

**PUNJAB STATE INFORMATION COMMISSION  
RED CROSS BUILDING, NEAR ROSE GARDEN,  
SECTOR 16, CHANDIGARH.**

**Ph: 0172-2864116, Email: - [psic26@punjabmail.gov.in](mailto:psic26@punjabmail.gov.in)**

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**Helpline No.: 0172-2864100 (From 10.00 AM to 04.00 PM on working days)**



Shri Vivek Anand Ahuja,  
R/o H.No.132, Sector-8A,  
Chandigarh-160009.

.....Appellant

Versus

**Public Information Officer**  
O/o Sub Registrar,  
Fazilka.

**First Appellate Authority**  
O/o Sub Registrar,  
Fazilka.

...Respondents

**AC No.3608 of 2021**

**Present: (i) Shri Manmohan Upneja on behalf of the Appellant, in person.  
(ii) None on behalf of the PIO/Respondent.**

**ORDER**

1. This order may be read with reference to the order dated 17.11.2021 passed by this Bench on the previous hearing.

2. The case has been heard today in Commission's office at Chandigarh. Shri Manmohan Upneja, Advocate comes present in person to attend the hearing before the Bench on behalf of Vivek Anand Ahuja, appellant. He states that with regard to reply received from the PIO, the appellant has submitted objections vide letter dated 08.11.2021 and that the appellant has also filed objections before the Commission on 06.12.2021.

3. Neither the PIO has come present nor he has deputed any of his representatives to attend the hearing on behalf of the PIO. However, on perusal of the case file, the Bench observes that a letter dated 04.02.2022 has been received from the PIO stating that in pursuance of the directions of Bench, no deficiencies have been pointed out by the appellant. It has been further stated that the PIO, on account of having been deputed on election duty, is unable to attend the hearing and has also requested to advise the appellant to apprise him of the deficiencies so that the same could be removed and rectified information could be supplied to the appellant.

4. The Bench observes that this is the second hearing in the present appeal case. The PIO was absent during the previous hearing and is absent for today's hearing also, whereas he could have deputed any of his representatives to attend the hearing. This attitude of the PIO is viewed adversely. The PIO-cum-Sub Registrar, Fazilka is issued show cause notice to explain his absence and as to why action should

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**AC No.3608/2021**

not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

5. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case they does not file the written reply 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.

6. The Bench, from the perusal of the aforesaid letter of PIO, observes that deficiencies have not been received by the PIO. He is directed to call the appellant to office on any working day to allow him access to the official records. After the records are inspected by the appellant, the PIO will supply him the information as may be identified by the appellant, duly attested by the PIO, before the next hearing.

7. After supplying the information, the PIO is directed to file an affidavit on non judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.3608 of 2021 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 16.05.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh  
15.02.2022

Sd/-  
(Lt Gen Ajae Kumar Sharma (Retd))  
State Information Commissioner, Punjab

Copy to (By Regd. Post):

PIO-cum- Sub Registrar, Fazilka.

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**Helpline No.: 0172-2864100 (From 10.00 AM to 04.00 PM on working days)**

Shri Gurmeet Singh,  
S/o Shri Shingara Singh,  
Village Ghugiana,  
Tehsil & Distt. Faridkot.

.....Complainant

Versus

**Public Information Officer**

O/o Principal,  
Govt. Sr. Secondary School(Boys),  
Bhinder Kalan, Distt. Moga.

...Respondent

**CC No.1034/2021**

**Present:** (i) **Shri Gurmeet Singh, Complainant, in person.**  
(ii) **Smt. Manpreet Kaur, Principal, GS.S.S.(Boys), Bhinder Kalan, Distt. Moga in person.**

