

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

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Helpline No.: 0172-2864100 (From 10.00 AM to 04.00 PM on working days)



Shri Chanderdeep Maggu,
Advocate, Chamber No.172,
Block C, District Court Complex,
Fazilka.

.....Appellant

Versus

Public Information Officer

O/o District Development &
Panchayat Officer (DDPO),
Fazilka.

First Appellate Authority

O/o Addl. Deputy Commissioner (Dev.),
Fazilka.

...Respondents

AC No.4430/2021

Present: (i) **Shri Chanderdeep Maggu,Appellant (Cisco Webex).**
(ii) **None on behalf of PIO/Respondent.**

ORDER

(Heard through cisco webex)

1. This order may be read with reference to the order dated 12.07.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Chanderdeep Maggu, appellant comes present to attend the hearing through cisco webex. He states that he has not been provided complete information so far.
3. Neither the PIO O/o Block Development & Panchayat Officer, Fazilka, has come present to attend the hearing in person or through cisco webex nor he has deputed any of his representatives to attend the hearing.
4. The Bench, on perusal of the case file, observes that the PIO O/o BDPO Fazilka has absented himself for the fourth consecutive hearing in spite of the directions given by the DDPO Fazilka vide his letter dated 10.08.2022 to attend the hearing. The Bench further observes that though the appellant has pointed out deficiencies in the information supplied by the BDPO, Fazilka vide letter dated 11.02.2022 and 10.06.2022, but the complete information has not been supplied to the appellant. The Bench further observes that reply to the show cause notice issued on 19.01.2022 has not been filed. During the previous hearing, the PIO was directed to comply with the directions of the Bench in totality as also to come present in person bringing along the entire relevant record, but the things remain the same. This indifferent and casual approach towards the directions of the Bench is viewed adversely.



-2-

AC No.4430/2021

5. In view of the above, the Bench is constrained to issue bailable warrant to the PIO O/o BDPO Fazilka to ensure his presence before the Bench on the next date of hearing. The PIO is again directed to comply with the directions of the Bench in totality and ensure to come present in person before the Bench on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 18.10.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

**Chandigarh
12.09.2022**

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

Copy to:

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

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Shri Hardeep Singh
S/o Shri Harnam Singh
R/o Village Mandi Hazoor Singh,
PO Karni Khera,
Tehsil & District Fazilka.

.....Appellant

Versus

Public Information Officer

O/o Addl. Deputy Commissioner (Dev.)
Fazilka.

First Appellate Authority

O/o. Deputy Commissioner ,
Fazilka.

...Respondents

AC No.183/2022

Present: (i) **Shri Hardeep Singh, Appellant,.**
(ii) **None on behalf of the PIO/respondent.**

ORDER

(Heard through cisco webex)

1. This order may be read with reference to the order dated 12.07.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Hardeep Singh, appellant comes present to attend the hearing through cisco webex. He states that no information has been supplied to him so far.
3. Neither the PIO O/o Additional Development Commissioner (Development.), Fazilka has come present to attend the hearing in person or through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO nor any intimation has been received from him.
4. The Bench had observed during the previous hearing that the ADC (Dev.), Fazilka had directed the BDPO Fazilka to attend the hearing and further, the BDPO Fazilka, vide letter dated 30.06.2022, had transferred the RTI application to Shri Santokh Singh, Panchayat Secretary-cum-PIO, Gram Panachayat Mandi Hazur Singh, Muthianwali, Channan Wala and Karni Khera directing him to supply information to the appellant as also to attend the hearing before the Commission. But he has neither supplied information to the appellant nor he has come present to attend the hearing in person before the Bench.
5. Now, the BDPO Fazilka vide his letter dated 08.09.2022 has submitted that Shri Santokh Singh, Panchayat Secretary, Gram Panchayat, Karni Khera, Muthianwali, Channan Wala and Mandi Hazur Singh has been transferred to Panchayat Samiti, Balachaur, District SBS Nagar and that before his transfer,

he had been directed on 08.07.2022 to hand over the record, but he has not handed over the record relating to above said Gram Panchayats. He has also been directed to hand over record vide letters dated 29.07.2022, 09.08.2022, 22.08.2022, 26.08.2022 and 08.09.2022, but the said record has not been handed over so far by Shri Santokh Singh and thus, due to non handing over record by him, the information cannot be supplied. He has further requested for adjournment due to the visit of Hon'ble Governor of Punjab to Block Fazilka on 13.09.2022.

