shows that the PIO has complied with the order of the Commission to sort out the discrepancies in the provided information. There has been an enormous delay of around one year in 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 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.

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

The case is adjourned. To come up for further hearing on **21.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

**Chandigarh**  
**Dated: 10.11.2021**

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



Sh Tejinder Singh,  
Civil Court,  
Tehsil Complex, Backside Sanjh Kender,  
Phillaur.

... Appellant

Versus

**Public Information Officer,**  
O/o Food & Drugs Administrator,  
Kharar.

**First Appellate Authority,**  
O/o Food & Drugs Administrator,  
Kharar.

...Respondent

**Appeal Case No. 1111 of 2021**

**PRESENT: Sh.Tejinder Singh as the Appellant**  
**Sh.Kulwant Singh, Sr.Assistant for the Respondent**

**ORDER:**

The appellant through RTI application dated 18.04.2020 has sought information regarding details of Prime Minister Jan Aushdhi Store in Ludhiana, Amritsar, Jalandhar & Patiala from 2017 to 18.04.2020 - list of documents required for getting Jan Aushdhi Store – supply of generic medicines to store and other information as enumerated in the RTI application concerning the office of Food and Drug Administrator, Kharar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 21.06.2020, which took no decision on the appeal.

The case last came up for hearing on 29.07.2021 through video conferencing at DAC Ludhiana. The respondent informed that they have already issued instructions to the office of the Civil Surgeon, Ludhiana, Amritsar, Patiala and Jalandhar and the information relating to District Ludhiana has already been supplied by the Drug Inspector Ludhiana to the appellant vide letter dated 07.08.2020 with a copy to the Commission. The respondent also submitted a copy of the information supplied to the appellant by the Drug Control Officer, Patiala vide letter dated 16.09.2020. As per the respondent, the information from Amritsar and Jalandhar was yet to be supplied.

The appellant claimed that there are four zones in Ludhiana and he has only received information from Zone-1 Ludhiana which is also incomplete.

A copy of information relating to Patiala District submitted by the respondent was sent to the appellant. For the rest of the information, including deficiencies, the PIO-O/o Food & Drug Administration, Kharar was directed to procure the information from other zones of Ludhiana as well as from Amritsar & Jalandhar and provide it to the appellant within one month and send a compliance report to the commission.

**Hearing dated 10.11.2021:**

The case has come up for hearing today through video conferencing at DAC Ludhiana/Mohali. The respondent present pleaded that the information relating to other districts has been provided to the appellant on 24.08.2021.

The appellant claims that no documents (comprising NOC-license – inspection report – degree certificate etc) relating to point-2 from Amritsar District have been provided.

**Appeal Case No. 1111 of 2021**

Having gone through the RTI application and hearing both the parties, the appellant is directed to point out the discrepancies in writing to the PIO with a copy to the Commission and the PIO is directed to provide sort out the discrepancies and provide information except degree certificates.

To come up for further hearing on **21.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

**Chandigarh**  
**Dated:10.11.2021**

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



Sh Tejinder Singh,  
Civil Court,  
Tehsil Complex, Backside Sanjh Kender,  
Phillaur.

... Appellant

Versus

**Public Information Officer,**  
O/o Civil Surgeon,  
Amritsar.

**First Appellate Authority,**  
O/o Civil Surgeon,  
Amritsar.

...Respondent

**Appeal Case No. 1119 of 2021**

**PRESENT: Sh.Tejinder Singh as the Appellant**  
**None for the Respondent**

**ORDER:**

The appellant through RTI application dated 06.10.2020 has sought information regarding details of inspections conducted by Health Officers relating to food business operators from June 2020 to 06.10.2020 – improvement notice issued to food operators/manufacturers – a copy of movement register before moving for taking samples of food operators – details of vehicles used during sample collection and other information as enumerated in the RTI application concerning the office of Civil Surgeon Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 12.12.2020, which took no decision on the appeal.

