

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
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Sh. Bhagwant Singh, S/o S. Charan Singh,
R/o Vilalge Wahge Wala, PO Khai PHEME Ki Tehsil &
Distt. Ferozepur

..... Appellant

Vs

Public Information Officer,
O/o SSP, Ferozepur
First Appellate Authority
o/o Inspector General of Police,
Ferozepur Range, Ferozepur

..... Respondent

AC.No. 1118 of 2019

Present : None for the parties.

ORDER

1. The RTI application is dated 21.12.2018 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 22.03.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 14.05.2019 in the Commission.
3. Today neither the appellant nor the respondent is present. The appellant has sent a letter mentioning therein that he is unable to present today's hearing.
4. This is the first date of hearing, therefore, one more opportunity is given to both the parties to appear before the Commission and state their case.
5. To come up on **10.07.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 14.05.2019

(Preety Chawla)
State Information Commissioner

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Sh. Rakesh Kumar, S/o Shri Raj Kumar
R/o Ward No.5, VPO Mudki,
Tehsil and Distt. Ferozepur - 142060

.....Appellant

Vs

Public Information Officer,
O/o EO, Nagar Panchayat Mudki,
Distt.Ferozepur
First Appellate Authority
o/o Deputy Director , Local Govt.,
Ferozepur

.....Respondent

AC.No. 1115 of 2019

Present : (i) None is present on behalf of the appellant
(ii) for the respondent : Sh. Ashok Kumar, APIO, Sh.Harish, Accountant Clerk

ORDER

The RTI application is dated 05.12.2018 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 07.05.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 14.05.2019 in the Commission.

3. The appellant is absent today.

4. Respondent states that the appellant was advised to deposit the documentation fee but he has failed to deposit the required fee so no information was provided to the appellant. He further states that they have received RTI of the appellant on 07.12.2019 and demanded documentation fee on 14.12.2019.

5. After hearing the respondent and examining the case file, it is observed that the respondent has demanded documentation fee within stipulated time as prescribed under the RTI Act 2005. Therefore, the appellant is advised to deposit the fee and obtain the information on any working day. Respondent is directed to provide the same to the appellant after requisite fee.

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AC.No. 1115 of 2019

6. With these directions, the appeal filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
Dated: 14.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Manjit Singh, S/oShri Sohan Singh
House No 388/3, Dhandholian Road,
Patiala

.....Complainant

Vs

Public Information Officer,
O/o General Manager,
Verka Plant, Jalandhar

.....Respondent

CC.No. 281 of 2019

Present : (i) None is present on behalf of the complainant
(ii) For the respondent : Sh.Jatinder Pal Singh, Deputy Manager-cum-PIO, Sh. Dinesh Kumar, APIO

ORDER

The RTI application is dated 06.11.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 30.04.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 14.05.2019 in the Commission.
3. The complainant is absent today. He has sent a letter stating that he is unable to attend the hearing.
4. Respondent states that the Verka Milk Plant is not covered under the RTI Act.
5. After hearing the respondent and going through the case file, it is observed that it is complicated case and requires adjudication by the Larger Bench.
6. In view of the foregoing, the case file is sent to Deputy Registrar for placing the same before the Hon'ble Chief Information Commissioner for appropriate orders.

Sd/-

Chandigarh
Dated: 14.05.2019

(Preety Chawla)
State Information Commissioner

D.R.

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Registered post

Sh. Rulia Singh, S/o Shri Lahina Singh
VPO Mamdot Uthad, Tehsil and Distt. Ferozpur

.....Complainant

Vs

Public Information Officer,
O/o Naib Tehsildar, Mamdot,
Distt. Ferozpur

.....Respondent

CC.No. 307 of 2019

Present : (i) Sh.Rulia Singh the complainant
(ii) None is present on behalf of the respondent

ORDER

The RTI application is dated 21.07.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 20.03.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 14.05.2019 in the Commission.
3. The complainant states that no information has been given to him so far.
4. Respondent is absent today.
5. The perusal of the file shows that the complainant has filed RTI on 21.07.2017, but after lapse of more than one year and eight months, no information has been given to him so far. This shows that the respondent –PIO has no regard for the orders issued by the Commission. This is very serious matter.
6. In view of the above, **PIO- Sh. Vikram, Naib Tehsildar 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 complainant under Section 19 (8)(b) of the Act for detriment suffered.

