



Sh. Jaspal Singh  
S/o Sh. Rajesh Arora,  
319/3, Gurdeep Nagar,  
Jagraon, Distt. Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Executive Officer,  
Nagar Council, Jagraon,  
Distt. Ludhiana

First Appellate Authority,  
O/o Regional Dy. Director,  
Urban Local Bodies Department,  
Ludhiana

Respondents

**APPEAL CASE NO.1427/2017**

Date of RTI application :	15.03.2017
Date of First Appeal :	18.04.2017
Date of Order of FAA:	Nil
Date of 2 <sup>nd</sup> Appeal/complaint	23.05.2017

**Present:**        **Sh. Jaspal Singh, Appellant in person.**  
                      **Sh. Amrinder Singh, Executive Officer, NC Office, Jagraon – for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

The following order was passed by this forum on 21.11.2018:

*“This is a long standing case. The Commission finds that the complete information as sought by the appellant has not been provided to the appellant. The respondent Sh. Amrinder Singh EO, Municipal Committee submits that he has recently joined and ensures this forum to provide the complete information after looking into all the pending applications of RTI. While accepting his plea the commission desires him to ensure that the available information is provided to the appellant. Any laxity shall meet with serious consequences.”*

The case has come up today.

The respondent is present. He says that he has submitted a reply in the Commission



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**APPEAL CASE NO.1427/2017**

along with the affidavit. From its perusal, it transpires that the original application was filed by the appellant on 15.03.2017 and he was suitably informed vide communication dated 08.09.2017. The Commission further observes that the information sought is quite exhaustive in the nature of questionnaire. Even so the same was duly replied. The respondents have submitted in writing that appellant is habitually filing regular RTI applications, which are vexatious in nature. Instead of helping the public cause, he is obstructing it by keeping the staff occupied with his numerous applications for fishing and roving operations.

Having considered the matter holistically, the Commission is of the opinion that he is sufficiently informed. No further intervention is called for. The appeal is **disposed**.

**13.02.2019**

**Sd/-  
(Yashvir Mahajan)  
State Information Commissioner**



Sh. Jaspal Singh  
S/o Sh. Ramesh Arora,  
319/3, Gurdeep Nagar, Jagraon,  
Distt. Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Executive Officer,  
Nagar Council, Jagraon,  
(Distt. Ludhiana)

First Appellate Authority,  
O/o Deputy Director, Local Govt.  
Ludhiana

Respondents

**APPEAL CASE NO. 4208 of 2016**

Date of RTI Application	:24.09.2016
Date of First Appeal	:29.10.2016
Date of Order of FAA	:NIL
Date of Second Appeal	:19.12.2016

**Present:** Sh. Jaspal Singh, Appellant in person.  
Sh. Amrinder Singh, Executive Officer, NC Office, Jagraon – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

The following order was passed by this forum on 21.11.2018:

*“This is a long standing case. The Commission finds that the complete information as sought by the appellant has not been provided to the appellant. The respondent Sh. Amrinder Singh EO, Municipal Committee submits that he has recently joined and ensures this forum to provide the complete information after looking into all the pending applications of RTI. While accepting his plea the commission desires him to ensure that the available information is provided to the appellant. Any laxity shall meet with serious consequences.”*

The case has come up today.

The respondent is present. He says that he has submitted a reply in the Commission



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**APPEAL CASE NO. 4208 of 2016**

along with the affidavit. From its perusal, it transpires that the original application was filed by the appellant on 27.09.2016 and he was suitably informed vide communication dated 09.12.2016 followed by one on 26.03.2017. The Commission further observes that the information sought is quite exhaustive in the nature of questionnaire. Even so the same was duly replied. The respondents have submitted in writing that appellant is habitually filing regular RTI application, which are vexatious in nature. Instead of helping the public cause, he is obstructing it by keeping the staff occupied with his numerous applications for fishing and roving operations.

Having considered the matter holistically, the Commission is of the opinion that he is sufficiently informed. No further intervention is called for. The appeal is **disposed**.

**Sd/-**

**13.02.2019**

**(Yashvir Mahajan)  
State Information Commissioner**



Sh. Kuldip Kumar Kaura,  
5-C, Phase I, Urban Estate,  
Focal Point, Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Executive Officer,  
Municipal Council, Jagraon,  
Distt. Ludhiana

First Appellate Authority  
O/o Executive Officer,  
Municipal Council, Jagraon,  
Distt. Ludhiana

Respondents

**APPEAL CASE NO.3723 /2017**

Date of RTI application : 21.08.2017  
Date of First Appeal : 27.10.2017  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint :09.12.2017

**Present:** Sh. Kuldip Kumar Kaura, appellant in person  
Sh. Amrinder Singh, Executive Officer, MC Office, Jagraon – for Respondents

**ORDER**

**The case has been heard through video conferencing.**

This is a long standing case. In order to appreciate effectual matrix, the copy of interim order passed on 21.11.2018 is hereby reproduced.