The case last came up for hearing on 29.07.2021 through video conferencing at DAC Ludhiana. As per the appellant, he had inspected the record regarding point-5 relating to Food Safety Officer-2 but no information regarding point-5 relating to the other Food Safety officers (1,3,4 &5) as well as on other points had been provided.

The PIO was directed to facilitate the rest of the information, as available on the record, for the RTI application and send a compliance report of the same to the Commission.

**Hearing dated 10.11.2021:**

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

The respondent is absent nor is represented and has not complied with the order of the Commission. There has been an enormous delay of more than one year in 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 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.

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

To come up for further hearing on **21.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear through VC at DAC Amritsar.

**Chandigarh**  
**Dated:10.11.2021**

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



Smt Varinder Kaur,  
# 490, Urban Estate, Phase-1,  
Jalandhar

... Appellant

Versus

**Public Information Officer,**  
O/o Police Commissioner,  
Amritsar.

**First Appellate Authority,**  
O/o Police Commissioner,  
Amritsar.

...Respondent

**Appeal Case No. 3735 of 2020**

**PRESENT: None for the Appellant**  
**Sh.Harpal Singh, ASI and Dr.Bhavish Parkash O/o Chemical Lab Kharar for**  
**the Respondent**

**ORDER:**

The appellant through the RTI application dated 24.08.2020 has sought information regarding a complete postmortem report dated 04.08.2017 along with a report on the internal body parts sent in Kharar/Kurali and other information as enumerated in the RTI application from the office of Police Commissioner, Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 24.09.2020 which took no decision on the appeal.

The case was first heard on 06.05.2021 through video conferencing at DAC Amritsar. Both the parties are absent.

The appellant vide email informed that the PIO has not provided the information.

The Commission received a copy of the letter of the PIO dated 19.11.2020 through email vide which the PIO had sent a reply to the appellant that the deceased's organs in a packed box No.160/2017 dated 11.08.2017 were sent to Chemical Examiners Kharar through Sh. Hardeep Singh No.1053-Amritsar @, but a report from them has not yet been received and hence the information cannot be provided.

The PIO-Chemical Examiners, Kharar was impleaded in the case and directed to look at the RTI application, (a copy of which was enclosed with the order), and provide the information to the appellant with a copy to the Commission.

On the date of the last hearing on **03.08.2021**, the appellant informed that the PIO has not supplied the information.

The respondent from the office of Chemical Examiner Kharar was absent. The respondent present from the office of SSP Amritsar informed that the report from Chemical Examiner has not been received yet and maintained the earlier stand.



**Appeal Case No. 3735 of 2020**

The PIO O/o Commissioner, Police, Amritsar was directed to procure the information from the office of Chemical Examiner and sent it to the appellant within 15 days with a copy to the Commission.

**Hearing dated 10.11.2021:**

The case has come up for hearing today through video conferencing at DAC Amritsar/Jalandhar. The respondent present from the office of SSP, Amritsar(Rural) to whom the RTI application was transferred by the office of Police Commissioner under section 6(3) vide letter No.3732 dated 23.10.2020 informed that the report from Chemical Examiner has not been received yet, and maintained the earlier stand.

Dr.Bhavish Parkash present from the office of Chemical Examiner, Kharar informed that they received the samples on 11.08.2017 and the original report was provided to the police department on 24.04.2019, which was duly acknowledged by Sh.Prabhjot Singh, Constable of Police Station Majitha. Dr.Bhavish Parkash has further informed that an attested copy of the report has again been sent to the office of SSP Police Station Majitha Amritsar on 23.08.2021. The respondent has also submitted a copy of the dispatch register which has an acknowledgement of Prabhjot Singh, and a copy of the letter dated 23.08.2021 as proof of having sent the report to the police department.

As per Dr.Bhavish, the report has already been sent to the police twice whereas the respondent from the office of SSP, Amritsar is continuously claiming that they have not received the report.

From the above facts, there is prima-facie evidence that the police department is concealing the information from the onset of the case i.e. 06.05.2021 and an attempt is being made to mislead the court.

