**STATE INFORMATION COMMISSION, PUNJAB**

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 Sh.Tejinder Singh

r/o Bholapur, PO Ramgarh

Chandigarh Road, Ludhaina Appellant.

Versus

**Public Information Officer,**

O/o Sub Divisional Magistrate (E),

Ludhiana

 ...Respondent

**Complaint Case No. 331 of 2017**

Present : (i) Sh. Tejinder Singh the appellant

 (ii) None is present on behalf of the respondent

**ORDER**

 This order may be read with reference to the previous order dated 08.08.2017.

2. Sh. Tejinder Singh- the complainant states that no information has been given to him so far.

3. Respondent is absent today.

4. A perusal of the file shows that the complainant has filed RTI on 22.08.2016, but no information has been given to him so far, which shows that the respondent has no regard for the RTI regime. This is indeed a serious matter.

5. In view of the above, **Madam Paramjit Kaur, Supdt.-cum-PIO, o/o SDM East, Ludhiana** is directedto show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon her for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

 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. She may note that in case she does not file her

**Complaint Case No. 331 of 2017**

submission and does not avail herself of the opportunity of personal hearing on the next date fixed, it will be presumed that she has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

6. To come up on **25.10.2017 at 11.00 AM.** Copy of the order be sent to the parties ***through registered post.***

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

***Through registered post***

**CC: Madam Paramjit Kaur, Supdt.-cum-PIO, o/o SDM East, Ludhiana**

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 Sh.Tejinder Singh

r/o Bholapur, PO Ramgarh

Chandigarh Road, Ludhaina

 Appellant.

Versus

**Public Information Officer,**

O/o Deputy Commissioner

Ludhiana

 ...Respondent

**Complain Case No. 345 of 2017**

Present : (i) Sh. Tejinder Singh the appellant

 (ii) None is present on behalf of the respondent

**ORDER**

 This order may be read with reference to the previous order dated 08.08.2017.

2. Sh. Tejinder Singh- the complainant states that no information has been given to him so far.

3. Respondent is absent today.

4. A perusal of the file shows that the complainant has filed RTI on 20.12.2016, but no information has been given to him so far, which shows that the respondent has no regard for the RTI regime. This is indeed a serious matter.

5. In view of the above, **Madam Savita, DRO-cum-PIO, o/o DC, Ludhiana** is directedto show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon her for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

 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. She may note that in case she does not file her

**Complaint Case No. 345 of 2017**

submission and does not avail herself of the opportunity of personal hearing on the next date fixed, it will be presumed that she has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

6. To come up on **25.10.2017 at 11.00 AM.** Copy of the order be sent to the parties ***through registered post.***

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

***Through registered post***

**CC: Madam Savita, DRO-cum-PIO, o/o DC, Ludhiana**

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Sh. Tejinder Singh,

r/o Village Bholapur, Post Office Ramgarh,

Chandigarh road, Ludhiana Appellant.

Versus

**Public Information Officer,**

O/o Naib Tehsildar, Sub Registrar,

Tehsil Koomkalan, distt. Ludhiana

**First Appellate Authority**

O/o SDM, East, Ludhiana ...Respondent

**Appeal Case No. 55 of 2017**

Present : (i) Sh.Tejinder Singh the appellant

 (ii) For the respondent : Sh.Tarvinder Kumar, PIO

**ORDER**

 This order may be read with reference to the previous order dated 09.08.2017 vide which a show cause notice was issued to the PIO.

2. Today respondent states that he has personally brought the information to deliver it to the appellant, which is handed over to him. He has also filed an affidavit in response to the show cause notice issued to him.

3. I have gone through the affidavit of the Respondent and agree with the reply of the Respondent resultantly, the proceedings under Section 20 of the RTI are dropped.

4. Appellant is advised to point out the deficiencies in the information provided by the Respondent. Respondent is directed to ensure that the deficiencies in the information are made good before the next date of hearing.

