

PUNJAB STATE INFORMATION COMMISSION
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Helpline No. 0172-2864100



Sh Sunil Dutt, (M-82838-25699)
Flat No-1102, Tower 1-2,
Maya Garden City, Nagla Road, Zirakpur
.....Appellant
..Vs

Public Information Officer,
O/o SDM, Derabassi

First Appellate Authority
O/o SDM, Derabassi

.....Respondent

AC No.1602 of 2022

Present : (i) Sh Sunil Dutt, Appellant
(ii) None for the Respondent

ORDER

1. The RTI application is dated 20.10.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 29.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 13.07.2022 in the Commission.
3. Sh. Sunil Dutt stated that no response whatsoever has been received from the respondents till date. No one has put in appearance on behalf of the respondents nor has any communication been received from them. In the interest of justice, Respondent PIO is afforded one more opportunity to provide the appellant point-wise complete specific information, duly attested, free of cost, by registered post, in accordance with his RTI application and present a photocopy of the relevant postal receipt along with a copy of the information provided, before the Commission on the next date fixed, for its perusal and records. Respondents to note that in case no one comes present on their behalf on the next date fixed, punitive provisions of the RTI Act, 2005 may be invoked against the erring officer(s).

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AC No.1602 of 2022

4. To come up on **12.08.2022 at 12:00PM** for further proceedings in the Commission.
Copy of the order be sent to the parties.

Sd/-

Dated: 13.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Sunil Dutt, (M-82838-25699)
Flat No-1102, Tower 1-2,
Maya Garden City, Nagla Road, ZirakpurAppellant
..Vs

Public Information Officer,
O/o MC, Zirakpur

First Appellate Authority
NOW ADC(Urban Development), MohaliRespondent

AC No.1570 of 2022

Present : (i) Sh Sunil Dutt, Appellant
(ii)None for the Respondent

ORDER

1. The RTI application is dated 08.02.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 29.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 13.07.2022 in the Commission.
3. The Appellant states that he has received the complete information except point no.1
4. No one has appeared on behalf of the Respondent today. However, an e-mail has been received from the Respondent stating that they have provided the point-wise information to the Appellant. Copy of the same is taken on record.
5. After perusing the case file, it is ascertained that the Respondent is not present today. They have filed their reply via e-mail. The Appellant states that the information pertaining to point no. 1 has not been provided to him. Hence, the Respondent-PIO is directed to provide complete information regarding point no.1 to the Appellant and be present personally on the next date of hearing.

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AC No.1570 of 2022

6. To come up on **12.08.2022 at 12:00PM** for further proceedings in the Commission.
Copy of the order be sent to the parties.

Sd/-

Dated: 13.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Ramesh Kumar, (M-9855833536)
S/o Sh Amar Nath,
H.No U-1652, Sadar Nagar,
Opp.Old Central Jail, Amritsar-143008

.....Appellant

..Vs

Public Information Officer,
O/o Director,
Defence Services Welfare, Pb
Sainik Bhawan,Sec-21D, Chandigarh

First Appellate Authority
O/o Director,
Defence Services Welfare, Pb
Sainik Bhawan,Sec-21D, Chandigarh

.....Respondent

AC No.1583 of 2022

Present : (i) Sh Ramesh kumar, Appellant. (*telephonically*)
(ii) For the Respondent: Sh Anil Gupta, Supdt. (97814-34288) and Sh Nand Kishore, Jr Asstt.
(98141-79448)

ORDER

The RTI application is dated 05.01.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 30.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 13.07.2022 in the Commission.

3. Sh Ramesh Kumar, Appellant was contacted telephonically. He states that the information has not been provided to him till date. Further, the Appellant has sent an e-mail which is taken on record.

4. The Respondent has filed their reply vide Commission diary no. 15283 dated 12.07.2022.

5. The perusal of the file shows that the Appellant through his RTI Application dated 05.01.2021 has demanded the following information:-

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AC No.1583 of 2022

1. Please refer to my application dated 10.10.2021.
2. Please forward action taken report on my application dtd 10.10.21 addressed to The Director, Directorate Defence Services Welfare, Punjab which has been quoted in Para 1 above."