I am marking this case to the IG Border Range, Amritsar-cum-First Appellate Authority to enquire into the matter and file a suitable reply on the matter.

A copy of the report duly attested by the department of the chemical examiner, Kharar is being sent to the IG Border Range, Amritsar as well as to the appellant along with the order.

The case is adjourned. To come up for compliance on **21.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar. Appellant to appear at DAC complex Jalandhar.

**Chandigarh**  
**Dated: 10.11.2021**

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

- CC to: 1. PIO-Chemical Examiner,**  
**Chemical Laboratory,**  
**Civil Hospital Complex, Kharar(Mohali)**
- 2. IGP-Border Range, Amritsar**



Sh. Satnam Singh, S/o Sh. Mohan Singh,  
R/o Village Tera Rujputa, P.O Gurala,  
Tehsil Ajnala, Distt Amritsar.

... Complaint

Versus

**Public Information Officer,**  
O/o SSP,  
Amritsar, Rural.

...Respondent

**Complainant Case No. 899 of 2020**

**PRESENT: None for the Complainant**  
**Sh.Harpal Singh ASI for the Respondent**

**ORDER:**

The complainant through the RTI application dated 05.11.2019 has sought information regarding FIR No.30 dated 14.02.2014 PC Thana Ajnala – a copy of the enquiry report along with the statement of witnesses and other information as enumerated in the RTI application from the office of SSP Amritsar (Rural). The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 02.12.2020.

The case first came up for hearing on 06.05.2021 through video conferencing at DAC Amritsar. Both the parties were absent.

Having gone through the record, the commission observed that there is no response of the PIO in attending to the RTI application and there has been an enormous delay of more than one year & four months.

The PIO was directed to respond to the RTI application otherwise the Commission will be constrained to initiate proceedings against the PIO under section 20 of the RTI Act.

On the date of last hearing on **03.08.2021**, the respondent informed that the information has been supplied to the complainant.

The appellant was absent on the 2<sup>nd</sup> consecutive occasion, nor represented nor has communicated any legitimate reasons for the absence on both the counts.

The appellant was directed to appear before the Commission on the next date of hearing to pursue the case.

**Hearing dated 10.11.2021:**

The case has come up for hearing today through video conferencing at DAC Amritsar. The appellant is absent and vide letter received in the Commission on 28.09.2021 has informed that the PIO has not supplied the information.

The Commission has received an email from the PIO-cum-SSP-Amritsar(Rural) stating that as per report of Chief Officer, Police Station Ajnala, the cancellation report is not traceable in their record and has requested for adjournment.

The case is adjourned. To come up for further hearing on **21.03.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar.

**Chandigarh**  
**Dated: 10.11.2021**

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



Sh. Ramesh Kumar, S/o Sh Amar Nath,  
H NO-1652, Sardar Nagar, Opposite 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. 3651 of 2020**

**PRESENT: Sh.Ramesh Kumar as the Appellant**  
**Sh.Harpal Singh ASI for the Respondent**

**ORDER:**

The appellant through RTI application dated 02.10.2020 has sought information on 12 points regarding FIR no.83/18 dated 16.08.2018- enquiry report of the enquiry – a copy of rule for temporarily not implementing the findings of enquiry – the name of officer deputed for 2<sup>nd</sup> enquiry of Prince Kumar and Vishal Singh and other information as enumerated in the RTI application from the office of SSP Amritsar(Rural). The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 28.10.2020 which took no decision on the appeal.

The case was first heard on 06.05.2021 through video conferencing at DAC Amritsar. The appellant claimed that the PIO has not provided the information.

The respondent was absent and vide letter received in the Commission on 15.03.2021, the PIO sent a reply, which was taken on the file of the Commission. In the reply, the PIO had stated that a re-enquiry was conducted by the then SP(HQ) Amritsar (R) who recommended the cancellation of the present case which was approved by the Director BOI. The Director BOI directed to proceed as per enquiry and the order of PO may be recalled by moving a separate application before the Hon'ble court. On the basis of that report, the case has been filed in the court of SDJM Ajnala for cancellation on 19.08.2020 and since the case is pending in the court, the information cannot be provided and the appellant has been asked to get the information from the concerned court.