5. **Mr.Navdeep Singh, Naib Tehsildar is direcrted to personally present on the next date of hearing.**

6. To come up on **25.10.2017 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

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Sh. Lal Chand Virhe,

s/o Sh. Chaman Lal Virhe

r/o Village Garhe Sheru, Rahon Rad,

Post Office Matte Wara

Via Basti Jodhewal, Tehsil and distt. Ludhiana - 141007 Appellant.

Versus

**Public Information Officer,**

O/o Sub Registrar (East), The. Koomkalan

Distt Ludhiana.

**First Appellate Authority**

O/o Deputy Commissioner,

Ludhiana ...Respondent

**Appeal Case No. 118 of 2017**

Present : (i) Sh.Lal Chand the appellant

 (ii) For the respondent : Sh. Tarvinder Kumar ,Naib Tehsildar

**ORDER**

 The appellant states that he has received the information and is satisfied. He further states that he has not been provided the information within the time as prescribed under the RTI Act 2005. He has, therefore, suffered mental harassment and financial loss in attending the hearings in the Commission. For this the appellant demands that the Respondent be penalized and he be compensated for the detriment suffered. It is observed that appropriate mechanism has not been provided to keep the record properly in the office of Sub Registrar (East), Koomkalan, Distt. Ludhiana by the public authority due to which the information / request under RTI Act, 2005 are not being served properly. However, Respondent PIO is warned to be more careful in future while dealing with the matters pertaining to the RTI Act, 2005 and act swiftly

2. In view of the foregoing, no cause of action is left. The appeal filed by the appellant is, therefore, **disposed of and closed.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

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 Sh. Harpreet Singh, s/o Sh. Shamsher singh

Village Sihalan, Tehsil Samrala

Distt. Ludhiana – 141125 Appellant.

Versus

**Public Information Officer,**

O/o DRO, Ludhiana

**First Appellate Authority**

o/o Deputy Commissioner,

Ludhiana

 ...Respondent

**Appeal Case No. 209 of 2017**

Present : (i) Sh. Harpreet Singh the appellant

 (ii) For the respondent : Sh. Jaswinder Singh Tiwana .Tehsildar, Sh. Kuldip Singh, Kanugo

**ORDER**

 This order may be read with reference to the previous order dated 08.08.2017, vide which an amount of Rs. 1500/- was awarded a compensation to the appellant.

2. Today the appellant states that he has received compensation amount.

3. Respondent files his reply vide letter no. 193 dated 07.09.2017. Copy of the same is handed over to the appellant to go through the same.

4. However, after the hearing was over, the appellant requested that he wanted the reply on the affidavit. On his request, the respondent is directed to file an affidavit stating the same on his letter no. 193 dated 07.09.2017.

5. On the request of the appellant, the appeal is adjourned on **25.10.2017 at 11.00 AM.** Copy of the order be sent to the parties **through registered post.**

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

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 Sh.Yogesh Mahajan,

s/o Sh. Kuldeep Raj Mahajan

President of anti corruption Council

Opposite Water Tank, Municipal Market

Mission road, Pathankot Appellant.

Versus

**Public Information Officer,**

O/o Executive Engineer

Provisional Division PWD B&R,

Ferozepur

**First Appellate Authority**

o/o SE PWD B&R, Ferozepur

 ...Respondent

**Appeal Case No. 944 of 2017**

Present : (i) None is present on behalf of the appellant

 (ii) For the respondent :Sh. Jugal Kishore Anand, Auditor

**ORDER**

 This order may be read with reference to the previous order dated 08.08.2017.

2. A letter has been received from the appellant vide Commission diary no. 20231 dated 07.09.2017 mentioning therein that no information has been given to him so far.

3. During the last hearing, respondent was directed to produce the RTI vide which the appellant had demanded information on same matter. But today the respondent has failed to produce the same. Sh. Manjit Singh, PIO is directed to come present on the next date of hearing alongwith complete information.

4. To come up on **25.10.2017 at 11.00 AM.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

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 Sh. Lakhvir Singh, s/o Sh. Jaspal Ram,

President Society against corruption and Crimes Branch

Village Gandwa, Tehsil Phagwara, Distt. Kapurthala

 Appellant.

