

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



Ravinder Kataria,

64, New Sant Fateh Singh Nagar,
Dugri Road, Ludhiana.

Versus

Public Information Officer,

o/o Secretary,

Regional Transport Authority (RTA),
Bathinda.

First Appellate Authority,

o/o State Transport Commissioner,
Punjab, Chandigarh.

Appeal Case No. 2799 of 2019

PRESENT:

(Appellant) Absent

Bhupinder Singh, PIO-Cum-ATO (Respondent) 98554-01140

ORDER:

(To be read in continuity with earlier orders on 3.10.19, 29.11.19, and 20.12.19)

1. The RTI application is dated **6.5.19** vide which the appellant has sought **information pertaining to the passing and registration of vehicles, registration certificates, fees, pollution certificates etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **11.6.19**, and second appeal was filed in the Commission on **1.8.19** under Section 19 of the Right to Information Act, 2005.

2. This case was first heard on 3.10.19, when the respondent PIO was absent. However, in a written reply (via email on 29.9.19) to this Commission's Notice of 5.9.19, he had contended that the appellant's RTI request is in the form of questions and does not seek any particular documents/records in the custody of the public authority, in this instance, the office of the Secretary Regional Transport Authority Bathinda. The respondent also cited observations by the Central Information Commission and the Bombay High Court's ruling in Petition No. 419 of 2007. A copy of the respondent's reply was given to the appellant, who was advised to submit legal premise to sustain his request for information.

3. Before the second hearing on 29.11.19, the appellant submitted a detailed reply, on 27.11.19, to the respondent's contention denying the requested information. The respondent PIO, however, not only remained absent from the hearing, but also failed to submit any reply to the appellant's arguments. Instead of appearing in person or sending any subordinate colleague, the respondent PIO unlawfully authorized a private lawyer to appear on his behalf. This was disallowed by this Commission in keeping with the "*Punjab Disputes Resolution and Litigation Policy, 2018*" as re-communicated by the Special Secretary Home Affairs & Justice vide Letter No. 4/12/2010-6Judl.2/315 on 22.01.2020. The respondent PIO was consequently, issued a Show Cause notice offering him a final opportunity to submit a written reply and to be heard in person, before initiation of penal proceedings against him.

Contd. ...2

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Appeal Case No. 2799 of 2019

4. Despite the Show Cause notice issued to him, the respondent PIO not only failed to appear at the subsequent (third) hearing on 20.12.19, but also did not bother to file any written reply to the Commission. Having allowed him ample opportunities to be heard, this Commission imposed a penalty of Rs. 5,000.00 under Section 20(1) of the RTI Act, 2005, upon the PIO-cum-ATO, Bhupinder Singh, to be deducted from his salary in two monthly installments.

5. TODAY's (FOURTH) HEARING: The appellant is absent but he has informed the commission of his inability to attend this hearing. The respondent PIO-cum-ATO, Bhupinder Singh, is present in person and made a fervent plea that the penalty imposed upon him be reviewed. He contended that the appellant's reply (email of 29.11.19) was never copied to him and that therefore he had no notion about the arguments therein. The respondent also submitted that he had been on long leave owing to his family circumstances and that he had no information about the hearing on 20.12.19. This, last, argument is however, not acceptable, since the Commission's Order / Show Cause Notice of 29.11.19 was sent to all parties by registered post.

6. The respondent PIO has alleged in his reply dated 6.1.2020, that "the appellant is habitual of filing frivolous RTI applications throughout Transport Department of Punjab" and that "appellant has an intention to harass all transport Department employees through RTI." He also cited the Supreme Court's observations regarding 'RTI activists' in Writ Petition No. 436 of 2018 "Anjali Bhardwaj versus Union of India dated 16.12.19.

7. In view of the respondent PIO's arguments and plea for a review of the Order imposing penalty upon him, this Bench deems it fit to refer this appeal case to the honorable Chief Information Commissioner for reassignment to some other bench or a double bench.

8. Further hearing to be notified after the CIC's decision.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
13.2.2020

cc: Deputy Registrar, PSIC, for information and further necessary action.

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Ravinder Kataria,

64, New Sant Fateh Singh Nagar,

Dugri Road, Ludhiana.

Versus

Public Information Officer,

o/o Secretary,

Regional Transport Authority (RTA), Faridkot.

First Appellate Authority,

o/o State Transport Commissioner Punjab, Chandigarh.