Having gone through the RTI application, the Commission observed that the RTI application is not legible for the commission to take any decision.

The appellant was directed to send a typed legible copy of the RTI application to the Commission for the perusal of the appeal case. A copy of the reply received from the PIO was sent to the appellant with the order.

On the date of the last hearing on **03.08.2021**, the appellant submitted a typed copy of the RTI application which has been taken on the file of the Commission. The appellant claimed that the PIO has not supplied the information.

The Commission received a reply from the PIO through email which was taken on the file of the Commission. In the reply, the PIO stated that the case has been filed in the court of SDJM Ajnala for cancellation on 19.08.2020 and the case is pending in the court, the information cannot be provided u/s 8(1)(g) of the RTI Act.

**Appeal Case No. 3651 of 2020**

Having gone through the position of law on the matter, the police cannot deny the information simply on the ground that the cancellation report is presented in the court and the case is pending in the court or it does not have any case documents in its custody after submission of the report in the court.

The PIO was directed to provide information to the appellant on all points of the RTI application as per the RTI Act and send a compliance report to the commission.

**Hearing dated 10.11.2021:**

The case has come up for hearing today through video conferencing at DAC Amritsar. The appellant claims that despite order of the Commission, the PIO has not supplied the information.

The respondent present reiterated his earlier plea that since the case has been filed in the court of SDJM Ajnala for cancellation on 19.08.2020 and the case is pending in the court, the information cannot be provided u/s 8(1)(g) of the RTI Act.

Since the order has already been passed, the PIO is given one last opportunity to comply with the order of the Commission and provide complete information to the appellant otherwise the Commission will be constrained to issue show cause as per provisions of section 20 of the RTI Act.

I am marking this to the SSP (Rural) Amritsar with the direction to ensure that the order of the Commission is complied with and the information is provided to the appellant as per the RTI application.

To come up for further hearing on **21.03.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar.

**Chandigarh**  
**Dated: 10.11.2021**

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

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: - [psic30@punjabmail.gov.in](mailto:psic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh Parmod Kumar, S/o Sh Achoor Singh,  
R/o PAM, C-9, Phase-5, Focal Point,  
Ludhiana.

... Appellant

Versus

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

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

...Respondent

**Appeal Case No. 4166 of 2019**

**PRESENT: Sh.Parmod Kumar as the Appellant at Chandigarh**  
**None for the Respondent**

**ORDER: Facts of the case-**

That the appellant through RTI application dated 31.07.2019 has sought information regarding plot no.C-9 & C-10 Bhrdman Join Industry Focal Point Ludhiana – number of plots allotted, rules/regulations, number of registries and other information concerning the office of GLADA Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 16.09.2019 which took no decision on the appeal.

That the case was first heard on 26.02.2020. The respondent present pleaded that the information has been supplied to the appellant vide letter dated 19.02.2020 and a copy of the same submitted to the Commission. The appellant had received the information. The appellant, however, was not satisfied with the reply regarding point 4(b) and stated that the decision of the court has not been provided. The PIO was directed to resolve the matter regarding point-4(b) within 10 days and send a compliance report to the Commission.

That on the date of the next hearing on 02.06.2020, which was held through a video conference facility available in the office of Ludhiana, the respondent pleaded that the appellant had not sent the decision of the court on Special Leave Petition. As per the appellant, it was sent to GLADA via post on 05.03.2020 with a copy to the Commission. A copy of the decision of the court on SLP submitted by the appellant was sent to the PIO and the PIO was directed to provide the information on point-4(b) within 15 days.

That on the date of hearing on **21.07.2020**, the appellant claimed that the PIO has not provided the information on point-4(b). The respondent present pleaded that since the earlier PIO had retired and he had since joined, the information sought on point-4(b) was not clear.