Further, the Respondent has filed their reply regarding the RTI of the Appellant as under:-

“ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦੇ ਸਬੰਧ ਵਿੱਚ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਦਫਤਰੀ ਰਿਕਾਰਡ ਘੋਖਣ ਤੋਂ ਪਤਾ ਲੱਗਿਆ ਹੈ ਕਿ ਮਿਤੀ 10.10.21 ਦਾ ਪੱਤਰ ਇਸ ਦਫਤਰ ਵਿਖੇ ਪ੍ਰਾਪਤ ਨਹੀਂ ਹੋਇਆ ਹੈ। ਇਸ ਸਬੰਧੀ ਬਿਨੈਦਾਰ ਨੂੰ ਜਾਣੂੰ ਕਰਵਾ ਦਿੱਤਾ ਜਾਵੇ।”

6. However, the Appellant is not satisfied with same. Hence, an opportunity is given to the Appellant to appear before the Commission and state this case. To come up on **12.08.2022 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Sd/-

Dated: 13.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Ravindar Pal Singh Chadha, (M-9814228629)
#30, Banda Bahadur Nagar, Jalandhar

.....Appellant

..Vs

Public Information Officer,
O/o MC, Jalandhar

First Appellate Authority,
O/o Commissioner, MC, Jalandhar

.....Respondent

AC No. 3986 of 2021

Present: (i) Sh. Simranjit on behalf of the appellant
(ii) For the Respondent: None for the parties.

ORDER

This order may be read with reference to the previous order passed by the Commission.

2. Sh. Simranjit is appearing on behalf of the appellant without an authority letter.

3. The respondent is absent today.

4. After going through the RTI of the appellant, it is observed that during the last hearing dated 16.05.2022, the respondent filed his reply, which was scanned in the orders. Further the respondent was directed to provide the information to the appellant. Today respondent is not present. However, before taking any penal proceedings against the Respondent PIO, I wish to give one last opportunity to him to appear before the Commission on the next date of hearing.

5. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission.

Copy of the order be sent to the parties.

Sd/-

Dated: 13.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar

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Sh. Ravinder Pal Singh Chadha,
30, Banda Bahadur Nagar,
Jalandhar (9814228629)

.....Appellant

..Vs

Public Information Officer,
O/o Jalandhar Improvement Trust, Jalandhar
First Appellate Authority
o/o Regional Deputy Director
Local Government, Jalandhar

.....Respondent

AC No. 3990 of 2021

Present: (i) Sh. Simranjit on behalf of the appellant
(ii) For the Respondent: None for the parties.

ORDER

This order may be read with reference to the previous order dated 16.05.2022.

2. Sh. Simranjit is appearing on behalf of the appellant without an authority letter.

3. The respondent is absent today.

4. After going through the RTI of the appellant, it is observed that during the last hearing dated 16.05.2022, the respondent was directed to file proper reply. Today the respondent is not present. However, before taking any penal proceedings against the Respondent PIO, I wish to give one last opportunity to him to appear before the Commission on the next date of hearing.

5. Keeping in view the facts of the case, the Commission directs the First Appellate Authority to re-examine the matter and provide a clear, cogent and reasoned point-wise response to the Appellant as per the provisions of the RTI Act 2005 within a period of 30 days from the date of receipt of this order. Further, First Appellate Authority is also directed to come present on the next date of hearing.

6. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission
Copy of the order be sent to the parties.

Sd/-

Dated: 13.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

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CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar

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Sh Ravinder Pal Singh Chadha, (M-9814228629)
#30, Banda Bahadur Singh, Jalandhar

.....Appellant

..Vs

Public Information Officer,
O/o MC, Jalandhar

First Appellate Authority,
O/o Commissioner, MC, Jalandhar

.....Respondent

AC No. 3530 of 2021

Present: (i) Sh. Simranjit Singh on behalf of the appellant
(ii) For the Respondent: Sh. Dinesh Joshi, Building Inspector-cum-APIO (9417878141)

ORDER

This order may be read with reference to the previous order dated 22.04.2022 vide which neither the appellant nor the respondent was present.

2. The appellant is absent today. Sh. Simranjit Singh is appearing on behalf of the appellant without authority letter.
3. The respondent states that he has brought point wise reply today in the Commission.
4. Hearing both the parties and going through the reply of the respondent, it is found that the reply of the respondent is not correct. Hence the same is returned to the respondent.

The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. It is abundantly clear that such matters are being ignored and set aside without application of mind which reflects disrespect towards that RTI act 2005 itself. The Commission expressed its displeasure on the casual and callous approach adopted by the Respondent in responding to the RTI application. It was felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.



