

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Jang Bahadur,
S/o Jai Chand,
Mandi Aminganj, Rodha,
Tehsil & District Fazilka.

Versus

Public Information Officer,
o/o Secretary,
Mandi Market Committee,
Arniwala Sheikh Subhan,
Tehsil & District Fazilka.

Complaint Case No. 928 of 2020 (Video Conference Proceedings)

PRESENT:

Jang Bahadur (Complainant) 98768-18803

Gurpreet Singh Sidhu, Secretary Market Committee (for the Respondent) 94173-80321

ORDER:

(To be read in continuity with earlier orders on 26.3.2021)

1. The complainant, **Jang Bhadur**, filed this RTI application dated **7.9.2020** and sought information **regarding his complaint**, from the PIO o/o **Secretary, Mandi Market Committee, Arniwala Sheikh Subhan, Tehsil & District Fazilka**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **8.12.2020**. The case was last heard on **26.3.2021**.

2. Both parties are present via Video Conference from Fazilka. As directed at the last hearing on 26.3.2021, the respondent PIO has submitted a point-wise reply to the RTI application. The appellant however, states that he has still not received information pertaining to point No. 11 of the RTI application. He also stated that the respondent PIO has invited him to inspect the record in the office of Market Committee, Arniwala. On the appellant's request, the inspection is set at 11.00 am on 8.11.2021. The Secretary, Market Committee Arniwala, Sh. Gurpreet Singh Sidhu shall remain personally present to assist the appellant on said time and date.

3. **Next hearing on 13.1.2022 at 11.00 am via Video Conference Facility from DC office, Fazilka.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
12.10.2021

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Rahul Gupta,
S/o Dharampal,
170, Street No. 6,
Mohalla Hargobindpura,
Jagraon, District Ludhiana.

Versus

Public Information Officer,
o/o Deputy Commissioner,
District Moga.
First Appellate Authority,
o/o Deputy Commissioner,
District Moga.

Appeal Case No. 3833 of 2020 (Video Conference Proceedings)

PRESENT:

Baljeet Singh Gill (for the Appellant) 84278-00076
Rajwinder Kaur, APIO-cum-Superintendent (for the Respondent) 95024-03330
Rajpreet Kaur, ADO from BDPO office Moga 1 (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 26.3.2021)

1. The RTI application is dated **31.8.2020** vide which the appellant has sought information **regarding the MNREGA Scheme in Village Kokri Kalan from 2013 to 2018**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.10.2020** and Second Appeal was filed in the Commission on **4.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.3.2021**.
2. Both parties are present via Video Conference Facility from Moga. The respondent PIO, represented by Rajpreet Kaur, ADO Moga-1, stated that the requested information was sent to the appellant on 15.12.2020. The appellant however, again insists that he did not receive anything. The respondent is carrying another copy of the said information to this hearing. She is directed to hand over the same (36 pages) to the appellant after attesting every page. This must be done today itself.
3. The respondent PIO is also directed to send a copy of the said reply and information, to this Commission by registered post.
4. **Next hearing on 2.2.2022 at 11.00 am via Video Conference Facility from DC office, Moga.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
12.10.2021

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Rupinder Singh,
S/o Aman Singh,
Guru Kripa Niwas, New Apex Colony,
Dusanjh Road, District Moga.

Versus

Public Information Officer,
o/o Deputy Commissioner,
District Moga.
First Appellate Authority,
o/o Deputy Commissioner,
District Moga.

Appeal Case No. 411 of 2021 (Video Conference Proceedings)

PRESENT:

Suresh Sood (for the Appellant) 99880-39081

Rajwinder Kaur, APIO-cum-Superintendent (for the Respondent) 95024-03330

ORDER:

*(To be read in continuity with earlier orders on **26.3.2021**)*

1. The RTI application is dated **9.3.2020** vide which the appellant has sought information **regarding Royal Gun House**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.9.2020** and Second Appeal was filed in the Commission on **11.1.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.3.2021**.

2. Both parties are present via Video Conference Facility from Moga. As per his reply to this Commission vide Letter No. 3082 Dated 30.3.2021, the respondent PIO has stated that a reply along with the information was given to the appellant vide Letter No. 2496 Dated 14.12.2020. The appellant, represented by Suresh Sood, contends that the information supplied is incomplete with respect to all 4 points of the RTI application.

