

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)



Shri Surinder Kumar,
S/o Shri Bhagwan Dass,
Partap Nagar Welfare Society,
Ward No.8, Fatehgarh Churian,
District Gurdaspur.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council, Fatehgarh Churian
District Gurdaspur.

First Appellate Authority

O/o Deputy Director,
Local Bodies, Amritsar.

....Respondents

AC No.3000 of 2020

Present:

- (i) Appellant – absent.
- (ii) Shri Ramesh Kumar, Inspector O/o Executive Officer, Municipal Council, Fatehgarh Churian, District Gurdaspur, on behalf of the PIO.

ORDER:

(Heard through Cisco Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 11.01.2021 passed by this Bench on the previous hearing.
2. The appeal case has been heard today through Cisco Webex. Shri Surinder Kumar, appellant has not come present to attend the hearing through Cisco Webex.
3. Shri Ramesh Kumar, Inspector, Municipal Council, Fatehgarh Churian comes present to attend the hearing through Cisco Webex. He states that the appellant has been sent a letter dated 22.02.2021 informing him that vide letters dated 16.07.2020 and 07.01.2021, the appellant was intimated that the RTI application was not submitted as per RTI Act and that no specific description of the information sought was given. He has further stated that the appellant has also not sent the expenses for supply of information by speed post and as such, his application was rejected.
4. Shri Surinder Kumar, appellant is contacted on mobile phone. He reiterates the contents of his RTI application and states that no information has been received from the PIO.

Cont...P-2



5. Post deliberations with the appellant and representative of the PIO and going through the letter dated 22.03.2021, the Bench observes that the PIO is not within his power to reject the RTI application of the appellant and does not agree with the contentions raised therein. The Bench also observes that the appellant has not been called to the office as directed by the Bench on the previous hearing and as such, the PIO has not complied with the directions given by the Bench. The Bench takes serious note of the letter of the PIO dated 22.03.2021, as referred to above and again directs the PIO to supply information to the appellant before the next hearing and after supplying the requisite information to the appellant, the PIO is further directed to file an affidavit on non judicial stamp paper before the next hearing, as per directions given on the previous hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.072021 at 11.30 AM through Cisco Webex.** The copies of the order be sent to the concerned parties.

**Chandigarh
12.04.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Shri Shakti Bhushan
S/o Shri Kewal Krishan Kaushal
R/o Street Bhaini Sahib,
Ward No.8, Dhanaula,
District Barnala.

.....Appellant

Versus

Public Information Officer
Vehicle Registration Authority,
Pathankot.

First Appellate Authority
O/o Deputy Commissioner,
Pathankot.

Public Information Officer,
O/o Secretary, Regional
Transport Authority,
Gurdaspur.

First Appellate Authority
O/o Secretary, Regional
Transport Authority,
Gurdaspur.

....Respondents

AC No.1084 of 2020

Present: (i) **Appellant -absent**
(ii) **Maj Parminder Singh, Superintendent/PIO, O/o SDM Pathankot
in person before the Bench.**

ORDER

(Heard on Mobile Phone)

1. This order may be read with reference to the order dated 12.01.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today. The appellant Shri Shakti Bhushan has not come present to attend the hearing through Cisco Webex.
3. Maj Parminder Singh, PIO, O/o Sub Divisional Magistrate, Pathankot comes present in person before the Bench to attend the hearing. He states that the RTI application of the appellant was not received in the office of S.D.M., Pathankot as it is addressed to Motor Vehicle Registration Authority, Pathankot. He further states that he has obtained a copy of the RTI application from the appellant and is in the process of collecting the information from the concerned office i.e. from Head Project, NIC, Punjab, Chandigarh and as soon as the said information is received, the same will be provided to the appellant. He also produces an affidavit dated 09.04.2021 before the Bench clarifying the position regarding the RTI application of the appellant which also constitutes reply to the show cause notice earlier issued.



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AC No.1084/2020

4. The appellant Shri Shakti Bhushan is contacted on mobile phone. He states that he has not received any information yet. He is then made to talk to the PIO Maj Parminder Singh, who explains to him the entire position with regard to supply of information.

5. Post deliberations, the Bench accepts the reply to show cause notice and further directs the PIO O/o Sub Divisional Magistrate, Pathankot to supply complete information to the appellant before the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.07.2021 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.04.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
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Shri Shakti Bhushan
S/o Shri Kewal Krishan Kaushal
R/o Street Bhaini Sahib,
Ward No.8, Dhanaula,
District Barnala.