Appeal Case No. 2801 of 2019

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 3.10.19, 29.11.19, and 20.12.19)

1. The RTI application is dated **6.5.19** vide which the appellant has sought information **regarding commercial driving licenses etc.,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **1.8.19** and second appeal was filed in the Commission on **1.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.12.19**.

2. Both parties are absent. While the appellant has informed the Commission of his inability to attend this hearing. The respondent PIO is absent without any intimation for the fourth time in succession. This is despite the Show Cause Notice issued to him on 29.11.19 and the penalty of Rs. 5,000.00 imposed upon him vide this Commission's order of 20.12.19.

3. This Commission offers the respondent PIO one final opportunity to furnish the information requested by the appellant, and demonstrate compliance with the Order imposing penalty on 20.12.19. Failing this, this Commission will be compelled to enforce his/her appearance in Court by issuing a Warrant.

4. **Next hearing on 16.4.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

13.2.2020

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Ramandeep Singh Ahluwalia,

Ward No. 18, Street No. 2,

Kartar Nagar, Amloh Road,

District Khanna – 141 401

Versus

Public Information Officer,

o/o Municipal Engineer,

Municipal Council, Mandi Gobindgarh.

First Appellate Authority,

o/o Regional Deputy Director Urban Local Government,

1st Floor, Mini Secretariat, Ferozepur Road, Ludhiana.

Appeal Case No. 3063 of 2019

PRESENT:

Ramandeep Singh Ahluwalia (Appellant) 94645-00405

Kuljinder Singh, JE (for the Respondent) 80540-52202

Varinder Kumar, APIO-Cum-Assistant Municipal Engineer (for the Respondent) 79868-95089

Rajiv Sharma, M.E., (for the Respondent) 97181-592097

ORDER:

(To be read in continuity with earlier orders on 1.11.19 and 20.12.19)

1. The RTI application is dated **4.4.19** vide which the appellant has sought **information by way of inspection of the computer on which online bids are received etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **19.5.19** and second appeal was filed in the Commission on **22.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.12.19**.

2. Both parties are present. The respondent PIO, represented by Varinder Kumar, Assistant Municipal Engineer-cum-APIO, Kuljinder Kumar, JE and Rajiv Sharma, ME, have, as directed by this Commission on 20.12.19, brought the requested information in pen-drive, which has been handed over to the appellant. The appellant is advised to peruse the contents and point out deficiencies, if any.

3. **Next hearing on 16.4.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

13.2.2020

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Ramandeep Singh Ahluwalia,

Ward No. 18, Street No.2,

Kartar Nagar, Amloh Road,

District Khanna-141401

Versus

Public Information Officer,

o/o Municipal Engineer,

o/o Municipal Council, Mandi Gobindgarh.

First Appellate Authority,

o/o Regional Deputy Director Urban Local Government,

1st Floor, Mini Secretariat, Ferozepur Road,

Ludhiana.

Appeal Case No. 3064 of 2019

PRESENT:

Ramandeep Singh Ahluwalia (Appellant) 94645-00405

Kuljinder Singh, JE (for the Respondent) 80540-52202

Varinder Kumar, APIO-Cum-Assistant Municipal Engineer (for the Respondent) 79868-95089

Rajiv Sharma, M.E., (for the Respondent) 97181-592097

ORDER:

(To be read in continuity with earlier orders on 1.11.19 and 20.12.19)

1. The RTI application is dated **4.4.19** vide which the appellant has sought **information by way of inspection of the computer on which online bids are received etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **19.5.19** and second appeal was filed in the Commission on **22.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.12.19**.

2. Both parties are present. The respondent PIO, represented by Varinder Kumar, Assistant Municipal Engineer-cum-APIO, Kuljinder Kumar, JE and Rajiv Sharma, ME, have, as directed by this Commission on 20.12.19, brought the requested information in pen-drive, which has been handed over to the appellant. The appellant is advised to peruse the contents and point out deficiencies, if any.

3. **Next hearing on 16.4.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

13.2.2020

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Ramandeep Singh Ahluwalia,

Ward No. 18, Street No.2,

Kartar Nagar, Amloh Road,

District Khanna-141401

Versus

Public Information Officer,

o/o Municipal Engineer,

o/o Municipal Council, Mandi Gobindgarh.

First Appellate Authority,

o/o Regional Deputy Director Urban Local Government,

1st Floor, Mini Secretariat, Ferozepur Road,

Ludhiana.

