



Sh Rajinder Pal Singh, S/o Sh Gurbachan Singh,
C/o Ikwan Optical Centre (DAV College Road),
Jalalabad (West), Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o District Social Justice,
Empowerment and Minorities Officer,
Fazilka

First Appellate Authority,
O/o District Social Justice,
Empowerment and Minorities Officer,
Fazilka.

...Respondent

Appeal Case No. 3589 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 18.12.2020 has sought information regarding complaints received from Social Status Security Vigilance Cell with name & address of complainant/date of complaint/report to vigilance and any remarks – memo No.935 dated 10.12.2020 on which date received affidavit of Gurpreet Singh as enumerated in the RTI application from the office of District Social Justice, Empowerment and Minorities Officer, Fazilka. The appellant was not satisfied with the information provided by the PIO vide letter dated 29.12.2020 after which the appellant filed first appeal before the First Appellate Authority on 17.02.2021 which took no decision of the appeal.

The case last came up for hearing on 23.02.2022 through video conferencing at DAC Fazilka. The respondent present pleaded that the information has already been provided to the appellant vide letter dated 08.03.2021 in an earlier appeal case No.2672 of 2021 which was filed by the appellant for seeking exactly the same information and was disposed of by this bench on 13.12.2021. The respondent also sent copy of earlier order in appeal case No.2672 of 2021 to the Commission.

The appellant was absent.

Having gone through the RTI application in the instant case and appeal case No.2672 of 2021, the Commission observed that the information sought by the appellant in this case is different to the information sought in appeal case No.2672.

The PIO was directed to relook at the RTI application and provide information to the appellant within 15 days of the receipt of the order and send a compliance report to the Commission.

The case last came up for hearing on 06.06.2022 through video conferencing at DAC Fazilka. Both the parties are absent. The case was adjourned.

Hearing dated 13.09.2022:

The case has come up for hearing today through video conferencing at DAC Fazilka. Both the parties are absent.

Having gone through the record, the Commission observes that the order has already been passed to provide the information as per the RTI application. Further the appellant is continuously absent on 3rd consecutive hearing nor is represented to pursue his case.

The case is **disposed of and closed** due to non-pursuance of the case by the appellant.

Chandigarh
Dated: 13.09.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Harpreet Singh, S/o Sh Gurdev Singh,
R/o Professor Colony,
Near DAV College, Jalalabad,
Distt Fazilak.

... Appellant

Versus

Public Information Officer,
O/o IGP, Ferozepur Range,
Ferozepur.

First Appellate authority,
O/o IGP, Ferozepur Range,
Ferozepur.

...Respondent

Appeal Case No. 4574 of 2021

PRESENT: Sh.Harpreet Singh as for the Appellant
Sh.Shamsher Singh, SI for the Respondent

ORDER:

The appellant through RTI application dated 19.12.2020 has sought information regarding a copy of comments given by SSP Fazilka on the letters of IG Office Ferozepur dated 30.04.2019, 01.08.2019, 06.08.2019 & 21.08.2019 in connection with an email dated 26.03.2019 and registered letter dated 27.03.2019 filed for review of the decision under PPR – enquiry report – if not complete, the reasons thereof as enumerated in the RTI application concerning the office of IGP Ferozepur Range, Ferozepur. The appellant was not satisfied with the reply of the PIO dated 13.01.2021 after which Harpreet Singh filed a complaint in the commission on 25.01.2021.

The case was earlier heard by this bench on 23.06.2021 as a complaint case No.137 of 2021. The Commission received a letter of the PIO on 18.06.2021 vide which it was informed that the comments of SSP given on the letters of the IGP have been provided to the appellant but the official noting cannot be provided being a secret document and exempt u/s 8(1)(j) of the RTI Act.

Since the appellant had come to the Commission u/s 18 as a complainant, the case was remanded back to the First Appellate Authority with the direction to consider the case as an appeal and dispose of the same within a period of 30 days as per the RTI Act.

However, the first appellate authority took no decision on the appeal, the appellant filed 2nd appeal in the Commission on 04.10.2021.

On the next date of hearing on 10.05.2022 through video conferencing at DAC Ferozepur. As per the respondent, the comments of SSP had been provided to the appellant but the noting has not been provided since the noting is a secret document and exempt u/s 8(1)(j) of the RTI Act.