6. Shri Santokh Singh, The previous PIO/ Panchayat Secretary, Gram Panachayat Mandi Hazur Singh, Muthianwali, Channan Wala and Karni Khera, District Fazilka(Now O/o Panchayat Samiti, Balachaur) is hereby directed to supply information to the appellant as also to file reply to the show cause notice issued on 06.04.2022. He is also to ensure to come present in person before the Bench on the next hearing, failing which, the Bench will be constrained to issue bailable warrant to ensure his presence before the Bench.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 18.10.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.09.2022**

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

Copy to (By Regd.Post):

- i) **PIO O/o Additional Deputy Commissioner (Development), Fazilka.**
- ii) **BDPO Fazilka, to ensure that information is supplied by Shri Santokh Singh, Panchayat Secretary to the appellant and he attends the hearing in person before the Bench.**
- iii) **Shri Santokh Singh, Panchayat Secretary O/o Panchayat Samiti, Balachaur, Distt. SBS Nagar (previously Panchayat Secretary, Gram Panachayat Mandi Hazur Singh, Muthianwali, Channan Wala and Karni Khera, Block Fazilka, District Fazilka) to comply with the directions of Bench.**

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Shri Rakesh Kumar Gupta
Advocate,
8/237, Jagraon Road,
Mandi Maullanpur,
Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Mullanpur Dakha,
District Ludhiana.

First Appellate Authority

O/o Deputy Director,
Local Bodies,Ludhiana.

....Respondents

AC No.763 of 2020

Present: (i) Appellant- absent.
(ii) Shri Lakhwinder Singh, Junior Assistant on behalf of the
PIO, M.C. Mullanpur Dakha, in person.

ORDER

1. This order may be read with reference to the order dated 13.07.2022 passed by this Bench on the previous date of hearing.
2. The case has been heard today. Shri Rakesh Kumar Gupta, appellant has not come present to attend the hearing in person or through Cisco Webex. He has, however, sent an e.mail dated 12.09.2022 stating that he has to attend a court case at Ludhiana and thus, he will not be able to attend the hearing. He further states that he has also not been allowed inspection of records on 29.04.2022 and no additional information has been provided.
3. Shri Lakhwinder Singh, Junior Assistant O/o M.C. Mullanpur Dakha comes present in person before the Bench. He states that Shri Manohar Singh, previous Executive Officer/PIO, Municipal Council, Mullanpur Dakha has been transferred and produces before the Bench a declaration dated 21.03.2022 signed by the pIO and attested by Notary Public.
4. The Bench observes that during the previous hearing, the appellant had sent e.mail that he was away to Shirdi (Maharashtra) on religious pilgrimage and had sought adjournment. Today also, he has sent an e.mail that he is to attend a court case at Ludhiana and thus, is unable to attend the hearing. It, thus, emerges that the appellant is time and again seeking adjournments and making submissions through e.mail only.

Cont.P-2



-2-

AC No.763/2020

5. The Bench further observes that the contents of the declaration produced before the Bench are not in order and thus, is not accepted. The Bench now directs the PIO to again call the appellant to inspect the record in his office and provide information to the appellant as is identified by him after inspection of records.

5. After supplying the information to the appellant, the PIO is directed to file an affidavit on non judicial stamp paper, duly signed by the PIO and attested by the Notary Public to the effect that the appellant was called for inspection of records and the requisite information as available in AC No.763/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the information supplied is true and correct. The PIO is also directed to come present in person before the Bench on the next hearing along with the original affidavit and copy of the information supplied. The appellant is also advised to come present in person before the Bench.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 18.10.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.09.2022**

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

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Shri Rakesh Kumar Gupta
Advocate,
8/237, Jagraon Road,
Mandi Maullanpur,
Distt. Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Mullanpur Dakha,
District Ludhiana.