Appeal Case No. 3065 of 2019

PRESENT:

Ramandeep Singh Ahluwalia (Appellant) 94645-00405

Kuljinder Singh, JE (for the Respondent) 80540-52202

Varinder Kumar, APIO-Cum-Assistant Municipal Engineer (for the Respondent) 79868-95089

Rajiv Sharma, M.E., (for the Respondent) 97181-592097

ORDER:

(To be read in continuity with earlier orders on 1.11.19 and 20.12.19)

1. The RTI application is dated **4.4.19** vide which the appellant has sought **information by way of inspection of the computer on which online bids are received etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **19.5.19** and second appeal was filed in the Commission on **22.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.12.19**.

2. Both parties are present. The respondent PIO, represented by Varinder Kumar, Assistant Municipal Engineer-cum-APIO, Kuljinder Kumar, JE and Rajiv Sharma, ME, have, as directed by this Commission on 20.12.19, brought the requested information in pen-drive, which has been handed over to the appellant. The appellant is advised to peruse the contents and point out deficiencies, if any.

3. **Next hearing on 16.4.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

13.2.2020

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Ramandeep Singh Ahluwalia,

Ward No. 18, Street No.2,

Kartar Nagar, Amloh Road,

District Khanna-141401

Versus

Public Information Officer,

o/o Municipal Engineer,

o/o Municipal Council, Mandi Gobindgarh.

First Appellate Authority,

o/o Regional Deputy Director Urban Local Government,

1st Floor, Mini Secretariat, Ferozepur Road,

Ludhiana.

Appeal Case No. 3066 of 2019

PRESENT:

Ramandeep Singh Ahluwalia (Appellant) 94645-00405

Kuljinder Singh, JE (for the Respondent) 80540-52202

Varinder Kumar, APIO-Cum-Assistant Municipal Engineer (for the Respondent) 79868-95089

Rajiv Sharma, M.E., (for the Respondent) 97181-592097

ORDER:

(To be read in continuity with earlier orders on 1.11.19 and 20.12.19)

1. The RTI application is dated **4.4.19** vide which the appellant has sought **information by way of inspection of the computer on which online bids are received etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **19.5.19** and second appeal was filed in the Commission on **22.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.12.19**.

2. Both parties are present. The respondent PIO, represented by Varinder Kumar, Assistant Municipal Engineer-cum-APIO, Kuljinder Kumar, JE and Rajiv Sharma, ME, have, as directed by this Commission on 20.12.19, brought the requested information in pen-drive, which has been handed over to the appellant. The appellant is advised to peruse the contents and point out deficiencies, if any.

3. **Next hearing on 16.4.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

13.2.2020

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Ramandeep Singh Ahluwalia,

Ward No. 18, Street No.2,

Kartar Nagar, Amloh Road,

District Khanna-141401

Versus

Public Information Officer,

o/o Municipal Engineer, o/o Municipal Council,

Mandi Gobindgarh.

First Appellate Authority,

o/o Regional Deputy Director, Urban Local Government,

1st Floor, Mini Secretariat, Ferozepur Road,

Ludhiana.

Appeal Case No. 3067 of 2019

PRESENT:

Ramandeep Singh Ahluwalia (Appellant) 94645-00405

Kuljinder Singh, JE (for the Respondent) 80540-52202

Varinder Kumar, APIO-Cum-Assistant Municipal Engineer (for the Respondent) 79868-95089

Rajiv Sharma, M.E., (for the Respondent) 97181-592097

ORDER:

(To be read in continuity with earlier orders on 1.11.19 and 20.12.19)

1. The RTI application is dated **4.4.19** vide which the appellant has sought **information by way of certified copies of MB No. 452 to 460**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **19.5.19** and second appeal was filed in the Commission on **22.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.12.19**.

2. Both parties are present. The respondent PIO, represented by Varinder Kumar, Assistant Municipal Engineer-cum-APIO, Kuljinder Kumar, JE, and Rajiv Sharma, ME, have, as directed by this Commission on enumerated the number of pages that need to be copied to supply the requested information.

3. The respondent PIO is directed to make legible photocopies and supply these to the appellant after attesting every page.

4. **Next hearing on 16.4.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

13.2.2020

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Ramandeep Singh Ahluwalia,

Ward No. 18, Street No.2,

Kartar Nagar, Amloh Road,

District Khanna-141401

Versus

Public Information Officer,

o/o Municipal Engineer, o/o Municipal Council,

Mandi Gobindgarh.

First Appellate Authority,

o/o Regional Deputy Director, Urban Local Government,

1st Floor, Mini Secretariat, Ferozepur Road,

Ludhiana.

