

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH
Fax 0172-2864110 Phone No-0172-2864120

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



Harjit Singh Dhillon
S/o Late Sh. Gurbaksh Singh,
H. No. 4072, Street No. 03,
Gobind Colony, Jamalpur,
Distt. - Ludhiana - 141015(Punjab)

...Complainant

V/s

i) Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
Tehbazari Branch, Zone - B ,
Ludhiana(Punjab)

ii) Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
Zone - B , Ludhiana(Punjab)

... Respondents

Complaint Case No. 85 of 2020

Present : None on behalf of the complainant .
Sh. Tarun Goel, Superintendent(Tehbazari Branch), Zone – B, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 13.08.2019. The complaint has been received in the Commission on 20.01.2020.

On the last date of hearing, held on 11.01.2021, final opportunity was given to the respondent-PIO office of Tehbazari Branch, Zone-B, to give a proper reply in connection with point no. 02 and 03 of the RTI request to the complainant with a copy to the Commission. The respondent-PIO of office of Building Branch, Zone-B, was advised to send a copy of the information (which was already supplied) to the complainant with a copy to the Commission.

Sh. Tarun Goel, Superintendent(Tehbazari Branch), Zone – B, who appeared on behalf of the respondent PIO in today's hearing, states that in response to the RTI request complete information has been supplied to the appellatant.

The complainant, Sh. Harjit Singh Dhillon , through a letter dated 10.03.2021, which has been received in the Commission vide Dairy No. 5225 dated 05.03.2021, has intimated the Commission that remaining information at point no. 02 and 03 of the RTI request is still pending.

An opportunity is given to the respondent PIO, who is directed to send the requisite information at point no. 02 and 03 of the RTI request to the complainant through registered post at his residential address with a copy to the Commission, by the next date of hearing.

An opportunity is also given to the complainant to confirm whether he has received the information, which would be supplied to him by the respondent PIO or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned. He is also advised to represent this case in person or through his representative on the next date of hearing fixed through facility of Software/application 'CISCO Webex Meetings' or it would be assumed that the appellatant does not wish to pursue this case further and the case would be decided on merits.

The case is adjourned to 4th August, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date :12th May, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Ravinder Singh,
C/o Office No. 23,
New Lawyer's Chamber, BLOCK- A,
District Courts - Faridkot - 151203(Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Secretary,
Regional Transport Authority,
Faridkot (Punjab)

First Appellate Authority,
O/o The Secretary,
Regional Transport Authority,
Faridkot (Punjab)

...Respondents

Appeal Case No. 1080 of 2019

Present : None on behalf of the appellant.
Sh. Sanjeev Kumar, Clerk, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 29.10.2018. First appeal is dated 10.01.2019. Second appeal has been received in the Commission on 19.03.2019.

On the last date of hearing, held on 11.01.2021,

- i) Neither the respondent PIO was present and nor any document was received in the case-file, showing that the required information was given to the appellant or penalty amount of Rs. 5000/- (which was imposed upon Public Information Officer of office of Secretary, Regional Transport Authority, Faridkot vide order dated 09.12.2019,) is paid.
- ii) Accordingly, a copy of the order was sent to State Transport Commissioner, Punjab, Chandigarh with the directions to ensure compliance of the order dated 09.12.2019 by deducting the penalty of Rs. 5,000/- (which was imposed upon the concerned PIO vide orders dated 09.12.2019) from the salary of Sh. Gurnam Singh.
- iii) A copy of the order was also sent to Principal Secretary to Government of Punjab, Department of Transport to ensure compliance of the order dated 09.12.2019 passed by the Commission regarding penalty, which was imposed upon the concerned Public Information Officer of office of Secretary, Regional Transport Authority, Faridkot and also to ensure compliance of the orders dated 03.02.2020, through which disciplinary action (which was recommended by the Commission under Section 20 (2) of the RTI Act against the concerned Public Information Officer.

Sh. Sanjeev Kumar, Clerk, who appeared on behalf of the respondent PIO in today's hearing, orally states that an opportunity may be given to the appellant to visit the office to collect the required information.

The appellant, Sh. Ravinder Singh, is not present in today's hearing.