The appellant had asked the information on what basis, the registration of plot No.C-23 was done after the SLP was rejected by the court. The PIO was directed to provide the information within 15 days.

That on the date of hearing on **27.01.2021**, the respondent was absent. The Commission received a copy of the letter on 20.08.2020 vide which the PIO informed that the information is being provided to the appellant.

## Appeal Case No. 4166 of 2019

The appellant claimed that the PIO has not provided the information on point-4(c). The PIO was directed to provide information on point-4(c) and if the information is not available, to provide an affidavit that there is no further information on the basis of which the registration has been done.

That on the date of hearing on **02.08.2021**, the appellant informed that the PIO has not supplied the information despite the order of the Commission.

The PIO was absent without any legitimate reasons for the absence nor has complied with the order of the Commission. The PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file a reply on an affidavit.**

That the case has come up for **hearing today** through video conferencing at DAC Ludhiana. As per the appellant, the PIO has not supplied the information nor has provided any affidavit as per order of the Commission.

The respondent is absent nor has sent any reply to the show cause notice as well as not complied with the order of the Commission to provide the remaining information.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-GLADA 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. He 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.

As per information from the office of GLADA Ludhiana, the following officials remains PIO in the office of GLADA Ludhiana from the date of filing of RTI application till date:

- |                                 |   |  |
|---------------------------------|---|--|
| - Sh.S.S. Bains, SDE(B)         | - | 04.01.2017 to 15.06.2020 – (05 Months) (Retired) |
| - Sh.Khshpreet Singh, SDE(PH)   | - | 15.06.2020 to 26.08.2020 –(02 months)            |
| - Sh.Gagandeep Singh, ATP       | - | 26.08.2020 to 07.05.2021 –(09 months)            |
| - Sh.Gulshan Kumar,EO           | - | 07.05.2021 to 27.07.2021 –(02 months)            |
| - Sh.Divleen Singh SDE(Elect)   | - | 27.07.2021 to 01.11.2021 –(03 months)            |
| - Sh.Ashish Vochher, SDE(Civil) | - | 01.11.2021 to till date                          |

From the above, it is clear that Sh.S.S.Bains was the PIO for 05 months(04.01.2017 to 15.06.2020) when the RTI application was filed, and appeared on the hearing on 26.02.2020 & 02.06.2020 and was directed to provide information. However, he has since retired. Thereafter, Sh.Gagandeep Singh remained the PIO for a maximum period (09 months) but neither appeared before the Commission on 27.01.2021 nor complied with the interim order of the Commission to provide the remaining information. However, when the show cause was issued on 02.08.2021, Sh.Divleen Singh was the PIO who has also not appeared nor has filed reply to the show cause notice.

Hence, given the above facts, it has been concluded that Sh.S.S.Bains was the PIO when the RTI application was filed and did not comply the direction of the Commission dated 26.02.2020 & 02.06.2020 to provide the information. Hence a penalty of **Rs.25,000/-** is imposed on Sh.S.S.Bains, the then PIO. However, since he has retired, no penalty can be imposed on such person.

Further since Sh.Gagandeep Singh, ATP-cum-PIO- GLADA, Ludhiana has been the PIO for maximum period (09 months) but not responded to the interim order of the Commission, Sh.Gagandeep Singh is hereby directed to **show cause why penalty be not imposed on him under section 20 of the RTI Act 2005 for not supplying the 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.

Further since Sh.Divleen Singh was the PIO when the show cause notice was issued on 02.08.2021 and has not sent any reply to the show cause notice, Sh.Divleen Singh is given one more opportunity to file reply to the show cause notice otherwise it will be presumed that he has nothing to say in the matter and the decision will be taken as per provisions of section 20 of the RTI Act.

If Sh. Gagandeep Singh has been transferred elsewhere, the present PIO to inform him and to get the compliance of the order.

The case is adjourned. To come up for compliance on **21.03.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh  
Dated: 10.11.2021

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