Appeal Case No. 4574 of 2021

Having gone through the record and hearing of both the parties, the Commission observed that the appellant wants to review the decision under the PPR enquiry report and seeking noting portion on the basis of which comments were given by the SSP. Since the noting is not a secret document as per definition of information under section 2(f) of the RTI Act, the PIO was directed to provide noting and remaining information to the appellant with a copy to the Commission.

Hearing dated 13.09.2022:

The case come up for hearing today through video conferencing at DAC Fazilka. As per respondent, the information has been supplied to the appellant vide letter dated 17.06.2022.

The appellant has not received the information.

The respondent has again provided a copy of the information to the appellant during the hearing.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed**.

Chandigarh
Dated: 13.09.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Nathu Ram Sihag, S/o Sh Mahavir Sihag,
R/o Village Taja Patti,
TEhsil Abohar, Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o DIG, Ferozepur Range,
Ferozepur.

First Appellate Authority,
O/o DIG, Ferozepur Range,
Ferozepur.

...Respondent

Appeal Case No. 4540 of 2021

PRESENT: Sh.Nathu Ram as for the Appellant
Sh.Shamsher Singh, SI for the Respondent

ORDER:

The appellant through an RTI application dated 26.07.2021 has sought information regarding a copy of application No.1220 –CPF-Spl dated 13.11.2020 filed by Kusampreet Kaur against Sarabjit Singh, Narinder Sihag Nambardar Taja Patti – statement of parties – a copy of enquiry report – decision of DIG Ferozepur and other information as enumerated in the RTI application concerning the office of DIG Ferozepur Range, Ferozepur. The appellant was not satisfied with the reply of the PIO dated 23.08.2021 after which the appellant filed the first appeal before the first appellate authority on 01.09.2021 which disposed of the appeal on 21.09.2021 upholding the PIO's view.

The case came up for hearing on 10.05.2022 through video conferencing at DAC Ferozepur. The respondent present reiterated their earlier plea (letter dated 23.08.2021) that the information is 3rd party information, and cannot be provided.

The appellant was not satisfied with the reply and basically wanted action against Nambardar for his alleged activities, which as per the appellant were not in consonance with the law. However, these were mere allegations on which I was not inclined to allow disclosure, thus an opportunity was granted to the appellant to bring evidence of a larger public interest involved in the disclosure of this information.

The appellant was directed to provide authentic and sufficient evidence of a larger public interest involved in the disclosure of this information.

The case was adjourned.

Hearing dated 13.09.2022:

The case has come up for hearing today through video conferencing at DAC Ferozepur. The Commission has received a reply of the appellant on 23.05.2022 which has been taken on record.

Appeal Case No. 4540 of 2021

Having gone through the reply, the Commission observes that the appellant has levelled some allegations against the Nambardar but has not been able to establish any larger public interest, hence the appeal is rejected. However, I am marking this to the Deputy Commissioner, Ferozepur to look into the allegations made by the appellant, and if there is any merit in them, to proceed as per law. A copy of the reply of the appellant is being attached with the order for further perusal.

With the above observations and order, the case is **disposed of and closed**.

Chandigarh
Dated: 13.09.2022

**Sd/-
(Khushwant Singh)
State Information Commissioner**

**CC to The Deputy Commissioner,
Ferozepur.**



Sh. Gurmeet Singh, S/o Sh. Balwinder Singh,
R/o Village Jandwala Kharta,
Tehsil & Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o District Food and Supplies Controller,
DC Complex, Fazilka.

First Appellate Authority,
O/o Director,
Food and Supplies and Consumer Affairs,
Sector-39-D, Chandigarh.

...Respondent

Appeal Case No. 3998 of 2020

PRESENT: None for the appellant
Sh.Sukhwinder Kumar, Inspector for the Respondent

ORDER:

The appellant through RTI application dated 27.07.2020 has sought information regarding the name of the officer handling the complaint dated 13.03.2020 filed against Jagtar Singh depot holder Jhandwala, Karam Chand Inspector & AFSO Simarjit Singh – action taken on the complaint - the time period for disposal of complaint – statement of witnesses and other information as enumerated in the RTI application concerning the office of District Food and Supplies Controller Fazilka. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 09.10.2020 which took no decision on the appeal.