First Appellate Authority

O/o Deputy Director,
Local Bodies, Ludhiana.

....Respondents

AC No.634 of 2020

Present: (i) **Appellant- absent.**
(ii) **Shri Lakhwinder Singh, Junior Assistant on behalf of the
PIO, M.C. Mullanpur Dakha, in person.**

ORDER

1. This order may be read with reference to the order dated 13.07.2022 passed by this Bench on the previous date of hearing.
2. The case has been heard today. Shri Rakesh Kumar Gupta, appellant has not come present to attend the hearing in person or through Cisco Webex. He has, however, sent an e.mail dated 12.09.2022 stating that he has to attend a court case at Ludhiana and thus, he will not be able to attend the hearing. He further states that he has also not been allowed inspection of records on 29.04.2022 and no additional information has been provided.
3. Shri Lakhwinder Singh, Junior Assistant O/o M.C. Mullanpur Dakha comes present in person before the Bench. He states that Shri Manohar Singh, previous Executive Officer/PIO, Municipal Council, Mullanpur Dakha has been transferred and produces before the Bench a declaration dated 21.03.2022 signed by the PIO and attested by Notary Public.
4. The Bench observes that during the previous hearing, the appellant had sent e.mail that he was away to Shirdi (Maharashtra) on religious pilgrimage and had sought adjournment. Today also, he has sent an e.mail that he is to attend a court case at Ludhiana and thus, is unable to attend the hearing. It, thus, emerges that the appellant is time and again seeking adjournments and making submissions through e.mail only.

Cont.P-2



-2-

AC No.634/2020

5. The Bench further observes that the contents of the declaration produced before the Bench are not in order and thus, is not accepted. The Bench now directs the PIO to again call the appellant to inspect the record in his office and provide information to the appellant as is identified by him after inspection of records.

5. After supplying the information to the appellant, the PIO is directed to file an affidavit on non judicial stamp paper, duly signed by the PIO and attested by the Notary Public to the effect that the appellant was called for inspection of records and the requisite information as available in AC No.634/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the information supplied is true and correct. The PIO is also directed to come present in person before the Bench on the next hearing along with the original affidavit and copy of the information supplied. The appellant is also advised to come present in person before the Bench.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 18.10.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.09.2022**

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

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Shri Amarjit Singh Dhamotia,
RTI Activist, Whistle Blower,
Distt. President, Ludhiana NCAG Office,
Street No.5, # 1331-5, Visawarma Bhawan,
Down Canal Road, Shimlapuri,
Ludhiana-141003.

...Appellant

Versus

Public Information Officer,
O/o Chief Administrator,
PUDA, Punjab, Chandigarh.

First Appellate Authority
O/o Addl. Chief Secretary,
Housing & Urban Development Deptt.,
Punjab, Chandigarh.

...Respondents

Appeal Case No.1437 of 2022

PRESENT : (i) **Shri Gurmej Lal, on behalf of the Appellant (cisco webex)**
(ii) **None on behalf of the PIO/Respondent.**

ORDER:

(Heard Through Cisco Webex)

1. This order may be read with reference to the order dated 13.07.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Gurmej Lal comes present to attend the hearing on behalf of the appellant Shri Amarjit Singh Dhamotia through cisco webex. He states that the appellant Shri Amarjit Singh Dhamotia is not feeling well and thus, is unable to attend the hearing. He further states that no information has been supplied to the appellant so far and also requests for adjournment of hearing.
3. Neither the PIO has come present to attend the hearing nor he has deputed any of his representatives to attend the hearing. During the previous hearing, it was observed that the PIO-cum-Superintendent, Department of Housing and Urban Development, Govt. of Punjab had addressed a letter dated 21.04.2022 directing the PIO O/o GLADA, Ludhiana to supply information and to attend the hearing. As such, the PIO O/o GLADA, Ludhiana was directed to supply information to the appellant and attend the hearing in person before the Bench. However, the PIO O/o GLADA has failed to comply with the direction of the Bench. This indifferent attitude and casual approach of the PIO O/o GLADA, Ludhiana is viewed adversely.