**ORDER**

1. This order may be read with reference to the order dated 17.11.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Gurmeet Singh, complainant comes present to attend the hearing in person before the Bench.
3. Smt. Manpreet Kaur, Principal, GSSS (Boys), Bhinder Kalan, District Moga comes present to attend the hearing in person. She states that the information was supplied to the complainant, but the same was received back undelivered and now she has brought along the said information for handing over to the complainant. She also states that letter dated 05.02.2022 was sent to the Hon'ble Commission. She also produces original affidavit before the Bench.
4. On the asking of the Bench, the PIO shows the information as well as the original affidavit to the complainant who, on perusal of the same, states that he is not satisfied with the same as the receipt shown to him relates to the work of levelling done through trolleys whereas he has asked for the receipt for money paid for the work done by hiring the JCB Machine containing signatures of JCB owner. He also contends that the information should have been delivered at his residence as he has deposited the requisite fee for the same.
5. The Bench observes that the contents of affidavit are not in consonance with the directions of the Bench given vide order dated 17.11.2021 and moreover, it is not on non-judicial stamp paper and as such, it is not accepted. The PIO is directed to again call the complainant for inspection of records. The complainant is also made clear that the information as available with the PIO in the official records can only be made available.

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**CC No.1034/2021**

6. Post deliberations, the PIO is again directed to file an affidavit on non-judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the information as available in official records in CC No.1034/2021 has been supplied to the complainant and the letter number and date be also mentioned therein. It be also incorporated therein that the complainant was called to office for inspection of records in writing as also the position whether the complainant inspected the records or declined to inspect the same. It be further stated that nothing has been concealed therein and the statement made is true and correct. The PIO is directed to bring along the original affidavit and copy of the information supplied as also the relevant official records and to produce the same before the Bench on the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 16.05.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh  
15.02.2022**

**Sd/-  
(Lt Gen Ajae Kumar Sharma (Retd))  
State Information Commissioner, Punjab**

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Shri Lakhwinder Singh,  
S/o Shri Balwant Singh  
R/o #1154, Indian Wooden Mill  
King Club Wali Gali,  
Chheharta, District Amritsar.

.....Appellant

Versus

**Public Information Officer**  
O/o Block Development &  
Panchayat Officer, Attari,  
District Amritsar.

**First Appellate Authority**  
O/o District Development &  
Panchayat Officer, Amritsar..

....Respondents

**AC No.3628/2021 & AC No.3629/2021**

**Present: (i) Shri Lavish Rattan, GPA of the Appellant, in person.  
(ii) None on behalf of O/o BDPO Attari, District Amritsar.**

**ORDER**

1. This order may be read with reference to the order dated 17.11.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Lavish Rattan comes present to attend the hearing in person before the Bench on behalf of Shri Lakhwinder Singh, appellant. He states that the information was supplied to the appellant on 17.01.2022, which is incomplete.
3. Neither the PIO O/o Block Development & Panchayat Officer, Attari, District Amritsar has come present to attend the hearing in person before the Bench or through cisco webex . The Bench observes that the PIO is absent for today's hearing and no intimation in this regard has been received from him. Alternatively, he could have deputed any of his representatives to attend the hearing. This attitude of the PIO is viewed adversely.
4. The PIO PIO-cum-VDO, Gram Panchayat, Ranike, Block Attari, District Amritsar is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

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**AC No.3628/2021 & AC No.3629/2021**

5. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case they does not file the written reply 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.

6. Shri Lavish Rattan, Advocate of the appellant is advised to point out deficiencies in the information supplied to the appellant. The PIO is directed to supply rectified information to the appellant after removing the deficiencies so pointed out by the appellant before the next hearing.

7. The Bench also directs the PIO-cum-VDO, Gram Panchayat, Ranike, Block Attari, District Amritsar to file an affidavit on non-judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.3628/2021 & AC No.3629/2021 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 26.04.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh  
15.02.2022

Sd/-  
(Lt Gen Ajae Kumar Sharma (Retd))  
State Information Commissioner, Punjab

Copy to (By Regd.Post)

PIO-cum-VDO, Gram Panchayat, Ranike, Block Attari, District Amritsar

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Shri Sushil Kumar,  
#1410, Phase-I, Urban Estate,  
Dugri Road, Ludhiana-141013.