The case last came up for hearing on 09.08.2021 through video conferencing at DAC Fazilka. The appellant claimed that the PIO has not provided the information.

The respondent present pleaded that since the enquiry is pending, the information cannot be provided.

The PIO however, did not reply to the RTI application. There has been a delay of more than one year in attending to the RTI application. The PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file a reply on an affidavit.**

On the date of last hearing on 13.12.2021, the respondent reiterated his earlier plea that since the enquiry is pending, the information cannot be provided.

The PIO, however did not send any reply to the show-cause notice. The PIO was given one last opportunity to file a reply to the show cause notice and appear personally on the next date of hearing otherwise it will be presumed that the PIO has nothing to say in the matter and the decision will be taken ex-party.

Appeal Case No. 3998 of 2020

On the next date of hearing on 20.04.2022 through video conferencing at DAC Fazilka. The respondent present informed that since the enquiry is pending, the information cannot be provided and the appellant has been informed verbally.

The Commission also received reply to the show cause notice from the PIO through email which has been taken on record. In the said reply, it was mentioned that the AFSSO Fazilka contacted the applicant personally and intimated that the information sought relates to the complaint and since the enquiry is pending, the information cannot be provided and that as soon as the enquiry completes, the information will be provided.

However, there was nothing on record which showed that the PIO has sent any written reply to the appellant which is the due procedure to attend the RTI application and provide information. Claiming relief by stating that there was an oral communication between the appellant and the PIO was not accepted, as this is pure diversion and dereliction of duty when handling an RTI application as prescribed under section 7 of the RTI Act. Hence, the Commission did not accept this reply of the PIO, and a penalty of **Rs.10,000/-** was imposed on the PIO O/o District Food and Supply Controller, Fazilka which was to be deposited in the Govt. Treasury. The PIO was directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

Hearing dated 13.09.2022:

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present pleaded that the penalty amount of Rs.10000/- has been deposited in the Govt. Treasury on 12.08.2022 and a copy of challan as a proof of having deposited the penalty has been sent to the Commission through email.

The Commission has received a copy of challan which has been taken on record.

Since the penalty has been deposited, no further course of action is required. The case is **disposed of and closed.**

Chandigarh
Dated: 13.09.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Sanjeev Thakur,
Village Gudha Khurd,
P.O Madhopur Cantt,
Pathankot.

... Appellant

Versus

Public Information Officer,
O/o Distt. Food Supplies &
Consumer Affairs,
Pathankot.

First Appellate authority,
O/o Deputy Director(Field)
Food Supplies Deptt,
Jalandhar.

...Respondent

Appeal Case No. 4420 of 2021

PRESENT: Sh.Sanjeev Thakur as the Appellant
Sh.Vikas Sharma –AFSO for the Respondent

ORDER:

The appellant, through an RTI application dated 15.06.2021, has sought information regarding a copy of the rule under which depot is allocated and verification protected under labour law – a copy of verification of depot holder – a copy of the service book of Puneet Jaitly except for personal information, i.e. postings during service – number of the depot in 2018 – number of depots allocated from 01.01.2019 to 01.06.2021 etc. as enumerated in the RTI application from the office of District Food Supply Controller, Pathankot. . The appellant was not provided with the information after which the complainant filed a first appeal before the first appellate authority on 28.05.2021 which disposed of the appeal on 26.07.2021.

The case came up for hearing on 13.04.2022 through video conferencing at DAC Pathankot. The respondent present pleaded that the information had been supplied to the appellant vide letter dated 02.03.2022.

The appellant is absent, and vide email has informed that the PIO has not supplied the information on point-2. As per the respondent, there are 85 depot holders, but the appellant has not specified for which depot the appellant wants information.

Having gone through the record, the Commission observes that there has been an enormous delay of more than nine months in attending to the RTI application since the RTI application was filed on 15.06.2021, but the reply was sent on 02.03.2022. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why the penalty be not imposed on him under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period. He/she should file an affidavit in this regard.**

Hearing dated 13.09.2022

The case has come up for hearing today through video conferencing at DAC Pathankot. During the course of hearing, the appellant was continuously on his mobile phone. This action of the appellant not only alludes to the fact that the appellant is disinterested in taking the case further, such attitude also alludes to the disrespect towards the sanctity of the court hearing.

Given the above, the appeal is dismissed and the case is **closed**.