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CC.No. 307 of 2019

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. To come up on **03.06.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 14.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Manjit Singh, S/oShri Sohan Singh
House No 388/3, Dhandholian Road,
Patiala

.....Complainant

Vs

Public Information Officer,
O/o General Manager,
Verka Plant, Jalandhar

.....Respondent

CC.No. 280 of 2019

Present : (i) None is present on behalf of the complainant
(ii) For the respondent : Sh.Jatinder Pal Singh, Deputy Manager-cum-PIO, Sh. Dinesh Kumar, APIO

ORDER

The RTI application is dated 06.11.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 19.03.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 14.05.2019 in the Commission.
3. The complainant is absent today. He has sent a letter stating that he is unable to attend the hearing.
4. Respondent states that the Verka Milk Plant is not covered under the RTI Act.
5. After hearing the respondent and going through the case file, it is observed that it is complicated case and requires adjudication by the Larger Bench.
6. In view of the foregoing, the case file is sent to Deputy Registrar for placing the same before the Hon'ble Chief Information Commissioner for appropriate orders.

Sd/-

Chandigarh
Dated: 14.05.2019

(Preety Chawla)
State Information Commissioner

D.R.

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Sh. Manjit Singh, S/oShri Sohan Singh
House No 388/3, Dhandholian Road,
Patiala

.....Complainant

Vs

Public Information Officer,
O/o General Manager,
Verka Plant, Jalandhar

.....Respondent

CC.No. 279 of 2019

Present : (i) None is present on behalf of the complainant
(ii) For the respondent : Sh.Jatinder Pal Singh, Deputy Manager-cum-PIO, Sh. Dinesh Kumar, APIO

ORDER

The RTI application is dated 06.11.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 19.03.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 14.05.2019 in the Commission.
3. The complainant is absent today. He has sent a letter stating that he is unable to attend the hearing.
4. Respondent states that the Verka Milk Plant is not covered under the RTI Act.
5. After hearing the respondent and going through the case file, it is observed that it is complicated case and requires adjudication by the Larger Bench.
6. In view of the foregoing, the case file is sent to Deputy Registrar for placing the same before the Hon'ble Chief Information Commissioner for appropriate orders.

Sd/-

Chandigarh
Dated: 14.05.2019

(Preety Chawla)
State Information Commissioner

D.R.

PUNJAB STATE INFORMATION COMMISSION

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Sh Joginder Singh,
S/o Sh Jarnail Singh,
R/o Village Araimajra, POMauradi,
Tehsil Samana, Distt Patiala

.....Complainant.

Vs

Public Information Officer,
O/o BDPO, Samana,
Distt Patiala

.....Respondent

CC .No. 1187 of 2018

Present : (i) None is present on behalf of the complainant
(ii) For the respondent :Sh. Sahib Singh, Panchayat Secretary

ORDER

This order may be read with reference to the previous order dated 02.04.2019.

2. Today Sh. Sahib Singh has submitted receipt of challan vide which he has deposited penalty amount i.e.Rs. 5000/- in the treasury. Copy of the same is taken on record.

3. Since, the order of the Commission has been complied with, no cause of action is left, the complaint filed by the complainant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
Dated: 14.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Registered post

Sh. Saroop Singh, s/o Sh. Bachan Singh
Village choure, Block Sri Hargobindpur
Tehsil Batlaa, Distt. Gurdaspur

..... Complainant

Vs

Public Information Officer,
o/o District Social Welfare Officer
Gurdaspur

Registered post: Public Information Officer
o/o BDPO, Sri Hargobindpur
Distt. Gurdaspur

.....Respondent

CC.No. 1039 of 2018

Present : None is present on behalf of the complainant
(ii) For the respondent :Sh. Jaspal Singh, O/o DSSO, Gurdaspur

ORDER

The brief facts of the case is that the complainant filed RTI with the PIO,o/o DSSO,Gurdaspur on 12.01.2018. During the hearing dated 05.03.2019, Respondent o/o DSSO, Gurdaspur stated that the information, as exists, in their record had been provided to the complainant. Remaining information is lying with the PIO, BDPO, Sri Hargobindpur, Distt. Gurdaspur. He has also given his reply in writing. Therefore, PIO,o/o BDPO, Sri Hargobindpur was impleaded as respondent no. 2.

2. On the next date of hearing i.e. 02.04.2019, the PIO, o/o BDPO, Sri Hargobindpur was absent, therefore a show cause notice was issued to the respondent-PIO. Again , today the respondent ,PIO o/o BDPO, Sri Hargobindpur is absent. This shows that the respondent-PIO has no regard for the orders issued by the Commission. This is indeed a serious matter.

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CC.No. 1039 of 2018

3. In view of the above mentioned circumstances, **Sh. Satish Kumar, BDPO-cum-PIO** is responsible for the delay in providing the information and harassment suffered by the Appellant.

4. The Commission is constrained to observe that a large number of officers have failed to appreciate the spirit of the Act for promotion of openness in their functioning. Respondent may note that the RTI Act 2005 is meant for promoting transparency in governmental functioning by bringing to light governmental actions done behind closed doors so that the common man is kept well informed of the goings on in the public authorities with a view to strengthening democracy. The RTI Act 2005 is not to be used as a substitute for availing of services available under various statutes for matters not involving the bringing to light the mannerism of / flaws in the working of public authority.

5. In the backdrop of the aforementioned factual position, initiation of action under Section 20(1) Right to Information Act, 2005, against the defaulting officer is called for. Hence it is a fit case in which the defaulting officials deserve to be penalized under Section 20(1).

6. I am, therefore, left with no other option but to decide the question of imposition of penalty upon **Sh. Satish Kumar, BDPO-cum-PIO of Rs. 5000/- (Rs. Five Thousand only)**. The amount of penalty i.e. Rs. 5000/- should be deducted from his salary and be deposited in the Government treasury under head 0070-Other Administrative Services-60-Other Services-800-Other Receipts-86-Fees under the Right to Information Act. **The DDPO, Gurdaspur shall ensure that this amount of penalty is deducted from the salary of the above said defaulting officials and** deposited in the Treasury under the relevant head.

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CC.No. 1039 of 2018

7. Adjourned to **10.07.2019 (at 11.00 AM)** for further proceedings. Copies of the order be sent to the parties **through registered post**.

Sd/-

Chandigarh

Dated: 14.05.2019

(Preety Chawla)

State Information Commission

Through registered post

- CC:**
1. Sh. Satish Kumar, BPPO, Sri Hargobindpur, Distt. Gurdaspur
 2. DDPO, Distt. Gurdaspur
 3. Director Rural Development and Panchayats, Sarovar Path, Phase 8, Sector , 62, SAS Nagar for necessary action.

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Smt.Jaspreet Kaur, W/o Shri Harbans Singh
Dhaliwal, R/o Kartarpur Basti,
Ward No. 1, Hareri Road, Near Theka, Sangrur

.....Complainant

Vs

Public Information Officer,

O/o SC and ST Commission Punjab
Room No. 8, Fourth Floor,
Punjab Civil Sectt. -1, Chandigarh

Registered post 2. **Public Information Officer**
O/o SSP, Sangrur

.....Respondent

CC.No. 291 of 2019

Present: (i) None for the Complainant.
(ii) For the Respondent: Sh Suresh Masih, Supdt. and Smt Jaswinder
Kaur, Clerk

ORDER

1. The RTI application is dated 11.09.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 20.03.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 14.05.2019 in the Commission.
3. The Complainant is not present today.
4. The Respondent states that the information sought by the Complainant is not related to them. He further states that the information relates to PIO-O/o SSP, Sangrur. He adds that they had already transferred RTI application of the Complainant to PIO-O/o SSP, Sangrur.
5. The perusal of the file shows that the information relates to PIO-O/o SSP, Sangrur. Hence, PIO- O/o SSP, Sangrur be impleaded as Respondent No.2.

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CC.No. 291 of 2019

PIO –O/o SSP, Sangrur is directed to be present on the next date of hearing alongwith the complete information.

6. To come up on **10.07.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 14.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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Sh. Deepinder Singh,
S/o Shri Jaswinder Singh,
R/o Village Bhullerheri, Tehsil Dhuri,
Distt. Sangrur

.....Appellant

Vs

Public Information Officer,
O/o District Program Officer,
Sangrur

First Appellate Authority
O/o Director Social Security
Women and child Development Department Punjab
Sector 34 A, Chandigarh

.....Respondent

AC.No. 1134 of 2019

Present : (i) None for the Appellant.
(ii) For the Respondent: Sh Daljeet Singh, Junior Asstt.

ORDER

1. The RTI application is dated 08.01.2019 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 25.03.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 14.05.2019 in the Commission.

3. The Appellant is not present today. However, he has sent a letter vide Commission diary no. 9555 dated 10.05.2019 mentioning therein that he shall not be able to attend the hearing today.

4. The Respondent states that he has brought the complete information today running into 171 pages. Further the Respondent states that he had intimated the

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AC.No. 1134 of 2019

Appellant several times to collect the information but the Appellant has not collected the same. Further, the Respondent has also given in writing that the complete information has been provided and that there is nothing pending in this regard.

5. The perusal of the file shows that the Respondent has brought the complete information today. Copy of the same is taken on record. The Appellant is not present today. Hence, the Appellant is directed to collect the copy of the information from the Commission office on any working day.

6. In view of the foregoing, no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 14.05.2019

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Gurdip Singh, s/o Shri Narain Singh
R/o House No. 9, Chamrang Mandi,
Basti Tainka Wali, Ferozepur

.....Appellant

Vs

Public Information Officer,
O/o District Food & Civil Supplies Controller,
Ferozepur
First Appellate Authority
o/o Director, Food and Civil Supplies and Consumer
Affairs Department, Punjab, Sector 39C, Annaj Mandi,
Chandigarh

.....Respondent

AC.No.1108 of 2019

Present : (i) Sh Gurdeep Singh, Appellant alongwith Sh Lakhwinder Singh.
(ii) For the Respondent: Sh Avtar Singh, AFSO

ORDER

1. The RTI application is dated 28.11.2018 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 20.03.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 22.09.2014 in the Commission
3. The Appellant states that they have not received the complete information so far.
4. The Respondent states that some time is required to provide the information.
5. Hence, some time is granted to the Respondent to provide complete information to the Appellant. To come up on **10.07.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 14.05.2019

(Preety Chawla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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Sh Tejinder Singh,
Village-Bholapur,
P.O Ramgarh, Chandigarh Road,
Ludhiana-141123

.... Appellant

Versus

Public Information Officer,
O/o MC,Rampura Phul,
Distt Bathinda
First Appellate Authority,
O/o Deputy Director,
Local Govt, Bathinda

..Respondent

AC No. 2689 of 2018

Present : (i) Sh Tejinder Singh, Appellant.
(ii) For the Respondent: Sh Mandeep Singh, Computer Operator.

ORDER

This order may be read with reference to the previous order dated 16.04.2019.

2. The Appellant states that he has received the complete information but the amount of compensation has not been paid to him till date.

3. The Respondent states that they have already sent the cheque of compensation to the Appellant by registered post on 09.05.2019.

4. The perusal of the file shows that the information has been provided to the Appellant. The Respondent has sent the cheque of compensation to the Appellant but the appellant has not received the same till date. The Respondent however, assures the court that the amount of compensation has been sent to the Appellant and he shall received the same within few days. Hence, on the assurance of the Appellant to provide the amount the compensation to the Appellant, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 14.05.2019

(Preety Chawla)
State Information Commissioner