AC No. 3530 of 2021

5. In view of the above, **PIO- Sh. Vinod Kumar, ATP is directed** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for 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 detriment suffered.

In addition to his submission, the PIO is also hereby 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 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, 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 Commission also directs the First Appellate Authority to re-examine the matter and provide a clear, cogent and reasoned point-wise response to the Appellant as per the provisions of the RTI Act 2005 within a period of 30 days from the date of receipt of this order. Further, First Appellate Authority is also directed to come present on the next date of hearing.

7. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Dated: 13.07.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar to take necessary action against the erring official/officer.

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Sh. Ravinder Pal Singh Chadha,
30, Banda Bahadur Nagar, Jalandhar
9814228629

.....Appellant

..Vs

Public Information Officer,
O/o MC, Jalandhar

First Appellate Authority
O/o Commissioner, MC, Jalandhar

.....Respondent

AC No. 3518 of 2021

Present: (i) Sh. Simranjit Singh on behalf of the appellant
(ii) For the Respondent: Sh. Dinesh Joshi, Building Inspector-cum-APIO
(9417878141)

ORDER

This order may be read with reference to the previous order dated 18.05.2022 vide which neither the appellant nor the respondent was present.

2. Sh. Simranjit Singh is appearing on behalf of the appellant without authority letter.
3. The respondent states that he has brought point wise reply today in the Commission.
4. Hearing both the parties and going through the case file, it is found that on 07.02.2022, a show cause notice was issued to the respondent-PIO . Even after that the respondent-PIO has not attended any hearing in the Commission. This is indeed a serious matter. The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. It is abundantly clear that such matters are being ignored and set aside without application of mind which reflects disrespect towards that RTI act 2005 itself. The Commission expressed its displeasure on the casual and



AC No. 3518 of 2021

callous approach adopted by the Respondent in responding to the RTI application. It was felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.

5. In view of the defying attitude of the respondent-PIO neither attending the court nor submitting any explanation for the delay in supplying the information within the time schedule as prescribed under the RTI Act 2005, the commission comes to a logical conclusion that it is a fit case for the imposition of penalty amounting to Rs. 25000/- (Rupees Twenty five thousand only) on the PIO. However, taking a lenient view, I impose a penalty of **Rs. 10000/- (Rs. Ten thousand only) on the PIO-respondent, Sh. Vinod Kumar, ATP o/o MC, Jalandhar**. The Drawing and Disbursing Officer of the office of MC, Jalandhar is directed to deduct the amount of penalty of Rs. 10000/- from the salary of **Respondent-PIO O/o MC, Jalandhar** and deposited in the State Treasury in the following Head of Account and to report its compliance to the Commission before the next date of hearing:-

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

6. The Commission also directs the First Appellate Authority to re-examine the matter and provide a clear, cogent and reasoned point-wise response to the Appellant as per the provisions of the RTI Act 2005 within a period of 30 days from the date of receipt of this order. Further, First Appellate Authority is also directed to come present on the next date of hearing.

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AC No. 3518 of 2021

7. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission.
Copy of the order be sent to the parties.

Dated: 13.07.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar to take necessary action against the erring official/officer.

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Sh. Ravinder Pal Singh Chadha,
30, Banda Bahadur Nagar, Jalandhar
9814228629

.....Appellant

..Vs

Public Information Officer,
O/o MC, Jalandhar

First Appellate Authority
O/o Commissioner, MC, Jalandhar

.....Respondent

AC No. 3519 of 2021

Present: (i) Sh. Simranjit Singh on behalf of the appellant
(ii) For the Respondent: Sh. Dinesh Joshi, Building Inspector-cum-APIO (9417878141)

ORDER

This order may be read with reference to the previous order dated 18.05.2022 vide which neither the appellant nor the respondent was present .

2. The appellant is absent today. Sh. Simranjit Singh is appearing on behalf of the appellant without authority letter.
3. The respondent states that he has brought point wise reply today in the Commission.
4. Hearing both the parties and going through the case file, it is found that on 07.02.2022, a show cause notice was issued to the respondent-PIO . Even after that the respondent-PIO has not attended any hearing in the Commission. This is indeed a serious matter. The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. It is abundantly clear that such matters are being ignored and set aside without application of mind which reflects disrespect towards that RTI act 2005 itself. The Commission expressed its displeasure on the casual and



AC No. 3519 of 2021

callous approach adopted by the Respondent in responding to the RTI application. It was felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.