Chandigarh
Dated: 13.09.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Suresh Kumar, S/o Sh Om Parkash,
1st 2nd Floor, Ward NO-20,
Piara Lal Thekedar Street, Mansa.

... Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Mansa.

First Appellate Authority,
O/o Deputy Commissioner,
Mansa.

...Respondent

Appeal Case No. 3317 of 2021

PRESENT: Sh.Suresh Kumar as the Complainant
Sh.Sukhraj Singh Dhillon, PIO for the Respondent

ORDER:

The appellant through RTI application dated 17.07.2020 has sought information regarding a copy of the application dated 05.03.2020 sent to DC Mansa along with order of the DC thereon and other documents, statement, noting etc. as enumerated in the RTI application from the office of DC Mansa. The appellant was not provided with the information after which the complainant filed a first appeal before the first appellate authority on 19.09.2020 which took no decision on the appeal.

The case first came up for hearing on 03.02.2021 before Ms.Preeti Chawla, State Information Commissioner when the respondent stated that the information available in the record has been provided to the appellant. The appellant was absent. The case was adjourned.

On the next date of hearing on 22.06.2021, the appellant was again absent. The appellant was given one more opportunity to appear, and the case was adjourned. On the date of the hearing on 16.08.2021, the appellant was present and informed that the PIO has not supplied the complete information. The PIO was directed to send a copy of the information to the Commission before the next date of the hearing.

On the next date of hearing on 13.04.2022 through video conferencing at DAC Mansa, the respondent pleaded that the information had already been sent to the appellant (64 pages) vide letter dated 02.02.2021.

However, the PIO did not send a copy of the information to the Commission as per the earlier order dated 16.08.2021.

The appellant was absent.

Earlier order stands. The PIO was directed to send a copy of the information to the Commission.

The appellant was directed to point out the discrepancies in the provided information in writing to the PIO and the PIO was directed to sort out the same.

Appeal Case No. 3317 of 2021

Hearing dated 13.09.2022

The case has come up for hearing today through video conferencing at DC office, Mansa. As per respondent, the information has been provided to the appellant.

The appellant has received the information.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed**.

Chandigarh
Dated: 13.09.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Manpreet Singh, S/o Sh Nirmal Singh,
Roop Singh Nagar, Manewala Road,
Jalalabad, West, Distt. Fazilka.

... Appellant

Versus

Public Information Officer,
O/o The Block Development and
Panchayat Officer, **Guruharsahai**,
District Ferozepur.

First Appellate Authority,
O/o The Block Development and
Panchayat Officer, **Guruharsahai**,
District Ferozepur.

...Respondent

Appeal Case No. 19 of 2022

PRESENT: None for the Appellant
Sh.Randhir Singh, BDO for the Respondent

ORDER:

The appellant, through an RTI application dated 27.08.2021 has sought information on 07 points regarding details of the road leading to Dhani Jarnail Singh from Chak Swah – details of expenses incurred for construction of this road – length and width of the road – details of land covered under the road/ownership (Kila No.Murabba No.) and other information as enumerated in the RTI application from the office of BDPO Guruharsahai. The appellant was not provided with the information, after which the appellant filed a first appeal before the first appellate authority on 26.10.2021, which did not decide on the appeal.

The case came up for hearing first on 22.06.2022 through video conferencing at Fazilka. The appellant claimed that the PIO has not supplied the information.

The respondent was absent nor was represented. There has been an enormous delay of more than nine months in providing the information. The Commission having taken a serious view of this, issued a **show cause notice to the PIO under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file reply on an affidavit.**

Hearing dated 13.09.2022

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent has brought the information. The respondent has also sent a copy of point-wise reply to the Commission which has been taken on record. In the reply, the PIO has mentioned that earlier the appellant had asked for information regarding construction of road leading to Dhani Jarnail Singh from Chak Swah which was provided. Thereafter, the appellant again asked for information by adding two more points which was again provided. The PIO has further mentioned in the reply that due to illness, he could not attend the hearing on 13.09.2022.

The appellant is absent nor is represented.

Appeal Case No. 19 of 2022

The respondent is directed to send the information to the appellant through registered post with a copy to the Commission.

With the above order, the case is **disposed of and closed**.

Chandigarh
Dated: 13.09.2022

Sd/-
(Khushwant Singh)
State Information Commissioner