*“The following order was made by this forum on 12.09.2018:*

*This is a long standing case. Interim orders directing the respondents to provide the information relating to the execution of development works and the compliance to the various statutes protecting the interest of the labourers were passed. The respondents so far have stone-walled the information on one pretext or the other.*

*The Commission is inclined to believe that the respondents are willfully denying the information at the behest of a contractor who probably has got some vested interests. Apparently, the respondents have rendered themselves liable for penal consequences. Sh. Sukhdev Singh Randhawa, PIO – cum – EO, Municipal Council, Jagraon is hereby issued a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to*

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*maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.*

*In addition to the written reply, the PIO is also 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. 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.*

*Meanwhile the respondents should ensure that the complete information in all respects is provided to the information seeker which has already been inordinately delayed.*

*The appellant is present. Sh. Amrinder Singh, PIO – cum – E.O., M.C. office, Jagraon is also present. He submits that Sh. Sukhdev Singh Randhawa, PIO – cum - E.O., MC, Jagraon has been transferred. He further states that he has recently joined.*

*Meanwhile from the perusal of the record it transpires that an affidavit has been filed by Sh. Sukhdev Singh Randhawa wherein he denies any intention on his part to delay the information to the appellant. The delay, according to him, if any, is attributable to the objections raised by the Society not to part with the information being third party one and partly to the appellant who delayed the clarification of some ambiguities in his application. The appellant may like to react on the submissions of Sh. Sukhdev Singh Randhawa and the information which hopefully shall be provided to him by the current incumbent.”*

The case has come up today for hearing.

The respondents reiterate their stance. The appellant on the other hand has attached

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the motives in withholding the information by the respondents in as much as the society was paying less remuneration to the labour than the contracted one without depositing the employer's share with the provident authorities. The Commission will not like to go into it. Rather it desires the Director in the Department of Local Government, Punjab to look into it and take appropriate action.

The original application was filed by the appellant on 21.08.2017. Having failed to procure the information, the second appeal was filed with the Commission on 09.12.2017. From the record, it transpires that the information allegedly inadequate, was supplied by the respondents vide letter dated 21.02.2018. It does not fall in the realm of confidentiality or secrecy. Even so, the respondents should have completed the exercise at the most in 45 days by passing a seeking order. There is nothing on record that suggests that such an exercise was undertaken. The PIO has requested to file the appeal as no malafide is attributable in withholding the information.

The Commission has given a thoughtful consideration to the submissions made by the respondents. The PIO has failed to provide any reasonable cause to delay the information. The nature of information sought is very simple and should have been displayed voluntarily on the website. The delay is substantial and more than 100 days. Sh. Sukhdev Singh Randhawa, the then PIO-cum- Executive Officer has failed to provide the information and explain the inordinate delay. His culpability is established. Exercising its authority under Section 20(1) of the RTI Act and taking the extenuating factors in view, the Commission imposes a penalty of Rs.10,000/- (Rupees Ten Thousand only) in lump sum on Sh. Sukhdev Singh Randhawa, the then PIO – cum – Executive Officer, Municipal Council, Jagraon which shall be recovered from his salary in two equal installments commencing from the month of March, 2019.



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**APPEAL CASE NO.3723/2018**

The Drawing & Disbursing Officer shall ensure that the amount of penalty is deposited in the government treasury under the head given below:

- 0070-Other Administrative Services
- 60 Other Services
- 800 Other Receipts
- 86 Fee under RTI Act, 2005

A copy of the challan shall be sent to the Commission for record.

The appellant has been pursuing the matter relentlessly. He is accordingly awarded a compensation of Rs.2,000/- (Rupees Two Thousand only) under Section 19(8) (b) of the RTI Act for the detriment suffered by him. The public authority will compensate the appellant out of its own funds.

To come up for compliance of order on **08.05.2019 at 11.30 AM.**

**Sd/-**

**13.02.2019**

**(Yashvir Mahajan)  
State Information Commissioner**

**CC: The Director, Local Government, Punjab, Plot No. 3, Sathanik Sarkar Bhawan,  
Sector – 35, Chandigarh for n/a.**