5. Today the respondent Sh. Dinesh Joshi states that he has brought reply. All the points of information were discussed during the proceedings, in the presence of both the parties and it is observed that the complete information has been provided to the appellant *except demolition order and sector under which the building fall*. However, before taking any penal proceedings against the Respondent-PIO I wish to give another opportunity to PIO to appear before the Commission alongwith the reply of show cause notice issued and copy of *demolition order and sector under which the building fall* on the next date of hearing, failing which penal proceedings under Section 20 shall be initiated.

6. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Dated: 13.07.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar

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Sh.Ravinder Pal singh Chadha,
30, Banda Bahadur Nagar,
Jalandhar (9814228629)

..Vs

Public Information Officer,
O/o Jalandhar Improvement Trust, Jalandhar

First Appellate Authority
o/o Regional Deputy Director
Local Government , Jalandhar

.....Appellant

.....Respondent

AC No. 3988 of 2021

Present: (i) Sh. Simranjit on behalf of the appellant
(ii) For the Respondent: None for the parties.

ORDER

This order may be read with reference to the previous order dated 08.06.2022 vide which neither the appellant nor the respondent was present .

2. Sh. Simranjit Singh is appearing on behalf of the appellant without authority letter.
3. The respondent is absent today.
4. Hearing both the parties and going through the case file, it is found that respondent-PIO has not attended any hearing in the Commission. This is indeed a serious matter. The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. It is abundantly clear that such matters are being ignored and set aside without application of mind which reflects disrespect towards that RTI act 2005 itself. The Commission expressed its displeasure on the casual and callous approach adopted by the Respondent in responding to the RTI application. It was felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.



AC No. 3988 of 2021

5. In view of the above, **PIO- Sh. Vinod Kumar, ATP** is directed to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for 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 detriment suffered.

In addition to his submission, the PIO is also hereby 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 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, 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 Commission also directs the First Appellate Authority to re-examine the matter and provide a clear, cogent and reasoned point-wise response to the Appellant as per the provisions of the RTI Act 2005 within a period of 30 days from the date of receipt of this order. Further, First Appellate Authority is also directed to come present on the next date of hearing.

7. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission.
Copy of the order be sent to the parties.

Dated: 13.07.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar

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Sh.Ravinder Pal singh Chadha,
30, Banda Bahadur Nagar,
Jalandhar (9814228629)

.....Appellant

..Vs

Public Information Officer,
O/o Jalandhar Improvement Trust, Jalandhar

First Appellate Authority
o/o Regional Deputy Director
Local Government , Jalandhar

.....Respondent

AC No. 3529 of 2021

Present: (i) Sh. Simranjit on behalf of the appellant

(ii) For the Respondent: Sh. Nirmal Jit Verma, Building Inspector-cum-APIO

(9876501826)

ORDER

This order may be read with reference to the previous orders passed by the Commission.

2. Sh. Simranjit Singh is appearing on behalf of the appellant without authority letter.

3. The respondent states that he has brought point wise reply today in the Commission.

4. Hearing both the parties and going through the case file, it is found that respondent-Sh.Nirmal Jit is not aware about the facts of the case. This is indeed a serious matter. The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. It is abundantly clear that such matters are being ignored and set aside without application of mind which reflects disrespect towards that RTI act 2005 itself. The Commission expressed its displeasure on the casual and callous approach adopted by the Respondent in responding to the RTI application. It was felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.

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AC No. 3529 of 2021

However, before taking any penal proceedings against the Respondent-PIO I wish to give another opportunity to him to appear before the Commission alongwith the reply of show cause notice issued and complete information on the next date of hearing, failing which penal proceedings under Section 20 shall be initiated.

5. Keeping in view the facts of the case, the Commission directs the First Appellate Authority to re-examine the matter and provide a clear, cogent and reasoned point-wise response to the Appellant as per the provisions of the RTI Act 2005 within a period of 30 days from the date of receipt of this order. Further, First Appellate Authority is also directed to come present on the next date of hearing.

6. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Dated: 13.07.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar to take necessary action against the erring official/officer.