.....Appellant

Versus

Public Information Officer
O/o Assistant Transport Officer,
Bathinda.

First Appellate Authority
O/o Secretary, Regional
Transport Authority,
Bathinda.

....Respondents

AC No.1879 of 2020

Present: (i) **Appellant- absent**
(ii) **None on behalf of the PIO.**

ORDER

(Heard on Mobile phone)

1. This order may be read with reference to the order dated 12.01.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today. Shri Shakti Bhushan, appellant has not come present to attend the hearing through Cisco Webex.
3. Shri Baljit Singh, Section Officer, PIO O/o Secretary, Regional Transport Authority, Bathinda has also not come present to attend the hearing through Cisco Webex. He has, however, sent an e.mail that he is on leave for some personal reasons and as such, is unable to attend the hearing through Cisco Webex. He has requested for adjournment and another date of hearing.
4. The appellant Shri Shakti Bhushan is contacted on mobile phone. He states that he has received only partial information.
5. The PIO is directed to supply complete information to the appellant before the next hearing.
6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.07.2021 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.04.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
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Shri Jasbir Singh
Guru Nanak Colony
Village Bolapur Jhabewal,
PO Ramgarh, Ludhiana,
Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o The Secretary,
Regional Transport Authority,
Sangrur.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Sangrur.

....Respondents

AC No.2580 of 2020

Present: (i) **Shri Jasbir Singh, Appellant.**
(ii) **Shri Karanvir Singh Chhina, PIO O/o Secretary, R.T.A., Sangrur.**

ORDER

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 12.01.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex/Mobile phone. Shri Jasbir Singh, appellant comes present to attend the hearing through Cisco Webex. He states that no information has been supplied to him by the PIO so far.
3. Shri Karanvir Singh Chhina, PIO O/o Secretary, R.T.A. Sangrur attends the hearing through Cisco Webex. He states that the information has been sent to the appellant vide registered post on 07.04.2021.
4. The Bench directs the PIO to send the information to the appellant again by e.mail as also by registered post today itself. On receipt of information, the appellant is advised to point out deficiencies, if any, to the PIO, who will supply the rectified information after removing the deficiencies before the next hearing. The PIO is also directed to file reply to the show cause notice which has not been filed yet.
5. In view of the above, the matter is adjourned. **To come up for hearing on 07.07.2021 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.04.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
State Information Commissioner, Punjab**

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Shri Brijinder Kumar, IPS(Retd.)
H.No.593, IAS/IPC Society,
Sector-49A, Chandigarh.

...Complainant

Versus

Public Information Officer

O/o Chief Town Planner,
GMADA, PUDA Bhawan,
Phase-8, S.A.S. Nagar(Mohali)

...Respondent

CC No.36/2021

Present: (I) Shri Brijinder Kumar, complainant in person
(ii) None from the PIO/respondent.

ORDER:

1. The RTI application is dated 18.12.2018 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed by the complainant in the Commission on 28.12.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act).
2. Notice of hearing was issued to the parties for 12.04.2021 by the Commission through Cisco Webex. Shri Brijinder Kumar, complainant comes present to attend the hearing in person before the Bench and states that he has not been supplied any information so far.
3. Neither the PIO O/o Chief Town Planner, GMADA, Mohali has come present nor he has deputed any of the representatives to attend the hearing. The Bench observes that the RTI application of the complainant is dated 18.12.2018 and the complaint in the Commission has been filed on 28.12.2020. The PIO has not responded to the complainant in spite of lapse of two years. This indifferent and lackadaisical attitude to the PIO is viewed adversely.
4. The PIO, O/o Chief Town Planner, GMADA, Mohali is issued show cause notice to explain his absence and as to why action should not be taken against him for not complying with the directions of Bench and also as to why penalty should not be imposed in the instant case for not supplying information to the appellant. The PIO is also directed to file a written reply to the show cause notice as to why the complainant should not be compensated for the mental harassment suffered by him in getting the information.

Cont..P-2



-2-

CC No.36/2021

5. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

6. The PIO is directed to supply the information as sought by the complainant before the next hearing as also to ensure to attend the hearing through Cisco Webex.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.07.2021 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.04.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post)

Public Information Officer
O/o Chief Town Planner,
GMADA, PUDA Bhawan,
Phase-8, S.A.S. Nagar(Mohali)

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Shri Sandeep Singh
S/o Shri Kashmir Singh
R/o Village Muazam,
Tehsil & District Fazilka.