3. The respondent offered to arrange for the appellant to inspect the record in her office. The respondent PIO is herewith directed to arrange for the inspection at 11.00 am on 8.11.2021. The APIO-cum-Superintendent, Rajwinder Kaur, shall be personally present to assist the appellant and to supply a duly attested copies of the record requested by the appellant.

4. **Next hearing on 2.2.2022 at 11.00 am via Video Conference Facility from DC office, Moga.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
12.10.2021

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REGISTERED SHOW CAUSE NOTICE

Shambu Nath Sood,
S/o Bal Krishan Sood,
515, Rama Street, (Near Arya Girls School),
Arya School Road,
District Moga.

Versus

Public Information Officer,
o/o Commissioner,
Municipal Corporation,
District Moga.
First Appellate Authority,
o/o Commissioner,
Municipal Corporation,
District Moga.

Appeal Case No. 3832 of 2020 (Video Conference Proceedings)

PRESENT:

Shambu Nath Sood (Appellant) 94637-88711
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 26.3.2021)

1. The RTI application is dated **26.6.2020** vide which the appellant has sought information **regarding the file / proceedings vide which private contractors were given contracts for advertisement in public places etc. in Four points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.8.2020** and Second Appeal was filed in the Commission on **4.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.3.2021**.

2. The respondent PIO is absent without intimation. At the last hearing on 26.3.2021, the respondent PIO represented by Lalit Kumar, Clerk, on his own request, was granted 15 days time to submit a pointwise reply along with requested information to the appellant. A copy was to be submitted to the Commission. The respondent PIO has failed to comply. The respondent PIO was additionally directed to submit a list of all officers who held the position of PIO Municipal Corporation, Moga, since the filing of this RTI application on 26.6.2020. He has failed to comply. Meanwhile, in a reply to the appellant vide Letter No. 111/ADB Dated 21.6.2021, the respondent PIO supplied partial information with respect to point No. 2 of the RTI application.

3. As per the appellant, no other information has been supplied. This Commission takes a very serious view of the respondent PIO's conduct in willfully withholding the information requested in this RTI application and disregarding this Commission's orders. The respondent PIO is herewith served with this Show Cause Notice.

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Appeal Case No. 3832 of 2020 (Video Conference Proceedings)

4. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **26.6.2020**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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*.” Copies of this order be sent to the parties through registered post.

5. **Next hearing on 2.2.2022 at 11.00 am via Video Conference Facility from DC office, Moga.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
12.10.2021

Cc: Commissioner, Municipal Corporation, District Moga, for information and further necessary action.

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Gurdev Singh Sidhu,
S/o Ajit Singh,
3154, Sector-71,
District Mohali – 160 071

Versus

Public Information Officer,
o/o Senior Superintendent of Police,
District Moga.
First Appellate Authority,
o/o Deputy Inspector General of Police,
Ferozepur Range,
District Ferozepur.

Appeal Case No. 2352 of 2020 (Video Conference Proceedings)

PRESENT:

Gurdev Singh Sidhu (Appellant) 94170-49417
ASI Charanjit Singh (for the Respondent) 97800-01275

ORDER:

(To be read in continuity with earlier orders on 26.3.2021)

1. The RTI application is dated **29.1.2020** vide which the appellant has sought information **regarding multiple applications submitted to the SHO Police Station Nihal Singh Wala and SSP Moga**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **12.3.2020** and Second Appeal was filed in the Commission on **28.8.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.3.2021**.

2. Both parties are present. The appellant was contacted via telephone during this hearing. The respondent PIO, represented by ASI Charanjit Singh, present via Video Conference Facility from Moga, has as directed by this Commission at the last hearing, submitted a copy of the information sent to the appellant. This is accompanied by written pointwise reply.

3. On examination of the reply and information, the Commission is of the view that RTI application has been adequately addressed. However, in view of the appellant's continuing contention that the information provided is incomplete, the respondent PIO is herewith requested to submit a written reply listing the documents already supplied to the appellant and clearly stating that no other information pertaining to this RTI application is available in the office of SSP Moga.

4. **Next hearing on 25.11.2021 at 11.00 am. (The appellant will attend the hearing via Cisco Webex, Meeting No. 1589054451 and the respondent PIO will attend the hearing via Video Conference Facility from DC office, Moga.)**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
12.10.2021