4. The PIO O/o Chief Administrator, GLADA, Ludhiana is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and for not supplying requisite information to the appellant. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

5. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for 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 proceedings against him ex-parte.

6. The PIO is directed to supply requisite information to the appellant before the next hearing as also ensure to come present in person before the Bench, failing which, the Bench will be constrained to issue bailable warrant to ensure his presence before the Bench.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 11.10.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.09.2022**

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

Copy to (By Regd.Post)

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

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Shri Rajnish Bharara
520, Preet Colony,
Zirakpur, District Mohali.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Phagwara.

First Appellate Authority-cum-
O/o O/o Municipal Corporation,
Phagwara.

...Respondents

AC No.722/2022

Present: (i) **Shri Rajnish Bharara, Appellant, in person.**
(ii) **Shri Mukesh Kesar, Superintendent , RTI/APIO, O/o Municipal Corporation, Phagwara, District Kapurthala, in person.**

ORDER:

1. This order may be read with reference to the order dated 13.07.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Rajnish Bharara, appellant comes present to attend the hearing in person before the Bench.
3. Shri Mukesh Kesar, Superintendent, RTI/APIO, Municipal Corporation, Phagwara comes present to attend the hearing in person before the Bench and states that he has recently joined after his transfer to M.C. Phagwara and that information has been provided to the appellant vide letter dated 07.07.2022. He also reiterates the statement made by the previous APIO Shri Ashok Kumar Garg who had attended the previous hearing and hands over the information relating to point No.3 & 4 of RTI application of the appellant.
4. On the perusal of information handed over to the appellant, the appellant expresses his dissatisfaction over the information supplied and states that he should be supplied specific information relating to each point of his RTI application.
5. Post deliberations, the Bench directs the PIO, Municipal Corporation, Phagwara to provide the information to the appellant relating to each point in an annotated form, showing therein the documents annexed relating to each point of RTI application, as also clarifying the position with regard to supply of information on each point before the next hearing.

Cont..P-2



-2-

AC No.722/2022

6. The PIO is again directed to bring along the information as directed as also the entire relevant record and produce the same before the Bench on the next hearing .

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 19.10.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.09.2022**

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

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Shri Rajnish Bharara
520, Preet Colony,
Zirakpur, District Mohali.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation, Phagwara.

Public Information Officer
O/o Superintending Engineer,
Municipal Corporation, Phagwara.

First Appellate Authority-cum-
O/o O/o Municipal Corporation,
Phagwara.

...Respondents

AC No.717/2022

Present: (i) **Shri Rajnish Bharara, Appellant, in person.**
(ii) **Shri Mukesh Kesar, Superintendent , RTI/APIO, O/o Municipal Corporation, Phagwara, District Kapurthala, in person.**

ORDER:

1. This order may be read with reference to the order dated 13.07.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Rajnish Bharara, appellant comes present to attend the hearing in person before the Bench.
3. Shri Mukesh Kesar, Superintendent, RTI/APIO, Municipal Corporation, Phagwara comes present to attend the hearing in person before the Bench and states that he has recently joined after his transfer to M.C. Phagwara and that information has been provided to the appellant vide letter dated 12.07.2022. He also reiterates the statement made by the previous APIO Shri Ashok Kumar Garg who had attended the previous hearing and hands over the information relating to point No.6 of RTI application of the appellant.
4. On the perusal of information handed over to the appellant, the appellant expresses his dissatisfaction over the information supplied and states that he should be supplied specific information relating to each point of his RTI application.
5. Post deliberations, the Bench directs the PIO, Municipal Corporation, Phagwara to provide the information to the appellant relating to each point in an annotated form, showing therein the documents annexed relating to each point of RTI application, as also clarifying the position with regard to supply of information on each point before the next hearing.



-2-

AC No.717/2022

6. The Bench observes that during the previous hearing, Superintending Engineer (Civil), Municipal Corporation, Phagwara was impleaded as Respondent No.2 and directed to supply information on the points relating to him, but he has neither come present in person before the Bench nor he has supplied any information. He is also directed to supply information to the appellant in an annotated form as stated above in para 5.

7. The PIO O/o Municipal Corporation, Phagwara and PIO/Superintending Engineer, Municipal Corporation, Phagwara are directed to bring along the information as directed as also the entire relevant record and produce the same before the Bench on the next hearing .

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 19.10.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.09.2022**

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

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Shri Gobind Singh
S/o Shri Ajaib Singh,
Near Govt. Primary School, Akarwas
District Sangrur.

.....Appellant

Versus

Public Information Officer
O/o Block Development and
Panchayat Officer (BDPO)
Lehragaga, Distt. Sangrur.

First Appellate Authority
O/o Block Development and
Panchayat Officer (BDPO)
Lehragaga, Distt. Sangrur.

...Respondents

AC No.283/2022

Present: (i) **Shri Gobind Singh, Appellant, in person.**
(ii) **None on behalf of the PIO/respondent.**

ORDER

1. This order may be read with reference to the order dated 19.07.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Gobind Singh, appellant comes present to attend the hearing in person before the Bench. He states that he has been supplied information relating to total grant received and the total expenditure incurred on the development works, but no details have been provided on the amount spent on various works executed.
3. Shri Gurtej Singh, Panchayat Secretary, Gram Panchayat, Arkwas, Block Lehragaga has not come present to attend the hearing in person before the Bench or through cisco webex. He is contacted on his mobile phone. He is made to talk to the appellant Shri Govind Singh. The appellant explains to him the deficiencies in the information supplied. The Bench talks to the respondent Shri Gurtej Singh. On apprising him of deficiencies as pointed out by the appellant, he, however, states that another date be given to him and assures to supply complete information to the appellant.
4. The Bench, accedes to the request of Shri Gurtej Singh however, directs him to bring along the information after removing deficiencies as pointed out by the appellant as also the original record with him and produce the same before the Bench on the next hearing.



-2-

AC No.283/2022

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 18.10.2022 at 11.30 AM in Commission's office at Chandigarh.** Copy of the order be sent to the parties.

**Chandigarh
12.09.2022**

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

**PUNJAB STATE INFORMATION COMMISSION
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Shri Maninder Singh Patti,
S/o Late Shri Kashmir Singh,
5550, Sector:38 West, Chandigarh.
Mobile No: 9815995599.

....Complainant

Versus

Public Information Officer

O/o PSPCL,
Sub Urban Circle, Border Zone,
Amritsar.

...Respondent

CC No. 491 of 2022

Present: (i) Complainant – absent.
(ii) Shri Ravinderpal Singh, Revenue Accountant, and Shri Lakhwinder Pal, Lineman, South Sub Division, PSPCL, Amritsar(9646811233) in person.

ORDER

1. This order may be read with reference to the order dated 23.08.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. The complainant or his representative Shri Gurnoor Singh Sandhu, Advocate who had come present on the previous hearing have not come present in person or through cisco webex.
3. Shri Ravinderpal Singh, Revenue Accountant, South Sub Division O/o PSPCL, Amritsar comes present to attend the hearing in person before the Bench and produces before the Bench authority letter to attend the hearing. He states that the representative of complainant was called to inspect the records on 02.09.2022 but he failed to turn up. He further states that he has also brought along the record relating to the period from August,1998 to September, 2003. The same has been perused thoroughly; however, the name of complainant does not exist in the record. Shri Gurnoor Singh Sandhu, Advocate is contacted on mobile phone. He states that he is busy in Hon'ble High Court and that the complainant himself is to attend the court. The complainant on contacting on mobile phone states that he is unwell, as such, seeks adjournment.
4. Post deliberations, the representative of the complainant is advised to visit the office of the PIO and inspect the case related documents after coordinating the date & time of inspection with the PIO.

Contr..P-2



-2-

Complaint Case No.491 of 2022

5. The PIO is directed to come present on the next date of hearing along with the case related documents.

6. With the aforesaid directions, **the matter is adjourned. To come up for hearing on 10.10.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.09.2022**

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