

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



Rakesh Kumar Gupta, Advocate,
S/o Late Sh. Deen Dayal,
Chamber No.362, Lawyers Chamber Complex,
Judicial Courts, Ludhiana.

Versus

Public Information Officer,
o/o Station House Officer,
Police Station, Civil Lines, Patiala.

Public Information Officer,
o/o PSOC, Police Station, Civil Lines, Patiala.

First Appellate Authority,
o/o Commissioner of Police,
Patiala.

Appeal Case No. 458 of 2021 (Video Conference Proceedings)

PRESENT:

Rakesh Kumar Gupta (Appellant) 98153-31570
ASI Pawan Kumar (for the Respondent) 98764-32868

ORDER:

(To be read in continuity with earlier orders on **17.9.2021, 20.4.2022, and 6.7.2022**)

1. The RTI application is dated **17.9.2020** vide which the appellant has sought information **regarding FIR No. 106**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.10.20** and Second Appeal was filed in the Commission on **12.1.21** under Section 19 of the Right to Information Act, 2005. The case was last heard on **6.7.2022**.

2. Both parties are present. As directed at the last hearing on 6.7.2022, the respondent PIO has submitted duly attested copies of the reply and information sent to the appellant vide Letter No. 2000 Dated 30.6.2022, which was received in the Commission vide Diary No.15416 Dated 15.7.2022. The appellant arrived late and states that the information supplied is not satisfactory. The case is adjourned to its next hearing.

3. **Next hearing on 20.10.2022 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, Patiala.)

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

Chandigarh
14.9.2022

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REGISTERED SHOW CAUSE NOTICE

Amarjit Singh Dhamotia,
Street No 5, # 1331-5, Vishawkarma Bhawan,
Down Canal Road, Simlapuri,
Ludhiana – 141 003.

Versus

Public Information Officer,
o/o Municipal Engineer,
MC, Rajpura, Patiala.
Public Information Officer-cum-
Municipal Engineer,
o/o Municipal Council,
Rajpura.
Public Information Officer,
o/o Executive Officer,
Nagar Council, Rajpura,
District Patiala.
First Appellate Authority,
o/o Executive Officer, Nagar Council, Rajpura,
District Patiala.

Appeal Case No. 455 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on **15.7.2022**)

1. The RTI application is dated **11.9.2021** vide which the appellant has sought information **regarding works pertaining to streets and roads**, enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.10.2021** and Second Appeal was filed in the Commission on **17.1.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.7.2022**.

2. Both parties are absent. While the appellant has intimated the Commission of his inability to attend this hearing, the respondent PIO is absent without intimation. The PIO-cum-EO MC, Rajpura, has however, submitted a detailed reply to the Show Cause Notice issued to him vide Order on 15.7.2022, vide letter No/143 Dated 5.8.2022. As per said reply, the PIO-cum-EO, states that the information sought by the appellant relates to the Engineering Branch of MC, Rajpura, therefore the RTI application was sent to the Municipal Engineer, MC, Rajpura, vide Letter No. 196 Dated 20.9.2022, directing him to supply the requested information within Seven days. The Municipal Engineer was reminded twice vide Letter No. 244 Dated 8.11.2021 and Letter No. 15 Dated 27.1.2022. He was also directed to attend today's hearing. Despite the above, the Municipal Engineer, MC, Rajpura, has ignored all directions.

Contd....2

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Appeal Case No. 455 of 2022 (Video Conference Proceedings)

3. In view of the above the Municipal Engineer, MC, Rajpura is impleaded as the PIO in this Appeal Case and the Commission deems it fit to issue him with this Show Cause Notice.

4. The respondent PIO-cum-Municipal Engineer, MC, Rajpura, 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 **11.9.2021**.

“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.

5. 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

6. Next hearing on 15.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

**Sd/-
(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh
14.9.2022

Cc: Additional Deputy Commissioner (UD), Patiala, for information and further necessary action.

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REGISTERED SHOW CAUSE NOTICE

Amarjit Singh Dhamotia,
1331-5, Near Vishawkarma Bhawan,
Down Canal Road, Shimlapuri,
Ludhiana

Versus

Public Information Officer,
o/o Executive Officer, Nagar Council, Rajpura,
Patiala.

First Appellate Authority,
o/o Additional Deputy Commissioner (UD)
Patiala.

Appeal Case No. 1183 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on **6.7.2022**)

1. The RTI application is dated **13.11.2021** vide which the appellant has sought information **regarding Municipal Council, Rajpura**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **20.12.2021** and Second Appeal was filed in the Commission on **7.3.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **6.7.2022**.

2. Both parties are absent. At the last hearing on 6.7.2022, the respondent PIO was directed to send a pointwise reply to the RTI application. The respondent PIO has failed to comply. In view of the above, the Commission deems it fit to issue the Show Cause Notice to the PIO-cum-EO, MC, Rajpura, Patiala.

