

PUNJAB STATE INFORMATION COMMISSION

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

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Whatsapp No. 62848-20189 Cisco Webex 158 708 3455



Sh. Fulwinder Singh. M 9914031831
J-2, B-Block, Bhalla Colony, Chheharta,
Amritsar.

..Appellant

Vs

Sh. Varinder Mohan, ATP
Public Information Officer,
O/o Municipal Corporation,
Amritsar.

First Appellate Authority
O/o Commissioner,
Municipal Corporation,
Amritsar.

....Respondent(s)

Appeal Case No.1620 of 2021
(Video Conference/Cisco Webex/Telephone Proceedings)

Present: Sh. Fulwinder Singh, appellant.

None on behalf of the respondents.

Order

This order may be read with reference to order dated 7.12.2021 heard by Shri Hem Inder Singh State Information Commission, Punjab vide which respondent PIO was directed to file her written reply of show case notice in the shape of affidavit, before the next date of hearing and she was directed to remain present on the next date of hearing to present this case. This case was transferred to this bench and this case was fixed for today's hearing.

2. The respondent Public Information Officer or his representative is absent without intimation to the office and she has not complied with the direction issued in the last hearing. The perusal of the file shows that in this case, application for information was filed on 24.7.2019 but after lapse of more than two year, incomplete information has been given to the appellant so far. It is, thus apparent from the response of the respondent-Public information Officer that

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Appeal Case No. 1620 of 2021

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there has been delay in providing the information. Appellant had also suffered financial loss in getting the information. There are systemic deficiencies in the manner of receiving and disposing of applications. The department still does not appear to be properly tuned to the performance of its obligations enshrined under the RTI Act, 2005.

4. I am, therefore, of the view that ends of justice would be met by awarding a sum of Rs. 5000/- (Rupees Five thousand only) by way of compensation to the appellant. This amount shall be payable from the State Exchequer by the office of Municipal Corporation Amritsar before the next date of hearing.

5. Sh. Varinder Mohan, Public Information Officer-cum-ATP is directed to place on record the names and addresses of the third parties involved in this case pertaining to point no. 4 of the RTI application so that an appropriate decision can be taken to impleaded them as a necessary party in accordance with the provisions of the RTI Act and Punjab RTI rules, 2017. He is also directed to remain present on the next date of hearing. The case is adjourned.

6. To come up on 31.3.2022 at 12.30 PM to be heard through video Conference facility available in the office of the Deputy Commissioner, Amritsar.

sd

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 14.2.2022

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Sh. Vishal Joshi, M 9914059678
#1697/12, Street Chajju Mishar Chowk,
Farid, Amritsar

..Appellant

Vs

Public Information Officer,
O/o o Municipal Corporation,
Amritsar.

First Appellate Authority
O/o Commissioner,
Municipal Corporation,
Amritsar.

....Respondent(s)

Appeal Case No. of 2159/ 2020
(Video Conference/Cisco Webex/Telephone Proceedings)

Present: None on behalf of the appellant.
Shri Parminderjit Singh PIO cum ATP on behalf of the respondents.(on
Telephone)

Order

This order may be read with reference to order dated 7.12.2021 heard by Shri Hem Inder Singh, State Information Commission, Punjab. After he demitted the office, the case was transferred to this bench and fixed for hearing today i.e. 14.2.2022. During the last hearing, the respondent-Public Information Officer was issued a Show Cause Notice on 28.10.2021 for not supplying the information. The respondent PIO was directed to file his written submission in the shape of an affidavit in response to the written submission received from appellant before the next date of hearing.

2. The appellant is absent without any intimation to the Commission.
3. The respondent PIO states that no submission has been received from the

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Appeal Case No. of 2159/ 2020

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appellant. He further submits that reply to his RTI application has already been sent vide letter no. 25 dated 27.11.2020 a copy of which is already available in the case file vide which it has informed that the information cannot be supplied under section 8(1) (j) of the RTI Act, 2005 being the matter between employer and employee pertaining to Point No. 1 and 2 of the RTI application. Regarding Point No. 3 he submits that no such information exists in the official record. He has also submitted the reply regarding show cause notice issued to him, in shape of an affidavit, which is taken on the record. He has also tendered unconditional apology and has assured to take care in future while dealing with the RTI application.

4. After hearing the respondent Public Information Officer and going through the case file the appellant and the respondent Public Information Officer are hereby directed to remain present at Chandigarh along with the original record pertaining to the RTI application on the next date of hearing to take the matter to its logical end. The case is adjourned.

5 To come on 30.3.2022 at 12.30 P.M. at Chandigarh.

Dated: 14.2.2022

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab