

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



Parmod Kumar,
S/o Late Sh. Hem Raj,
H.No.2650, Ward No.12,
Near Dushira Ground,,Kharar,
Distt. Mohali.

Versus

Public Information officer,
o/o Assistant Labour Commissioner, Pb.,
Room No.507, 514, 517, 4th Floor,
Sector 76, Mohali.

Complaint Case No. 1290 of 2021 (Video Conference Proceedings)

PRESENT:

Parmod Kumar (Complainant) 99149-22650
Surmukh Singh, Superintendent (for the Respondent) 99145-57851

ORDER:

1. The complainant, **Parmod Kumar**, filed this RTI application dated **13.9.2021** and sought information **regarding application / complaint by the complainant Dated 4.3.2021**, from the PIO o/o **Assistant Labour Commissioner, Mohali**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **18.11.2021**. Notice was issued to the parties for first hearing in the Commission on **14.7.2022**.
2. Both parties are present. The respondent PIO has made an oral submission at this hearing. He is herewith directed to submit a written, pointwise reply to this RTI application along with written explanation of the delay in addressing said RTI application, to the Commission within 10 days of receipt of this Order.
3. **Next hearing on 13.9.2022 at 11.30 am via Video Conference Facility at DC Office, Mohali.**

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

Chandigarh
13.7.2022

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Parwinder Singh,
S/o Hakam Singh,
Village Jagpura, PO Banur,
Tehsil & District Mohali.

Versus

Public Information Officer,
o/o Forest Corporation Limited,
Forest Complex, Sector 68, Mohali.
First Appellate Authority,
o/o Forest Corporation Limited,
Forest Complex, Sector 68, Mohali.

Appeal Case No. 4145 of 2021 (Video Conference Proceedings)

PRESENT:

Parwinder Singh (Appellant) 98140-37222
Gurwinder Kaur, Forest Guard (for the Respondent) 98772-13061

ORDER:

(To be read in continuity with earlier orders on 11.3.2022)

1. The RTI application is dated **10.4.2021** vide which the appellant has sought information **regarding an FIR against the GBP Group Banur for felling trees in Four points,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **29.5.2021** and Second Appeal was filed in the Commission on **13.9.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.3.2022**.
2. Both parties are present. As directed by the Commission at the hearing on 11.3.2022, the respondent PIO has sent a copy of pointwise reply sent to the appellant vide Letter No. 2190 Dated 20.7.2021.
3. After deliberations at this hearing, the respondent PIO is hereby directed to re-examine point nos. 2, 3, and 4 of the RTI application and submit a written reply along with duly attested copies of the requested information as available in the record. A copy of the above is to be submitted to the Commission within 10 days of receipt of this Order.
4. **Next hearing on 13.9.2022 at 11.30 am via Video Conference Facility at DC Office, Mohali.**

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

Chandigarh
13.7.2022

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Bhupinder Punj,
S/o Braham Prakash,
186, VPO Lohara,
Ludhiana.

Versus

Public Information Officer,
o/o Executive Engineer,
Discharge Division, IB, Punjab,
Mohali.

First Appellate Authority,
o/o Chief Engineer,
Vigilance Quality & Monitoring Water Resource Department, Punjab,
Chandigarh.

Appeal Case No. 4330 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Urwinder Singh, Superintendent (for the Respondent) 94170-36973

Simranjit Singh, JE (for the Respondent) 98729-40004

ORDER:

(To be read in continuity with earlier orders on 11.3.2022)

1. The RTI application is dated **27.5.2021** vide which the appellant has sought information **regarding Anjana Kumari, Asha Kumari, Ram Saroop, Ram Bhadgur, etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.7.2021** and Second Appeal was filed in the Commission on **23.9.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.3.2022**.

2. The appellant is absent without intimation. As per the respondent PIO, represented by Urvinder Singh, Superintendent and Simranjit Singh, JE., a demand for copying cost was raised from the appellant vide Letter Dated 23.6.2021, which was well within a period of 30 days. The respondent PIO is directed to submit a copy of aforesaid letter along with all other correspondence with the appellant, to this Commission forthwith.

3. It is the Commission's considered view that the information sought by way of the attendance record of the employees, is exempt as personal information as per Section 8(1)(j) which was succinctly underscored by the Hon'ble Supreme Court's Judgement dated 13.11.2019 in *Civil Appeal No.10044 of 2010 titled in Central Public Information Officer Supreme Court of India vs Subhash Chandra Agarwal*. The rest of the information requested be supplied to the appellant after he deposits the revised cost of copying as intimated by the respondent PIO. The respondent PIO is to intimate the revised cost of the photocopying with a copy to this Commission forthwith.

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Appeal Case No. 4330 of 2021 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 13.9.2022 at 11.30 am via Video Conference Facility.** (The appellant will attend the hearing at DC Office, Ludhiana and the respondent PIO will attend the hearing at DC Office, Mohali.)

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

13.7.2022

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Gurmail Singh,
Labour-cum-Conciliation Officer (Retd.),
H.No.889, Sector-78, Mohali.

Versus

Public Information officer,
o/o Labour Commissioner, Punjab, Mohali.
First Appellate Authority,
o/o Labour Commissioner, Punjab, Mohali.

Appeal Case No. 5319 of 2021 (Video Conference Proceedings)

PRESENT:

Yashpal Gupta, Advocate (for the Appellant) 78889-67663

Parminder Singh, APIO-cum-Superintendent (for the Respondent) 76960-05999

ORDER:

1. The RTI application is dated **13.10.2020** vide which the appellant has sought information **by way of a certified copy of his own Service Book Service Book**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.9.2021** and Second Appeal was filed in the Commission on **25.11.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.7.2022**.

2. Both parties are present. The appellant is represented by Yashpal Gupta. As per reply sent to the appellant by the respondent PIO as per Letter No. 21112 Dated 20.11.2020, the requested service book went missing during shifting of the office and is being searched. As per the respondent PIO, represented by Parminder Singh, Superintendent, the search for the said service book is still ongoing.

3. The Commission takes a very serious view of the respondent PIO's conduct. This RTI application has been delayed beyond all reasonable limits. The respondent PIO is herewith granted one month time to arrange to have the requested service book reconstructed from the records and a copy of the same be supplied to the appellant. The PIO can seek assistance of the concerned dealing assistant for the aforesaid task under Section 5(4) and 5(5) of the RTI Act 2005. Thereafter, said dealing assistant shall be as deemed PIO and be responsible for any delay/non compliance of the Commission's Order.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

Contd. ...2

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Appeal Case No. 5319 of 2021 (Video Conference Proceedings)

5. Next hearing on 13.9.2022 at 11.30 am via Video Conference Facility at DC Office, Mohali.

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

Chandigarh
13.7.2022

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REGISTERED SHOW CAUSE NOTICE

Mandeep Singh,
H.No.2763, Sector-37-C,
Chandigarh.

Versus

Public Information officer,
o/o Divisional Engineer (Establishment),
Punjab Water Resources & Development
Corporation Lt., SCO 8-10, Phase-1,
Sector-55, Mohali.

First Appellate Authority,
Superintendent Engineer(Planning),
Punjab Water Resources & Development
Corporation Lt., SCO 8-10, Phase-1,
Sector-55, Mohali.

Appeal Case No. 5537 of 2021 (Video Conference Proceedings)

PRESENT:

Mandeep Singh (Appellant) 98726-22612
(Respondent) Absent

ORDER:

1. The RTI application is dated **22.9.2021** vide which the appellant has sought information **regarding Punjab Water Supply Corporation**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **29.10.2021** and Second Appeal was filed in the Commission on **7.12.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.7.2022**.
2. The respondent PIO is absent without intimation. As per the appellant the information was supplied to him Four months after he submitted RTI application on 22.9.2021. As per his contention, said information was only given after he filed Second Appeal to this Commission. The Commission deems it fit to issue the respondent PIO with this Show Cause Notice.
3. The respondent **PIO-cum-Divisional Engineer (Establishment), Punjab Water Resources & Development Corporation Lt., Mohali**, is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **22.9.2021**.

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Appeal Case No. 5537 of 2021 (Video Conference Proceedings)

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

4. Next hearing on 13.9.2022 at 11.30 am via Video Conference Facility at DC Office, Mohali.

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

Chandigarh
13.7.2022

Cc: Superintendent Engineer(Planning),
Punjab Water Resources & Development Corporation Lt.,
SCO 8-10, Phase-1, Sector-55, Mohali,
for information and necessary action.

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REGISTERED SHOW CAUSE NOTICE

Kuldip Singh Walia,
S/o Late Sh. Harjit Singh,
Flat No.B004, Sushma Joynest, Moh-1,
Airport Road PR 7, Chhat,
Zirakpur,

Versus

Public Information officer,
o/o Labour Commissioner,Pb.,
Sector-64,Phase-10, Mohali.
First Appellate Authority,
Labour Commissioner,Pb.,
Sector-64,Phase-10, Mohali.

Appeal Case No. 5544 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent
(Respondent) Absent

ORDER:

1. The RTI application is dated **25.8.2021** vide which the appellant has sought information **regarding Complaint Dated 26.6.2021 about Sushma Joynest, Airport Road, Zirakpur,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **8.10.2021** and Second Appeal was filed in the Commission on **10.12.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.7.2022**.

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 intimation. The Commission deems it fit to issue the respondent PIO with this Show Cause Notice.

3. The respondent **PIO-cum-Labour Commissioner, Mohali,** is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **25.8.2021**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

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Appeal Case No. 5544 of 2021 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 13.9.2022 at 11.30 am via Video Conference Facility at DC Office, Mohali.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

13.7.2022

Cc: Labour Commissioner,
Pb., Sector-64, Phase-10,
Mohali, for information and necessary action.