...Appellant

Versus

**Public Information Officer**  
O/o Nodal Officer, RTI Cell,  
Punjab State Power Corpn. Ltd.,  
(PSPCL), Patiala.

**First Appellate Authority-cum-**  
Chief Engineer, HRD,  
Punjab State Power Corpn. Ltd.,  
(PSPCL), Patiala.

....Respondents

**AC No.4940 of 2021**

**Present:** (i) Appellant- absent.  
(ii) Shri Sunil Jain, Deputy Secretary, Enquiry, PSPCL, Patiala,  
on behalf of the PIO/respondent, in person.

**ORDER:**

1. The RTI application is dated 02.08.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 06.09.2021 and the second appeal was filed in the Commission on 28.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 15.02.2022 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Sushil Kumar, appellant has not come present to attend the hearing in person or through cisco webex. He has, however, sent an e.mail dated 09.02.2022 stating that till date, he has not received the information sought by him even after a lapse of 190 days. He has also stated therein that in case the sought for information is not available with the PIO, the PIO may be directed to provide an affidavit to this effect to him. He also states therein that the case may not be closed without his consent and in case of not doing so, he will approach the Hon'ble Punjab & Haryana High Court and the President of India.

3. Shri Sunil Jain, Deputy Secretary, Enquiry, PSPCL, Patiala comes present on behalf of PIO/ Deputy Chief Engineer/Enquiry, PSPCL, Patiala and states that information on Point No.1 relating to their office has been sent to the appellant and further states that the information on remaining points is to be

Cont..P-2



supplied by PIO-cum-Dy.Chief Engineer/Technical, PSPCL, Patiala for which Shri Pal Singh, Senior Assistant, PSPCL, was to attend the hearing on behalf of the PIO, but he has been deputed on election duty and as such, is unable to attend the hearing.

4. Post deliberations, the PIO-cum-Deputy Chief Engineer, Technical, PSPCL, Patiala is directed to supply information to the appellant on remaining points of the RTI application before the next hearing.

5. The appellant is advised to come present in person before the Bench on the next hearing, failing which the Bench may be constrained to decide the appeal case on the basis of documents available in the case file and the affidavit filed by the PIO.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 13.06.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh  
15.02.2022**

**Sd/-  
(Lt Gen Ajae Kumar Sharma(Retd))  
State Information Commissioner, Punjab**



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Shri Shamsheer Singh,  
S/o Shri Jeet Singh,  
R/o Goniana Road,  
Gurdit Singh/Safeda Basti,  
Sri Muktsar Sahib.

...Appellant

Versus

**Public Information Officer**

O/o Deputy Commissioner,  
Sri Muktsar Sahib.

**First Appellate Authority**

O/o Deputy Commissioner,  
Sri Muktsar Sahib.

....Respondents

**AC No.4984 of 2021**

**Present:** (i) Appellant- absent.  
(ii) Shri Parkash Singh, Jr. Scale Stenographer, O/o SDM Sri Muktsar Sahib  
on behalf of the PIO/respondent.

**ORDER:**

**(Heard in person/on mobile phone)**

1. The RTI application is dated 27.07.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 10.09.2021 and the second appeal was filed in the Commission on 29.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 15.02.2022 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Shamsheer Singh, appellant has not come present to attend the hearing in person or through cisco webex.
3. Shri Parkash Singh, Junior Scale Stenographer O/o SDM Sri Muktsar Sahib comes present to attend the hearing in person on behalf of the PIO. He produces before the Bench a copy of the information for the appellant and states that he has also brought along copy of the information for handing over to the appellant.
4. Since the appellant is absent for today's hearing, he is contacted on mobile phone. He states that he has not received the information. Then he is made to talk to the representative of PIO Shri Parkash Singh who apprises him of the information brought along by him. The appellant informs that he would collect the information by hand from the office of SDM Sri Muktsar Sahib.

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**AC No.4984/2021**

4. The representative of the PIO present for the hearing is directed to ensure to hand over copy of the information to the appellant after establishing contact with him. He assures to do the needful.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 16.05.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh  
15.02.2022**

**Sd/-  
(Lt Gen Ajae Kumar Sharma(Retd))  
State Information Commissioner, Punjab**