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Sh. Ravinder Pal Singh Chadha, (M-9814228629)
#30, Banda Bahadur Singh, Jalandhar

.....Appellant

..Vs

Public Information Officer,
O/o MC, Jalandhar

First Appellate Authority,
O/o Commissioner, MC, Jalandhar

.....Respondent

AC No. 3526 of 2021

Present: (i) Sh. Simrajit Singh on behalf of the appellant
(ii) For the Respondent: Sh Dinesh Joshi, Building Inspector-cum-APIO (9417878141)

ORDER

This order may be read with reference to the previous order passed by the Commission.

2. Sh. Simrajit Singh is appearing on behalf of the appellant without an authority letter.
3. The respondent states that he has brought point-wise reply today in the Commission. The same is handed over to Sh. Simranjit Singh.
4. After hearing both the parties and going through the case file , it is observed that Sh. Simranjit Singh , representative of the appellant has gone through the reply of the respondent and states that he is not satisfied with the same. The perusal of the file shows that the appellant filed RTI with the department on 24.03.2021, but after lapse of more than one year , incomplete information has been given to the appellant so far. This is indeed a serious matter.
5. The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. It is abundantly clear that such matters are being ignored and set aside without application of mind which reflects disrespect towards that RTI act 2005 itself. The Commission expressed its displeasure on the casual and



AC No. 3526 of 2021

callous approach adopted by the Respondent in responding to the RTI application. It was felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.

6. There are possibilities that a PIO may not act as per provisions of the Act or an applicant may not otherwise be satisfied with the decision of the PIO. The Act contains provision of two appeals to tide over such situations. The first appeal lies within the public authority by the concerned public authority. The first Appellate Authority (FAA) happens to be an officer senior in rank to the PIO. The second appeal lies with the Information Commission.

7 Keeping in view the facts of the case, the Commission directs the First Appellate Authority to re-examine the matter and provide a clear, cogent and reasoned point-wise response to the Appellant as per the provisions of the RTI Act 2005 within a period of 30 days from the date of receipt of this order. Further, First Appellate Authority is also directed to come present on the next date of hearing.

8. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Dated: 13.07.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar to take necessary action against the erring official/officer.

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Sh. Ravinder Pal Singh Chadha,
30, Banda Bahadur Nagar,
Jalandhar (9814228629)

.....Appellant

..Vs

Public Information Officer,
O/o MC, Jalandhar

First Appellate Authority
o/o Commissioner, MC, Jalandhar

.....Respondent

AC No. 3980 of 2021

Present: (i) Sh. Simrajit Singh on behalf of the appellant
(ii) For the Respondent: Sh Dinesh Joshi, Building Inspector-cum-APIO (9417878141)

ORDER

This order may be read with reference to the previous order passed by the Commission.

2. Sh. Simrajit Singh is appearing on behalf of the appellant without an authority letter.
3. The respondent has sought some time.
4. On the request of the respondent, the above said appeal case is adjourned to **26.08.2022 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties. *The respondent may take note that this is the last opportunity given to him, failing which action under Section 20 (1) of the RTI Act will be initiated.*

Sd/-

Dated: 13.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar

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Sh. Ravinder Pal Singh Chadha,
30, Banda Bahadur Nagar,
Jalandhar (9814228629)

.....Appellant

..Vs

Public Information Officer,
O/o MC, Jalandhar

First Appellate Authority
o/o Commissioner, MC, Jalandhar

.....Respondent

AC No. 3524 of 2021

Present: (i) Sh. Simrajit Singh on behalf of the appellant
(ii) For the Respondent: Sh. Ravinder Kumar, ATP-cum-PIO, (9646938745) and Sh.
Manish Arora, B.I. APIO

ORDER

This order may be read with reference to the previous orders passed by the Commission.

2. Sh. Simrajit Singh is appearing on behalf of the appellant without an authority letter.
3. Sh. Ravinder Kumar, ATP-cum-PIO, and Sh. Manish Arora, B.I. APIO states that the reply has already been sent to the appellant.
4. The perusal of the case file shows that during the first hearing dated 15.11.2021, the respondent was absent. On the next date of hearing i.e. 07.02.2022, the respondent filed his reply, which was scanned in the orders. As per the reply of the respondent, he was directed to file an affidavit on point nos. 1 and 2 and further he was directed to provide the information on point no. 5. But till today the respondent has failed to comply the orders of the Commission. This is indeed a serious matter.
5. The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. It is abundantly clear that such matters are being ignored and set aside without application of mind which reflects disrespect towards that RTI act 2005 itself. The Commission expressed its displeasure on the casual and callous approach adopted by the Respondent in responding to the RTI application. It was



AC No. 3524 of 2021

felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.