Appeal Case No. 3068 of 2019

PRESENT:

Ramandeep Singh Ahluwalia (Appellant) 94645-00405

Kuljinder Singh, JE (for the Respondent) 80540-52202

Varinder Kumar, APIO-Cum-Assistant Municipal Engineer (for the Respondent) 79868-95089

Rajiv Sharma, M.E., (for the Respondent) 97181-592097

ORDER:

(To be read in continuity with earlier orders on 1.11.19 and 20.12.19)

1. The RTI application is dated **4.4.19** vide which the appellant has sought **information by way of a copy of the enlistment file along with notings against enlistment of contractor m/s NK Construction of Mandi Gobindgarh etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **19.5.19** and second appeal was filed in the Commission on **22.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.12.19**.

2. Both parties are present. The respondent PIO, represented by Varinder Kumar, Assistant Municipal Engineer-cum-APIO, Kuljinder Kumar, JE and Rajiv Sharma, ME, have, as directed by this Commission on 20.12.19, brought the requested information in pen-drive, which has been handed over to the appellant. The appellant is advised to peruse the contents and point out deficiencies, if any.

3. **Next hearing on 16.4.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

13.2.2020

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Ramandeep Singh Ahluwalia,

Ward No. 18, Street No.2,

Kartar Nagar, Amloh Road,

District Khanna-141401

Versus

Public Information Officer,

o/o S.H.O. (City-2),

Punjab Police, G.T. Road,

Khanna.

First Appellate Authority,

o/o D.I.G., Ludhiana Range,

Punjab Police, Ludhiana.

Appeal Case No. 3128 of 2019

PRESENT:

Ramandeep Singh Ahluwalia (Appellant) 94645-00405

Vinod Kumar, Inspector (for the Respondent) 95929-52412

Sarjandeep Singh, ASI (for the Respondent) 98721-57203

ORDER:

(To be read in continuity with earlier orders on 1.11.19 and 20.12.19)

1. The RTI application is dated **29.4.19** vide which the appellant has sought information **regarding complaint against Manish Kapla in regard to attack on the appellant**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **20.5.19** and second appeal was filed in the Commission on **22.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.12.19**.

2. At the **First Hearing** on 1.11.19, the respondent PIO-cum-SHO Police Station City-2, Khanna was absent without any intimation to this Commission. Whereon he was issued a Show Cause Notice under Section 20(1) of the RTI Act, 2005.

3. Astonishingly, the respondent seemed to have completely ignored the appellant's RTI application despite the fact that the appellant explicitly raised concerns regarding his own life and liberty. Distressingly, even the FAA, office of the Deputy Inspector General Ludhiana Range, chose to disregard the first appeal submitted by the appellant on 20.5.19.

4. At the **Second Hearing** on 20.12.19, the respondent PIO-cum-SHO Police Station City-2, Khanna remained absent for the second time in succession. Despite the Show Cause Notice issued to him on 1.11.19, the respondent failed to submit any written reply and spurned the opportunity given to him to be heard in person. Consequently, this Commission imposed a penalty of Rs. 5,000.00 upon him, to be deducted from his salary in two monthly installments.

Contd. ...2

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Appeal Case No. 3128 of 2019

5. **Today's (Third) Hearing:** Both parties are present. Inspector Vinod Kumar, who was officiating as the PIO-cum-SHO Police Station City-2, Khanna, when this appeal case was filed, was penalized with the penalty of Rs. 5,000.00 after he chose to ignore the Show Cause Notice issued to him by this Commission. He has submitted a written reply dated 21.1.2020, wherein he has contended that this Commission's initial Notice of Hearing was marked to one Sub-Inspector Balwant Singh, working as additional SHO, PS City-2, Khanna for further necessary action. He further submits that the appeal:

"remained in possession of SI Balwant Singh, Addl. SHO PS-City-II, who did not take any action on that. Moreover, he did not appear before you."

Based on the above, Inspector Vinod Kumar has tried to absolve himself of any responsibility for the lapse in either providing the information requested by the appellant, or, ignoring successive notices / orders by this Commission. However, nothing can take away from the fact that Inspector Vinod Kumar was the PIO-cum-SHO, both when this Second Appeal was filed and on the day a penalty was imposed upon him. As per the RTI Act, 2005, both the onus and responsibility was squarely his.

Although, Inspector Vinod Kumar has complied with this Commission's Order of 20.12.19 and has deposited the penalty amount of Rs. 5,000.00 in the Government Treasury on 11.2.20, he orally pleaded that the penalty be reviewed and revoked. It is noted here that he is no longer the PIO-cum-SHO, having been posted back to Police Lines on 21.12.19.