3. The respondent PIO-cum-Executive Officer, Rajpura, 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 **13.11.2021**.

“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. 1183 of 2022 (Video Conference Proceedings)

4. The PIO-cum-EO, MC, Rajpura is further directed to be present in person at the next hearing of this Appeal Case. The appellant is also herewith requested to attend the next hearing in person at the Commission in Chandigarh.

5. 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

6. **Next hearing on 15.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

14.9.2022

Cc: Additional Deputy Commissioner (UD), Patiala, for information and further necessary action.

PUNJAB STATE INFORMATION COMMISSION

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Davinder Singh,

S/o Sh. Harkrishan Singh,
788-G, SBS Nagar, Pakhowal Road,
Post Office Basant Avenue, Ludhiana.

Versus

Public Information Officer,

o/o Assistant Inspector General, GRP, Punjab,
District Patiala.

First Appellate Authority,

o/o Director General of Police (Railway)
Punjab, Chandigarh.

Appeal Case No. 3443 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

ASI Naresh Kumar (for the Respondent) 94173-28900

ORDER:

(To be read in continuity with earlier orders on **6.7.2022**)

1. The RTI application is dated **9.3.2021** vide which the appellant has sought information **regarding a suicide on the railway tracks**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **28.4.2021** and Second Appeal was filed in the Commission on **2.8.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **6.7.2022**.

2. The appellant is absent without intimation. As directed by the Commission at the last hearing on 6.7.2022, the respondent PIO has submitted a reply vide Letter No. 30399 Dated 18.7.2022, with a copy of inquest report no. 43 Dated 24.2.2004 related to the suicide in the year 2004 as requested in the RTI application. The information is available on the file of the Commission. The appellant is requested to demonstrate larger public interest (in writing) whereby aforesaid information be disclosed to him within 15 days of receipt of this Order.

3. Meanwhile, the information furnished by the respondent PIO vide Letter No. 30399 Dated 18.7.2022, be sealed and maintained in the case file pending a final decision.

4. **Next hearing on 20.10.2022 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, Patiala.)

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh
14.9.2022

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Pawan Kumar Mittal,
S/o Sh. Chanan Ram,
3277/5, Tara Chand Street,
Factory Area, District Patiala.

Versus

Public Information Officer,
o/o District Manager,
Punjab State Warehousing Corporation,
District Ludhiana.

M/s Ganeshey Overseas Limited,
SCO 38, First Floor, Sector-26,
Chandigarh.

First Appellate Authority,
o/o Punjab State Warehousing Corporation,
Head Office, SCO-74-75,
Sector-17 B, Chandigarh.

Appeal Case No. 3731 of 2021 (Video Conference Proceedings)

PRESENT:

Pawan Kumar Mittal (Appellant)

Mohinder Pal Singh, PIO-cum-District Manager Warehousing Corporation (Respondent) 98761-43244

ORDER:

(To be read in continuity with earlier orders on **6.7.2022**)

1. The RTI application is dated **18.9.2020** vide which the appellant has sought information **regarding Ganeshey Overseas Limited in Four points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.4.2021** and Second Appeal was filed in the Commission on **18.8.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **6.7.2022**.

2. Both parties are present. The respondent PIO-cum-District Manager Warehousing Corporation, Mohinder Pal Singh, has submitted a reply to the Show Cause Notice issued to him vide Commission's Order of 6.7.2022, wherein he has explained the delay in furnishing the information and the chain of correspondence with the appellant and the stated third party in this Appeal Case. The stated third party i.e. **M/s. Ganeshey Overseas Limited**, has refused consent to the disclosure of the requested information vide its Letter Dated 9.7.2021, to the PIO-cum-District Manager Warehousing Corporation, District Office, Ludhiana.

3. In view of the above, the Commission grants the stated third party in this case M/s. Ganeshey Overseas Limited to make a written submission and or be heard in person at the next hearing of this Appeal Case. The respondent PIO-cum-District Manager Warehousing Corporation, Mohinder Pal Singh, will be responsible to inform the stated third party regarding the date and time on the next hearing vide this Order. A copy of this Order be sent to all parties.

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Appeal Case No. 3731 of 2021 (Video Conference Proceedings)

4. Next hearing on 20.10.2022 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, Patiala.)

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

Chandigarh
14.9.2022

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Tejinder Singh,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur, Jalandhar.

Versus

Public Information officer,
o/o Commissioner, Municipal Corporation,
Ludhiana.

First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 1454 of 2021 (Video Conference Proceedings)

PRESENT:
(Appellant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier orders on **22.10.2021, 2.12.2021, 10.3.2022, and 1.6.2022**)

1. The RTI application is dated **23.11.2020** vide which the appellant has sought information **regarding an inquiry report submitted by Neeraj Jain to the Commissioner with respect to a road in Ward No. 30 (Giaspura Road) on 20.11.2020; Show Cause Notice issued to SDO Rakesh Singla and his reply to said notice.** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.2.2021** and Second Appeal was filed in the Commission on **18.3.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.6.2022**.