Nevertheless, the appellant is advised to visit the office of the respondent PIO in the next week during working hours to collect the required information.

The respondent PIO concerned is directed to supply the required information to the appellant during his (the appellant's) visit to office.

An opportunity is also given to the appellant to point out deficiencies, if any, in the information, which would be supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

After examining the documents placed in the case-file, it is found that the respondent has sent a reply signed by Deputy Controller (Finance & Accounts) vide letter no. 8496 dated 01.04.2021, which has been received in the Commission vide Diary No. 7614 dated 01.04.2021, showing that directions have been given to the Secretary, Regional Transport Authority, Sangrur vide letter no. 4181-82 dated 08.02.2021 to deduct the penalty amount of Rs. 5,000/- which was imposed vide orders dated 09.12.2019 from the salary of the PIO concerned. It, alongwith annexure, is taken on record.

A copy of this order be sent through registered post to Secretary, Regional Transport Authority, Sangrur to ensure compliance of the order dated 09.12.2019 passed by the Commission regarding penalty, which was imposed upon the concerned Public Information Officer of office of Secretary, Regional Transport Authority, Faridkot at present at Sangrur and send copy of supporting document/documents to the Commission, showing that penalty amount of Rs. 5,000/- which was imposed upon the concerned PIO vide orders dated 09.12.2019 has been deposited or deducted from the salary of the concerned PIO, to establish the fact that order of the Commission has been complied with, by the next date of hearing.

The case is **adjourned to 4th August, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

Date :12th May, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Harish Chand,
Goyal Ayurvedic Store,
Chaina Bazaar,
Jaito, Distt. – Faridkot (Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Secretary,
Regional Transport Authority,
Faridkot(Punjab)

First Appellate Authority,
O/o The Secretary,
Regional Transport Authority,
Faridkot(Punjab)

...Respondents

Appeal Case No. 3088 of 2019

Present : None on behalf of the appellant.
Sh. Sanjeev Kumar, Clerk, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 07.05.2019. First appeal is dated 08.07.2019. Second appeal has been received in the Commission on 22.08.2019.

On the last date of hearing, held on 11.01.2021,

- i) Neither the respondent PIO was present any document was received, showing that the required information was supplied to the appellant.
- ii) Final opportunity was given to the respondent PIO concerned to comply with the orders dated 14.10.2020 passed by the Commission by supplying the certified copies of the required information to the appellant with a copy to the Commission.
- iii) A copy of the order alongwith orders dated 14.10.2020 was sent to Principal Secretary to Government of Punjab, Department of Transport to ensure compliance of the order regarding supplying the certified copies of the required information to the appellant.

Sh. Sanjeev Kumar, Clerk, who appeared on behalf of the respondent PIO in today's hearing, states that in response to the RTI request, a reply has already been sent to the appellant vide letter dated 07.04.2021. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 4877 dated 07.04.2021, which has been received in the Commission through an e-mail. It is taken on record.

The appellant, Sh. Harish Chand, is not present in today's hearing. He is advised to confirm whether he has received the information/reply, which has been sent to him by the respondent PIO vide letter dated 07.04.2021 and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned. He is also advised to represent this case in person or through his representative on the next date fixed for hearing through facility of Software/application 'CISCO Webex Meetings' so that facts of this case could be cleared.

The case is adjourned to 4th August, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date :12th May, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Harish Chand,
Goyal Ayurvedic Store,
Chaina Bazaar,
Jaito, Distt. – Faridkot (Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Secretary,
Regional Transport Authority,
Faridkot(Punjab)

First Appellate Authority,
O/o The Secretary,
Regional Transport Authority,
Faridkot(Punjab)

...Respondents

Appeal Case No. 3089 of 2019

Present : None on behalf of the appellant.
Sh. Sanjeev Kumar, Clerk, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 08.05.2019. First appeal is dated 08.07.2019. Second appeal has been received in the Commission on 22.08.2019.