6. It remains a perturbing fact that despite the imposition of a penalty and three hearings at the Commission, the public authority, in this instance, the office of the SHO Police Station City-2, Khanna, has still not submitted even a word by way of a reply to the appellant's RTI application.

7. This Commission directs the incumbent PIO-cum-SHO Police Station City-2, Khanna, to submit a reply furnishing the information sought by the appellant Ramandeep Singh Ahluwalia in his RTI application of 29.4.19. Failing this, this Commission will be compelled to initiate even stricter action against him.

8. In view of the former PIO-cum-SHO Inspector Vinod Kumar's contentions and pleas (see above at 5), this Bench deems it prudent to refer this appeal case to the honorable Chief Information Commissioner for reassignment to a Double Bench or some other Bench as he sees fit.

9. Further hearings to be notified after the CIC's decision.

Sd/-
(ASIT JOLLY)
State Information Commissioner
Chandigarh
13.2.2020

cc: Deputy Registrar, State Information Commissioner, for information and further necessary action.

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Thakur Dass Sharma,
s/o Om Parkash,
Chamber No. 22, Civil Court Complex,
Tehsil Gidderbaha, District Sri Muktsar Sahib.

Versus

Public Information Officer,
o/o Additional Director General of Police (Intelligence),
Punjab Police Headquarters, Sector-9, Chandigarh.
First Appellate Authority,
o/o Additional Director General of Police (Intelligence),
Punjab Police Headquarters, Sector-9, Chandigarh.

Appeal Case No. 3110 of 2019

PRESENT:

Thakur Dass Sharma (Appellant) 94173-33757
Rajinder Singh, ASI (for the Respondent) 97797-18110
Hemant Kumar, Sub Inspector (for the Respondent) 95017-66999
Ashok Kumar, Senior Assistant (for the Respondent) 80546-13741

ORDER:

(To be read in continuity with earlier orders on 1.11.19 and 20.12.19)

1. The RTI application is dated **11.4.19** vide which the appellant has sought information **regarding complaint given on 20.2.19 against Rajpal Singh, PPS,DSP and Krishan Chand ASI**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **15.6.19** and second appeal was filed in the Commission on **26.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.12.19**.

2. Both parties are present. The respondent PIO represented by ASI, Rajinder Singh, Sub Inspector, Hemant Kumar, and Ashok Kumar, Senior Assistant, once again sought exemption under Section 24(4) of the RTI Act and the Punjab Government Notification No. 2/27/05-1A.R/191 dated: 22.2.06. Read together, the above mentioned provisions grant exemption to the Intelligence wing of the state police except in cases where there are allegations of corruption and violation of human rights.

3. As directed by this Commission at the last hearing, the respondents also brought the original record pertaining to the information requested by the appellant and attested copies thereof, to this hearing. After perusing the contents and being assured by ASI Rajinder Singh that the contents of the information (Report) does not compromise any intelligence sources or the safety of any individuals who may have assisted the inquiry in confidence. So by the respondents' own admission at this hearing, the information requested does not qualify for exemption under Section 8(1)(g), as successively claimed by the respondent PIO.

4. This Commission is of the considered view that the information can be given to the appellant.

Contd. ...2

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Appeal Case No. 3110 of 2019

5. As directed by the Commission, the respondents handed over the attested copy of the report pertaining to the Intelligence inquiry against Rajpal Singh, PPS,DSP and Krishan Chand ASI. As requested, the appellant signed his receiving on the respondent PIO's file.

6. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
13.2.2020

PUNJAB STATE INFORMATION COMMISSION

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Avtar Singh,
s/o Chanan Singh,
VPO Chhattbir, Tehsil Dera Bassi,
District SAS Nagar – 140 603

Versus

Public Information Officer,
o/o Executive Officer,
Municipal Corporation Zirakpur.
First Appellate Authority,
o/o Regional Deputy Director,
Local Bodies, Patiala.

Appeal Case No. 3140 of 2019

PRESENT:

(Appellant) Absent

Sarabjit Singh, Building Inspector (for the Respondent) 98724-68485

ORDER:

(To be read in continuity with earlier orders on 1.11.19 and 20.12.19)

1. The RTI application is dated **20.3.19** vide which the appellant has sought information **regarding work order and tenders passed in the house meeting of Zirakpur Committee,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **26.6.19** and second appeal was filed in the Commission on **27.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.12.19**.