...Complainant

Versus

Public Information Officer
O/o Addl. Deputy Commissioner
(Development),Fazilka.

Public Information Officer
O/o Block Development &
Panchayat Officer, Fazilka

...Respondent

CC No.179/2021

Present: (i) **Shri Sandeep Singh, complainant**
(ii) **None from the PIO/respondent.**

ORDER:

(Heard through Cisco Webex)

1. The RTI application is dated 21.12.2018 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed by the complainant in the Commission on 08.02.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act).
2. Notice of hearing was issued to the parties for 12.04.2021 by the Commission through Cisco Webex. Shri Sandeep Singh, complainant comes present to attend the hearing through Cisco Webex and states that he has not been supplied any information so far.
3. Neither the PIO O/o Additional Deputy Commissioner (Development), Fazilka has come present nor he has deputed any of the representatives to attend the hearing.
4. The Bench, on perusal of case file, observes that a letter dated 16.03.2021 is available in the case file whereby the Additional Deputy Commissioner (Development), Fazilka has directed the PIO O/o Block Development & Panchayat Officer, Fazilka to supply the requisite information. In view of the letter dated 16.03.2021 of A.D.C. (Development), Fazilka, the PIO O/o B.D.P.O., Fazilka is impleaded as respondent No.2.
5. The Bench observes that the RTI application of the complainant is dated 21.12.2020 and the complaint in the Commission has been filed on 08.02.2021. The PIO from either of the offices has neither come present to attend the hearing through Cisco Webex nor has supplied any information to the complainant. This indifferent and lackadaisical attitude of the PIO is viewed adversely.

Cont..P-2



-2-

CC No.179/2021

6. The PIO, O/o Additional Deputy Commissioner (Development), Fazilka and the PIO O/o Block Development & Panchayat Officer, Fazilka are issued show cause notice to explain their absence and also as to why penalty should not be imposed in the instant case for not supplying information to the complainant. The PIO's are also directed to file a written reply to the show cause notice as to why the complainant should not be compensated for the mental harassment suffered by him in getting the information.

7. In addition to the written reply, PIO's are hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. They may take note that in case they do not file the written reply and do not avail of the opportunity of personal hearing on the next date fixed, it will be presumed that they have nothing to say and the Commission shall proceed to take further proceeding against them ex-parte.

8. The PIO's are directed to supply the information as sought by the complainant before the next hearing as also to ensure to attend the hearing through Cisco Webex.

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.07.2021 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.04.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
State Information Commissioner, Punjab**

Copy to (By Regd.Post)

Public Information Officer
O/o Addl. Deputy Commissioner
(Development),Fazilka.

Public Information Officer
O/o Block Development &
Panchayat Officer, Fazilka

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Shri Harnek Singh
Superintendent (Retd.)
Panchayat Samiti,
Sri Machhiwara Sahib
Now R/o Ward No.6,
Sandhuan Road,
Sri Chamkaur Sahib,

...Complainant

Versus

Public Information Officer

O/o Executive Officer
Nagar Panchayat,
Sri Chamkaur Sahib
District Ropar.

First Appellate Authority

O/o Executive Officer
Nagar Panchayat,
Sri Chamkaur Sahib
District Ropar. ..

...Respondent

CC No.569/2020 converted into AC No.569/2020

Present: (i) complainant -absent
(ii) None from the PIO/respondent.

ORDER:

1. The instant Complaint case was disposed off by the Bench vide order dated 30.09.2020 while remanding the same to the First Appellate Authority. However, since no action has been taken by the First Appellate Authority to redress the grievance of the complainant, the complainant has again approached the Bench for reopening the case.
2. Converting the complaint case of the complainant into Appeal Case No.569 of 2021, notice of hearing was issued to the parties for 12.04.2021 by the Commission and the case was scheduled for hearing through Cisco Webex today. Shri Harnek Singh, complainant has not come present to attend the hearing through Cisco Webex.
3. The PIO has also not come present to attend the hearing through Cisco Webex nor he has deputed any of his representatives to attend the hearing through Cisco Webex.
4. In view of the above, the matter is adjourned. **To come up for hearing on 07.07.2021 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.04.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**