6. In view of the above, *PIO- Sh. Ravinder Kumar, ATP* is directed to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for 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 detriment suffered.

In addition to his submission, the PIO is also hereby 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 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, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

7. There are possibilities that a PIO may not act as per provisions of the Act or an applicant may not otherwise be satisfied with the decision of the PIO. The Act contains provision of two appeals to tide over such situations. The first appeal lies within the public authority by the concerned public authority. The first Appellate Authority (FAA) happens to be an officer senior in rank to the PIO. The second appeal lies with the Information Commission. Hence, the Commission directed the First Appellate Authority to re-examine the matter and take necessary action against the erring official/officer. Further, First Appellate Authority is also directed to come present on the next date of hearing.

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AC No. 3524 of 2021

8. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission.
Copy of the order be sent to the parties.

Dated: 13.07.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) *Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing*
(ii) *Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar to take necessary action against the erring official/officer.*

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Sh. Ravinder Pal Singh Chadha,
30, Banda Bahadur Nagar,
Jalandhar (9814228629)

..Vs

Public Information Officer,
O/o MC, Jalandhar

First Appellate Authority
o/o Commissioner, MC, Jalandhar

.....Appellant

.....Respondent

AC No. 3520 of 2021

Present: (i) Sh. Simrajit Singh on behalf of the appellant
(ii) For the Respondent: Sh. Ravinder Kumar, ATP-cum-PIO, (9646938745) and Sh.
Manish Arora, B.I. APIO

ORDER

This order may be read with reference to the previous orders passed by the Commission.

2. Sh. Simrajit Singh is appearing on behalf of the appellant without an authority letter.
3. Sh. Ravinder Kumar, ATP-cum-PIO, and Sh. Manish Arora, B.I. APIO states that the reply has already been sent to the appellant.
4. The perusal of the case file shows that during the first hearing dated 15.11.2021, the respondent was absent. On the next date of hearing i.e. 07.02.2022, the respondent filed his reply, which was scanned in the orders. As per the reply of the respondent, he is directed to file an affidavit on point nos. 1 and 2 and further he was directed to provide the information on point no. 5. But till today the respondent has failed to comply the orders of the Commission. This is indeed a serious matter.
5. The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. It is abundantly clear that such matters are being ignored and set aside without application of mind which reflects disrespect towards that RTI act 2005 itself. The Commission expressed its displeasure on the casual and



AC No. 3520 of 2021

callous approach adopted by the Respondent in responding to the RTI application. It was felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.

6. In view of the above, ***PIO- Sh. Ravinder Kumar, ATP-cum-PIO is directed*** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for 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 detriment suffered.

In addition to his submission, the PIO is also hereby 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 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, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

7. There are possibilities that a PIO may not act as per provisions of the Act or an applicant may not otherwise be satisfied with the decision of the PIO. The Act contains provision of two appeals to tide over such situations. The first appeal lies within the public authority by the concerned public authority. The first Appellate Authority (FAA) happens to be an officer senior in rank to the PIO. The second appeal lies with the Information Commission. Hence, the Commission directed the First Appellate Authority to re-examine the matter and take necessary action against the erring official/officer. Further, First Appellate Authority is also directed to come present on the next date of hearing.

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AC No. 3520 of 2021

8. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission.
Copy of the order be sent to the parties.

Dated: 13.07.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar to take necessary action against the erring official/officer.

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Sh. Ravinder Pal Singh Chadha,
30, Banda Bahadur Nagar,
Jalandhar (9814228629)

..Vs

Public Information Officer,
O/o MC, Jalandhar
First Appellate Authority
o/o Commissioner, MC, Jalandhar

.....Appellant

.....Respondent

AC No. 3521 of 2021

Present: (i) Sh. Simrajit Singh on behalf of the appellant
(ii) For the Respondent: Sh. Ravinder Kumar, ATP-cum-PIO, (9646938745) and Sh.
Manish Arora, B.I. APIO

ORDER

This order may be read with reference to the previous orders passed by the Commission.