2. The appellant is absent without intimation. The respondent PIO, represented by Sarabjit Singh, Building Inspector, is unaware of whether the appellant was invited to inspect the record as directed by this Commission at the last hearing on 20.12.19. Meanwhile, in a letter to the appellant on 16.12.19, the respondent PIO had sought photocopying charges for 1041 pages. The request for fee is not in line with this Commission's order. The Commission had, in fact, ordered that the appellant be invited to inspect the record and select the pages he wanted copied. The respondent was directed to furnish 200 copies free of cost. Under the circumstances, it is not possible to take this appeal case further.

3. The Commission directs the concerned JE, Pawandeep Singh, who holds the requested record, to bring the original record to the next hearing. The appellant is also requested to ensure his presence at the hearing so that he can list the pages he wants copied.

4. **Next hearing on 16.4.2020 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner
Chandigarh
13.2.2020

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



REGISTERED

Jitendra Kumar Sood,

C-119 G-2, Ramprastha Colony,

Ghaziabad, Uttar Pradesh – 201 011

Versus

Public Information Officer,

o/o Municipal Committee, Kharar, Mohali.

First Appellate Authority,

o/o Regional Deputy Director Local Government,

A-Block, 3rd Floor, Mini Secretariat, Patiala – 147 003

Appeal Case No. 3900 of 2019

PRESENT:

Jitendra Kumar Sood (Appellant) 92679-27716

Roshan Lal, Clerk (for the Respondent) 94177-37224

ORDER:

(To be read in continuity with earlier orders on 19.12.19)

1. The RTI application is dated **6.6.19** vide which the appellant has sought **information regarding the issue of a completion certificate to a housing project and other details thereof**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **23.8.19**, and second appeal was filed in the Commission on **18.10.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **19.12.19**.

2. Both parties are present. The respondent PIO, represented by Roshan Lal, Clerk submitted that the information was sent to the appellant by registered post on 10.2.20. He submitted a copy of the information to this Commission. However, this is only partial information and a number of documents requested by the appellant, have not been supplied. Roshan Lal stated that the remaining information is not available with the Municipal Council, Kharar. However, he has no idea whether any inquiry or police complaint was initiated to trace the 'missing' record.

3. It is amply evident that the respondents are reluctant to part with the requested information and, as suggested by the appellant, may be trying to cover up some wrongdoings.

4. Under the circumstances, this Commission directs the respondent PIO-cum-EO Municipal Council Kharar to **APPEAR IN PERSON** at the next hearing of this appeal case. Failing this, this Commission will be constrained to initiate penal proceedings against him as per the RTI Act, 2005.

Contd. ...2

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Appeal Case No. 3900 of 2019

5. Meanwhile, in view of the harassment and detriment caused to the appellant, **Jitendra Kumar Sood**, this Commission deems it appropriate to award a **compensation of Rupees Ten Thousand (Rs. 10000.00)**. This is to be paid by the Public Authority, in this instance, the Municipal Council, Kharar, District Mohali, within 15 days of receiving this order.

6. Next hearing on 16.4.2020 at 11.00 am.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
13.2.2020

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Manpreet Singh,
s/o Birinder Singh,
113, Phase-3 B-1, Mohali.

Versus

Public Information Officer,
o/o Senior Superintendent of Police,
Patiala.

First Appellate Authority,
o/o Director General of Police,
Punjab Police Head Quarters,
Sector-9, Chandigarh.

Appeal Case No. 4067 of 2019

PRESENT:

Manpreet Singh (Appellant) 98773-11904

Jagtar Singh, ASI (for the Respondent) 94635-61899

ORDER:

(To be read in continuity with earlier orders on 19.12.19)

1. The RTI application is dated **18.7.19** vide which the appellant has sought **information pertaining to a letter from the Principal Secretary Food and Supplies to the Director General of Police, which resulted in a number of FIRs**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **17.9.19** and second appeal was filed in the Commission on **31.10.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **19.12.19**.

2. Both parties are present. The respondent PIO, represented by Palwinder Singh, APIO-Cum-Superintendent from the office of Bureau of Investigation and ASI Jagtar Singh from Police Station Sadar, Nabha, submitted the requested information, comprising four pages. These were handed over to the appellant. The appellant was also given a copy of letter No. 439/Crime/CB/-4 dated 10.2.20, from the AIG (Crime) to notify the Commission that the RTI application was transferred to the office of SSP Patiala.

3. The appellant had expressed his satisfaction with the information furnished and also expressed his gratitude to the Commission.

4. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
13.2.2020