Versus

**Public Information Officer,**

O/o Executive Engineer

Construction Division -2, PWD B&R,

Amritsar

**First Appellate Authority**

O/o SE, Construction Circle,

PWD B&R, Amritsar

 ...Respondent

**Appeal Case No. 1251 of 2017**

Present : None for the parties.

**ORDER**

 This order may be read with reference to the previous order dated 08.08.2017 vide which a show cause notice was issued to the respondent PIO.

2. The appellant is absent today. He has informed on telephone that he is unable to attend today's hearing. He further adds that no information has been given to him so far.

3. Respondent is also absent today.

4. A perusal of the file shows that a show cause notice was issued to the respondent on the last date of hearing. But today neither he is present nor he has sent his reply in response to the show cause notice issued to him. Last opportunity is given to the respondent to appear before the Commission and state his case.

5. To come up on **25.10.2017 at 11.00 AM**. Copy of the order be sent to the parties ***through registered post.***

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

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Sh Gurmeet Singh S/o Sh Surmukh Singh,

Distt President Corruption Virodhi Manch, 2072,

Bhai Mastan Nagar, Shri Mukatsar Sahib. . Appellant.

Versus

**Public Information Officer,**

O/o Executive Engineer,

Hareeke Canal Division,

Ferozepur.

**First Appellate Authority**

O/o Superintendent Engineer,

Hareeke Canal Mandal,

Ferozepur. . ...Respondent

**Appeal Case No. 1495 of 2017**

Present : (i)None is present on behalf of the appellant

 (ii) For the respondent : Sh. Rajesh Kumar , Clerk

**ORDER**

 Respondent states that complete information has been sent to the appellant through registered post. The appellant has informed on telephone that he has received the information and is satisfied.

 In view of the foregoing, no cause of action is left. The appeal filed by the appellant is, therefore, **disposed of and closed.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

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Smt Promila Sharma, W/o Sh Rajinder Kumar,

H No-166, Jodha Mal Road, Street No.1-B, Shalimar Nagar,

Hoshiarpur. Appellant

Versus

**Public Information Officer,**

O/o Director Primary Instructor(S),

Phase-8, Mohali, Punjab.

**First Appellate Authority**

O/o Director Primary Instructor(S),

Phase-8, Mohali, Punjab. ...Respondent

**Appeal Case No. 1631 of 2017**

Present : (i) None is present on behalf of the appellant

 (ii) For the respondent : Sh.Parminder Singh, Sr. Assistant

**ORDER**

 This order may be read with reference to the previous order dated 01.08.2017.

2. A letter has been received from the appellant vide Commission diary no. 20163 dated 04.09.2017 mentioning therein that she has received the information and is satisfied.

 3. In view of the foregoing, no cause of action is left. The appeal filed by the appellant is, therefore, **disposed of and closed.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

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Sh. Rohit Sabharwal,

President, Council of RTI Activisits (Regd.)

Kundan Bhawan, 126, Model Gram,

Ludhiana

..... Appellant

vs

**Public Information Officer**

o/o MC, Ludhiana

**First Appellate Authority**

o/o MC, Ludhiana ....Respondent

**Appeal Case No. 2728 of 2016**

Present : (i) None is present on behalf of the appellant

 (ii) For the respondent :Sh.Jagdeepn Singh , Draftsman

**ORDER**

 This order may be read with reference to the previous order dated 01.08.2017.

2. The appellant is absent today. He has sent a mail vide Commission diary no. 20215 dated 07.09.2017.

3. Respondent states that complete information has already been sent to the appellant.

4. A perusal of the file shows that the appellant is is absent for seventh consecutive hearing.

5. In the aforementioned circumstances, I am of the considered view that no useful purpose would be served by prolonging this matter any further. Whatever information was available with the department has been supplied. The appeal filed by the appellant is, therefore, **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

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 Sh.Gurinder jit Singh

House No. 1757/30 C, Gali no. 9,

Heera Bagh Jagraon, Distt Ludhiana

 Appellant.

Versus

**Public Information Officer,**

O/o Nagar Nigam, Moga

**First Appellate Authority**

Nagar Nigam Moga

**Public Information Officer**

o/o Tehsildar Moga

**Public Information Officer**

o/o MC, B&R, Moga

 ...Respondent

**Appeal Case No. 3680 of 2016**

Present : (i) Sh. Gurinderjit Singh the appellant

 (ii) For the respondent : Sh.Pavitar Singh, ATP

**ORDER**

 This order may be read with reference to the previous order dated 08.08.2017 vide which Sh. Satish Verma, appeared and stated that the information pertaining to two points was lying with Sh. Pavitar Singh, Building Branch, B&R,Moga.

2. Today Sh. Pavitar Singh is appearing and files his reply mentioning therein that the information, as exists, in their record has been provided to the appellant. He further adds that remaining information is lying with Sh. Satish Verma.

3. After hearing both the parties, it is ascertained that Sh. Satish Verma has mislead the Commission, which is a serious matter. The RTI Act 2005 was enacted with a view to promote transparency and accountability in the working of public authorities so that the corruption in the working of government is contained and the government and its instrumentalities are held accountable to the people.

4. A perusal of the file shows that the appellant has had to attend five hearings before the Commission. He has, therefore, suffered mental harassment and financial

**Appeal Case No. 3680 of 2016**

loss in attending the hearings in the Commission. For this the appellant demands that the Respondent be penalized and he be compensated for the detriment suffered. In this view of the matter, ends of justice would be met by awarding a compensation of Rs.1500/- (Rupees Fifteen hundred Only) to the appellant. The compensation shall be paid by the office of O & M Branch, Municipal Corporation, Ludhiana the Public Authority within 15 days from the receipt of this order under intimation to the Commission

 5. Looking at the lackadaisical and highly irresponsible attitude of Sh. Satish Verma, PIO-respondent, is directed to show cause as to why penalty @ 250/-per day be not imposed upon her under Section 20 (1) of the RTI Act for not sending the information to the appellant within the statutorily period.

6. The respondent-PIO is directed to file a written point-wise reply in this regard before the next date of hearing with a copy to the appellant.

7. He may also make use of the next date of hearing for her personal hearing as well under the principles of natural justice.

8. To come up on **25.10.2017 at 11.00 AM**. Copy of the order be sent to the parties **through registered post.**

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**

**Through registered post**

CC: (i) Sh. Satish Verma, XEN (O&M), -cum-PIO, o/o MC, B&R,Moga

 (ii) Sh. Jagwinderjit Singh Grewal, IAS, Commissioner, o/o Municipal Corporation, Moga for necessary action please.

**STATE INFORMATION COMMISSION, PUNJAB**

**Red Cross Building, Sector-16, Chandigarh**

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Sh. Harish Kumar, S/o Sh Parshotam Kumar,

H No.B-8/170, Near M.C, Office,

Sujanpur, Distt Pathankot. Appellant.

Versus

**Public Information Officer,**

O/o District Education Officer (S),

Mini Secretariat, Malikpur,

Distt Pathankot.

**First Appellate Authority**

O/o District Education Officer (S),

Mini Secretariat, Malikpur,

 Distt Pathankot.. ...Respondent

**Appeal Case No. 1548 & 1550 of 2017**

Present : (i) Sh.Harish Kumar through video conference

 (ii) For the respondent : Sh. Arun Mahajan, through video conference

**ORDER**

 This order may be read with reference to the previous order dated 31.08.2017.

**RE: AC: 1548 of 2017**: Respondent states that he has personally brought the information to deliver it to the appellant, which is handed over to him. Appellant is advised to point out the deficiencies in the information provided by the Respondent. Respondent is directed to ensure that the deficiencies in the information are made good before the next date of hearing. The PIO is further directed to file an affidavit that there is nothing left to be furnished to the appellant in their office on the next date of hearing.

**RE: AC: 1550 of 2017**. During the last hearing, the appellant was advised to deposit the documentation fee and obtain the information. Respondent states that the appellant has not deposited the fee. Appellant is again directed to deposit the documentation fee and obtain the information. The appellant may note that this is the last opportunity given to him to deposit the fee.

 To come up on **03.10.2017 at 11.00 AM in the Commission office**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 11.09.2017. State Information Commissioner**