2. Sh. Simrajit Singh is appearing on behalf of the appellant without an authority letter.
3. Sh. Ravinder Kumar, ATP-cum-PIO, and Sh. Manish Arora, B.I. APIO states that they have brought information of point no. 2 alongwith show cause reply.
4. The reply of show cause submitted by the Respondent is found satisfactory, the show cause notice is hereby, dropped. Today the respondent has brought the information on point no. 2, which is handed over to the representative of the appellant. Regarding point no. 1 the respondent states that the information is not available in their record. Hence the respondent is directed to file an affidavit regarding the same, failing which penal proceedings under Section 20 shall be initiated.
5. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission

Sd/-

Dated: 13.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) Sh. Meharban Singh, MTP-cum Nodal Officer is also directed to come present on the next date of hearing

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Sh. Ravinder Pal Singh Chadha,
30, Banda Bahadur Nagar,
Jalandhar (9814228629)

.....Appellant

..Vs

Public Information Officer,
O/o MC, Jalandhar

First Appellate Authority
o/o Commissioner, MC, Jalandhar

.....Respondent

AC No. 3522 of 2021

Present: (i) Sh. Simrajit Singh on behalf of the appellant
(ii) For the Respondent: Sh. Ravinder Kumar, ATP-cum-PIO, (9646938745) and Sh.
Manish Arora, B.I. APIO

ORDER

This order may be read with reference to the previous orders passed by the Commission.

2. Sh. Simrajit Singh is appearing on behalf of the appellant without an authority letter.
3. Sh. Ravinder Kumar, ATP-cum-PIO, and Sh. Manish Arora, B.I. APIO sought some time.
4. On the request of the respondent, the above said appeal case is adjourned to **26.08.2022 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Dated: 13.07.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

CC: (i) Sh. Meharban Singh, MTP-cum-Nodal Officer is also directed to come present on the next date of hearing

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Sh. Ravinder Pal Singh Chadha,
30, Banda Bahadur Nagar,
Jalandhar (9814228629)

.....Appellant

..Vs

Public Information Officer,
O/o MC, Jalandhar

First Appellate Authority
o/o Commissioner, MC, Jalandhar

.....Respondent

AC No. 3525 of 2021

Present: (i) Sh. Simrajit Singh on behalf of the appellant
(ii) For the Respondent: Sh. Ravinder Kumar, ATP-cum-PIO, (9646938745) and Sh.
Manish Arora, B.I. APIO

ORDER

This order may be read with reference to the previous orders passed by the Commission.

2. Sh. Simrajit Singh is appearing on behalf of the appellant without an authority letter.
3. Sh. Ravinder Kumar, ATP-cum-PIO, and Sh. Manish Arora, B.I. APIO states that the reply has already been sent to the appellant.
4. The perusal of the case file shows that during the first hearing dated 15.11.2021, the respondent was absent. On the next date of hearing i.e. 07.02.2022, the respondent filed his reply, which was scanned in the orders. As per the reply of the respondent, he was directed to file an affidavit on point nos. 1 and 3 and further he was directed to provide the information on point no. 5. But till today the respondent has failed to comply the orders of the Commission. This is indeed a serious matter.
5. The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. It is abundantly clear that such matters are being ignored and set aside without application of mind which reflects disrespect towards that RTI act 2005 itself. The Commission expressed its displeasure on the casual and callous approach adopted by the Respondent in responding to the RTI application. It was

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AC No. 3525 of 2021

felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.

6. There are possibilities that a PIO may not act as per provisions of the Act or an applicant may not otherwise be satisfied with the decision of the PIO. The Act contains provision of two appeals to tide over such situations. The first appeal lies within the public authority by the concerned public authority. The first Appellate Authority (FAA) happens to be an officer senior in rank to the PIO. The second appeal lies with the Information Commission. Hence, the Commission directed the First Appellate Authority to re-examine the matter and take necessary action against the erring official/officer. Further, First Appellate Authority is also directed to come present on the next date of hearing.

7. To come up on **26.08.2022 at 12.00 PM** for further proceedings in the Commission.
Copy of the order be sent to the parties.

Dated: 13.07.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST:

CC: (i) Sh. Meharban Singh, MTP is also directed to come present on the next date of hearing
(ii) Smt. Gurinder Randhawa, (PCS), Joint Commissioner, O/o MC, Jalandhar to take necessary action against the erring official/officer.