2. Both parties are absent. The case is adjourned to its next hearing.

3. **Next hearing on 16.11.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
14.9.2022

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Tejinder Singh,
Civil Court, Tehsil Complex, Backside Sanjh Kender,
Phillaur – 144 410

Versus

Public Information officer,
o/o Nagar Council, Samrara,
Ludhiana.

First Appellate Authority,
Additional Dy. Commissioner (UD),
Ludhiana.

Appeal Case No. 3380 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Sanjogta, Sanitary Inspector (for the Respondent) 97800-42343

Jagtar Singh, Clerk (for the Respondent) 98557-31700

ORDER:

(To be read in continuity with earlier orders on 19.4.2022)

1. The RTI application is dated **20.9.2020** vide which the appellant has sought information **regarding Hospitals and commercial complexes during the jurisdiction of Nagar Council, Samrara**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.5.2021** and Second Appeal was filed in the Commission on **27.7.2021** under Section 19 of the Right to Information Act 2005. The case was last heard on **19.4.2022**.

2. The appellant is absent. The respondent PIO-cum-EO, represented by Sanjogta, Sanitary Inspector and Jagtar Singh, Clerk, has provided a piecemeal reply to this RTI application, which is not acceptable. The respondent PIO-cum-EO, Sh. Jasbir Singh is directed to send a pointwise reply to all 11 points of RTI application before the next hearing. Failure to do so, shall invite penal consequences as per RTI Act 2005.

3. 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

4. **Next hearing on 16.11.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
14.9.2022

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Tejinder Singh,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur-144410

Versus

Public Information Officer
o/o Superintendent Engineer,
O&M Cell, Zone D,
Municipal Corporation, Ludhiana.

Public Information Officer,
o/o Municipal Corporation,
Ludhiana.

First Appellate Authority,
o/o Commissioner,
Municipal Corporation,
Ludhiana.

Appeal Case No. 4003 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Rajinder Singh, JE from Zone D (for the Respondent)

ORDER:

*(To be read in continuity with earlier orders on **24.2.2022 and 1.6.2022**)*

1. The RTI application is dated **24.5.2021** vide which the appellant has sought information **regarding members of the Purchasing Committee for the year 2018-19 & 2019-20,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **30.6.2021** and Second Appeal was filed in the Commission on **3.9.21** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.6.2022**.

2. The appellant is absent. The respondent PIO, represented by Rajinder Singh, JE from O&M Cell Zone D, has submitted a reply sent to the appellant vide Letter No. 101 Dated 13.9.2022. The Commission has examined the said reply and finds that it does not address the primary query raised in the RTI application.

3. The respondent PIO is hereby directed to reexamine the RTI application dated 24.5.2021, and file a fresh pointwise reply to 3 points listed in the RTI application along with information as available in the record as per RTI Act 2005. This must be done before the next hearing.

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

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Appeal Case No. 4003 of 2021 (Video Conference Proceedings)

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 16.11.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

14.9.2022

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Tejinder Singh, Advocate,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur.

Versus

Public Information officer,
o/o Municipal Council,
Doraha.

First Appellate Authority,
o/o Additional Deputy Commissioner,
Urban Development,
Ludhiana.

Appeal Case No.4681 of 2021 (Video conference proceedings)

PRESENT:

(Appellant) Absent

Lakhmi Chand, Clerk (for the Respondent) 98726-89328

ORDER:

(To be read in continuity with earlier orders on 22.4.2022)

1. The RTI applications are dated **12.5.2021** vide which the appellant has sought information **regarding Rajwant and Sidhu Hospiral, Doraha**, information as enumerated in his RTI application. First Appeals were filed with the First Appellate Authority (FAA) on **15.6.2021** and Second Appeals were filed in the Commission on **12.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.4.2022**.

2. The appellant is absent without intimation. As per the respondent PIO, a reply was sent to the appellant vide Letter No. 42 Dated 30.6.2021, informing him that the requested information has already been sent vide Letter No. 6 Dated 28.5.2022, by way of a pointwise reply to the RTI application.

3. The Commission has examined the reply which has provided the information in respect of point no. 3 of the RTI application whereas point no. 1, 2, and 4 has been denied as third party information. After deliberations at this hearing, the respondent PIO is directed to reexamine point no. 1, 2, and 4 of the RTI application and submit a fresh pointwise reply of said points along with requested information as per the RTI Act 2005, as available in the record. Copies of any building plan etc. requested, must be provided after redacting all the internal details of said building. Similarly, with respect to point no. 4. any personal information contained in the document being sought by the appellant, be redacted before supplying attested copies of the same.

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

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Appeal Case No.4681 of 2021 (Video conference proceedings)

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 16.11.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

14.9.2022