On the last date of hearing, held on 11.01.2021,

- i) Neither the respondent PIO was present any document was received, showing that the required information was supplied to the appellant.
- ii) Final opportunity was given to the respondent PIO concerned to comply with the orders dated 14.10.2020 passed by the Commission by supplying the certified copies of the required information to the appellant, after removing the deficiencies, which were pointed out by the appellant through a letter dated 11.03.2020 with a copy to the Commission.
- iii) A copy of the order alongwith orders dated 14.10.2020 was sent to Principal Secretary to Government of Punjab, Department of Transport to ensure compliance of the order regarding supplying the certified copies of the required information to the appellant

Sh. Sanjeev Kumar, Clerk, who appeared on behalf of the respondent PIO in today's hearing, states that in response to the RTI request, the required information has already been sent to the appellant vide letter dated 07.04.2021 through registered post. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 4874 dated 07.04.2021, which has been received in the Commission through an e-mail. It is taken on record.

The appellant, Sh. Harish Chand, is not present in today's hearing. He is advised to confirm whether he has received the information, which has been sent to him by the respondent PIO vide letter dated 07.04.2021 and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned. He is also advised to represent this case in person or through his representative on the next date fixed for hearing through facility of Software/application 'CISCO Webex Meetings' so that facts of this case could be cleared.

The case is adjourned to 4th August, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date :12th May, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Jasbir Singh,
Village – Bholapur Jhabewal,
P. O. – Ramgarh,
Distt. – Ludhiana - 123455 (Punjab)

...Appellant

V/s

Public Information Officer-cum-
Assistant Transport Officer,
O/o The Secretary,
Regional Transport Authority,
Faridkot (Punjab)

First Appellate Authority,
O/o The State Transport Commissioner, Pb.
Sector 17, Chandigarh

...Respondents

Appeal Case No. 3011 of 2019

Present : None on behalf of the appellant.
Sh. Sanjeev Kumar, Clerk, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 25.03.2019. First appeal is dated 26.04.2019. Second appeal has been received in the Commission on 19.08.2019.

On the last date of hearing, held on 11.01.2021,

- i) Neither the respondent PIO was present and nor any document was received in the case-file, showing that the required information was given to the appellant or penalty amount of Rs. 10,000/- (which was imposed upon Public Information Officer of office of Secretary, Regional Transport Authority, Faridkot vide order dated 20.01.2020) is paid.
- ii) Accordingly, a copy of the order was sent to State Transport Commissioner, Punjab, Chandigarh with the directions to ensure compliance of the order dated 20.01.2020 by deducting the penalty of Rs. 10,000/- (which was imposed upon the concerned PIO vide orders dated 20.01.2020) from the salary of Sh. Gurnam Singh.
- iii) A copy of the order was also sent to Principal Secretary to Government of Punjab, Department of Transport to ensure compliance of the order dated 20.01.2020 passed by the Commission regarding penalty, which was imposed upon the concerned Public Information Officer of office of Secretary, Regional Transport Authority, Faridkot and also to ensure compliance of the orders dated 03.02.2020, through which disciplinary action (which was recommended by the Commission under Section 20 (2) of the RTI Act against the concerned Public Information Officer.

Sh. Sanjeev Kumar, Clerk, who appeared on behalf of the respondent PIO in today's hearing, states that in response to the RTI request, the required information has already been supplied to the appellant and the appellant has also given acknowledgement of the same.

After examining the documents placed in the case-file, it is found that the appellant, Sh. Jasbir Singh through a letter dated 30.09.2020, has intimated the Commission that he has received the requisite information and satisfied with the same and asked for filing of his case. It is placed in the case-file.

After examining the documents placed in the case-file, it is found that the respondent has sent a reply signed by Deputy Controller (Finance & Accounts) vide letter no. 8502 dated 31.03.2021, which has been received in the Commission vide Diary No. 7613 dated 01.04.2021, showing that directions have been given to the Secretary, Regional Transport Authority, Sangrur vide letter no. 4181-82 dated 08.02.2021 to deduct the penalty amount of Rs. 10,000/- which was imposed vide orders dated 20.01.2020 from the salary of the PIO concerned. It, alongwith annexure, is taken on record.

As far as information is concerned that has been supplied in this case.

A copy of this order be sent through registered post to Secretary, Regional Transport Authority, Sangrur to ensure compliance of the order dated 20.01.2020 passed by the Commission regarding penalty, which was imposed upon the concerned Public Information Officer of office of Secretary, Regional Transport Authority, Faridkot now at Sangrur and send copy of supporting document/documents to the Commission, showing that penalty amount of Rs. 10,000/- which was imposed upon the concerned PIO vide orders dated 20.01.2020 has been deposited or deducted from the salary of the concerned PIO, to establish the fact that order of the Commission has been complied with, by the next date of hearing.

The case is **adjourned to 4th August, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

Date :12th May, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

(Regd. Post) The Secretary,
Regional Transport Authority,
Sangrur (Punjab)

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Jasbir Singh,
Village – Bholapur Jhabewal,
P. O. – Ramgarh,
Distt. – Ludhiana - 123455 (Punjab)

...Appellant

V/s

Public Information Officer-cum-
Assistant Transport Officer,
O/o The Secretary,
Regional Transport Authority,
Faridkot (Punjab)

First Appellate Authority,
O/o The State Transport Commissioner, Pb.
Sector 17, Chandigarh

...Respondents

Appeal Case No. 3009 of 2019

Present : None on behalf of the appellant.
Sh. Sanjeev Kumar, Clerk, on behalf of the respondent..

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 11.03.2019. First appeal is dated 26.04.2019. Second appeal has been received in the Commission on 19.08.2019.

On the last date of hearing, held on 11.01.2021,

- i) Neither the respondent PIO was present and nor any document was received in the case-file, showing that the required information was given to the appellant or penalty amount of Rs. 10,000/- (which was imposed upon Public Information Officer of office of Secretary, Regional Transport Authority, Faridkot vide order dated 20.01.2020) is paid.
- ii) Accordingly, a copy of the order was sent to State Transport Commissioner, Punjab, Chandigarh with the directions to ensure compliance of the order dated 20.01.2020 by deducting the penalty of Rs. 10,000/- (which was imposed upon the concerned PIO vide orders dated 20.01.2020) from the salary of Sh. Gurnam Singh.
- iii) A copy of the order was also sent to Principal Secretary to Government of Punjab, Department of Transport to ensure compliance of the order dated 20.01.2020 passed by the Commission regarding penalty, which was imposed upon the concerned Public Information Officer of office of Secretary, Regional Transport Authority, Faridkot and also to ensure compliance of the orders dated 03.02.2020, through which disciplinary action (which was recommended by the Commission under Section 20 (2) of the RTI Act against the concerned Public Information Officer.

Sh. Sanjeev Kumar, Clerk, who appeared on behalf of the respondent PIO in today's hearing, states that in response to the RTI request, the required information has already been supplied to the appellant and the appellant has also given acknowledgement of the same.

After examining the documents placed in the case-file, it is found that the appellant, Sh. Jasbir Singh through a letter dated 30.09.2020, has intimated the Commission that he has received the requisite information and satisfied with the same and asked for filing of his case. It is placed in the case-file.

After examining the documents placed in the case-file, it is found that the respondent has sent a reply signed by Deputy Controller (Finance & Accounts) vide letter no. 8216 dated 25.03.2021, which has been received in the Commission vide Diary No. 7615 dated 01.04.2021, showing that directions have been given to the Secretary, Regional Transport Authority, Sangrur vide letter no. 4181-82 dated 08.02.2021 to deduct the penalty amount of Rs. 10,000/- which was imposed vide orders dated 20.01.2020 from the salary of the PIO concerned. It, alongwith annexure, is taken on record.

As far as information is concerned that has been supplied in this case.

A copy of this order be sent through registered post to Secretary, Regional Transport Authority, Sangrur to ensure compliance of the order dated 20.01.2020 passed by the Commission regarding penalty, which was imposed upon the concerned Public Information Officer of office of Secretary, Regional Transport Authority, Faridkot now at Sangrur and send copy of supporting document/documents to the Commission, showing that penalty amount of Rs. 10,000/- which was imposed upon the concerned PIO vide orders dated 20.01.2020 has been deposited or deducted from the salary of the concerned PIO, to establish the fact that order of the Commission has been complied with, by the next date of hearing.

The case is adjourned to 4th August, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date :12th May, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

(Regd. Post) The Secretary,
Regional Transport Authority,
Sangrur (Punjab)

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Rajesh Kumar,
Ward No. 5, Near Hind Hospital,
Ahmedgarh, Distt. - Sangrur (Punjab)

...Complainant

V/s

Public Information Officer,
O/o The Secretary,
Regional Transport Authority,
Sangrur (Punjab)

...Respondents

Complaint Case No. 369 of 2019

Present : Sh. Rajesh Kumar, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.
The RTI request is dated 24.01.2019. The complaint has been received in the Commission on

10.04.2019.

On the last date of hearing, held on 11.01.2021, another opportunity was given to the respondent-PIO concerned to supply the certified copies of the remaining information to the appellant as per queries raised by the appellant through RTI request. If any information, to any query/queries raised by the appellant through RTI request, is not available or maintained in the official record, he/she (respondent-PIO concerned) will file a reply, in writing, to the particular query/queries, to the appellant with a copy to the Commission.

The appellant, Sh. Rajesh Kumar, who appeared in person in today's hearing, states that remaining information has not been supplied to him by the respondent PIO so far.

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 Commission took a serious view of this casual approach of the respondent PIO, moreover, the requisite information has not been supplied by the respondent PIO to the information seeker even after the directions were given by the Commission vide orders dated 11.01.2021.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Secretary, Regional Transport Authority, Sangrur, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed through facility of Software/application 'CISCO Webex Meetings', it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. A copy of this order be sent to him through registered post.

Last and final opportunity is given to the respondent-PIO concerned either to supply the certified copies of the remaining information to the appellant as per queries raised by the appellant through RTI request. If any information, to any query/queries raised by the appellant through RTI request, is not available or maintained in the official record, he/she (respondent-PIO concerned) will file a reply, in writing, to the particular query/queries, to the appellant with a copy to the Commission, by the next date of hearing.

The case is adjourned to 4th August, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date :12th May, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Harsharandip Singh,
173/9, Adarsh Nagar,
Dharamkot,
Distt. – Moga - 142042(Punjab)

.... Complainant

V/s

Public Information Officer,
O/o The Director,
Technical Education and Industrial Training,
Punjab, Sector 36-A, Chandigarh

...Respondent

Complaint Case No. 100 of 2020

Present : None on behalf of the complainant in person.
Sh. Rupinder Singh, Deputy Director-cum-PIO, in person.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 24.09.2018. The complaint has been received in the Commission on 23.01.2020.

On the last date of hearing, held on 11.01.2021, If, the enquiry pertains to the period, regarding which the information has been sought by the complainant , then, the respondent-PIO concerned was directed to file a reply, in writing, specifically mentioning the time period regarding which vigilance enquiry is pending.

The complainant, Sh. Harsharandip Singh is not present in today's hearing.

As on the earlier hearing, held on 11.01.2021, the appellant has pointed out that he has demanded final selection list, waiting list, offer letters to join the service etc. of Contract Bases Instructors, whose services were regularized on 01.04.2011 and opportunity was given to the respondent PIO to file a reply regarding the enquiry (regarding which the information has been sought by the complainant) .

Sh. Rupinder Singh, Deputy Director-cum-PIO, who appeared in person in today's hearing, seeks an adjournment in this case so that the required information could be collected from the concerned branch.

Nevertheless, last opportunity is given to the respondent-PIO concerned either to supply the required information to the complainant after collecting the same from the concerned branch or send a reply, in writing, to the complainant specifically mentioning the time period regarding which vigilance enquiry is pending, with a copy to the Commission .

The appellant is advised to confirm whether he has received the information/reply, which would be sent to him by the respondent PIO, by the next date of hearing. He is also advised to represent this case in person or through his representative on the next date fixed for hearing through facility of Software/application 'CISCO Webex Meetings' so that facts of this case could be cleared.

The case is adjourned to 4th August, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date :12th May, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Sarabjeet Singh Gill,
House no. 60-35-P-376-1,
Street No. 8, Maha Singh Nagar,
P.O. - Dhandari Kalan,
Ludhiana-141014 (Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
Zone – B, Ludhiana(Punjab)

First Appellate Authority,
O/o The Commissioner,
Municipal Corporation,
Ludhiana (Punjab)

...Respondents

Appeal Case No. 108 of 2020

Present : None on behalf of the appellant in person.
Sh. Sunil Kumar, Assistant Town Planner, Zone – B, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 07.10.2019. First appeal is dated 09.11.2019. Second appeal has been received in the Commission on 30.12.2019.

On the last date of hearing, held on 11.01.2021, another opportunity was given to the appellant to visit the office of the respondent PIO on 04.02.2021 at 11:00 A. M. to collect the required information

In today's hearing, Sh. Gurmej Lal, appeared on behalf of the appellant, Sh. Sarabjeet Singh Gill to represent the case despite the fact that several opportunities were given to the appellant (himself) to appear personally during the proceedings of the Court, hence, presence of Sh. Gurmej Lal in today's hearing is not acceptable.

Sh. Sunil Kumar, Assistant Town Planner, Zone – B, who appeared on behalf of the respondent PIO in today's hearing, states that in response to the RTI request, the requisite information has already been supplied to the appellant vide letter dated 08.01.2021 through registered post and again vide letter dated 02.02.2021. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 3010 dated 08.02.2021, which has been received in the Commission vide Diary No. 3010 dated 08.02.2021. It, alongwith annexure, is taken on record.

An opportunity is given to the appellant to confirm whether he has received the information or not. An opportunity is given to the appellant, Sh. Sarabjeet Singh Gill (himself) to represent this case in person on the next date fixed for hearing through facility of Software/application 'CISCO Webex Meetings'. He is also advised to confirm whether he has received the information or it would be assumed that the appellant does not wish to pursue this case further and the case would be decided on merits

The case is adjourned to 4th August, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date :12th May, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Subash Chander,
Street No. 02, New Luxmi Nagar,
Kapurthala(Punjab)

....Appellant

V/s

(Regd. Post)

letter dated 21.04.2021

Public Information Officer,
O/o The Executive Officer,
Municipal Corporation,
Kapurthala (Punjab)

First Appellate Authority,
O/o The Executive Officer,
Municipal Corporation,
Kapurthala (Punjab)

...Respondents

Appeal Case No. 564 of 2020

Present : Sh. Pawan Kalia, Advocate, on behalf of the appellant.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 13.08.2019. First appeal is dated 14.11.2019. Second appeal has been received in the Commission on 30.01.2020.

On the last date of hearing, held on 03.03.2021, last opportunity was given to the respondent-PIO concerned either to supply the certified copies of the required information to the appellant as per queries raised by the appellant through RTI request. If any information, to any query/queries raised by the appellant through RTI request, is not available or not maintained in the official record, he/she (respondent-PIO concerned) will file a reply, in writing, to the particular query/queries, to the appellant with a copy to the Commission.

Sh. Pawan Kalia, Advocate, who appeared on behalf of the appellant, in today's hearing, states that misleading and contradictory information has been given to the appellant. He also intimates the Commission that the appellant has pointed out certain deficiencies in the supplied information through a letter dated 21.04.2021, which has been received in the Commission vide Diary No. 9448 dated 27.04.2021. It is taken on record.

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 Commission took a serious view of this casual approach of the respondent PIO, moreover, the requisite information has not been supplied by the respondent PIO to the information seeker even after the directions were given by the Commission vide orders dated 03.03.2021.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Executive Officer, Municipal Corporation, Kapurthala, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant under the provisions of the RTI Act, 2005.

Contd...2/-

He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed through facility of Software/application 'CISCO Webex Meetings', it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

The respondent PIO concerned is directed to supply the information, after removing the deficiencies, which has been pointed out by the appellant vide letter dated 21.04.2021 to him by registered post with a copy to the Commission. A copy of this order alongwith letter dated 21.04.2021 (through which deficiencies has been pointed out by the appellant) be sent to him through registered post

An opportunity is also given to the appellant to confirm whether he has received the required information or not.

The case is adjourned to 4th August, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date :12th May, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Encl : letter dated 21.04.2021

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'