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Sh. Sarup Lal,

S/o Sh. Charan Lal,

R/o Shaheed Udham Singh Nagar,

Street No.2, Opp:Doaba Petrol Pump,

Kapurthala. Appellant

Versus

**Public Information Officer,**

O/o Manager,

PUNSUP, Kapurthala.

**First Appellate Authority**

o/o District Manager,

PUNSUP, Kapurthala.

Respondent

 **Appeal Case No. 1076 of 2018**

**PRESENT:** (i) Sh. Saroop Lal the appellant.

(ii) Sh. Ashok Bhandary, PIO, the respondent.

**ORDER**

The RTI application is dated 22.11.2017 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 10.01.2018 and second appeal was filed in the Commission on 22.03.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

 2. Notice was issued to the parties for hearing for 15.05.2018 in the Commission.

3. The appellant states that till today, no information has been supplied to him by the respondent.

4. The respondent files reply to the Notice of the Commission mentioning therein that the Court Case is pending against the appellant, that is why the information cannot be supplied to him under Section 8(h) of the RTI Act. The reply in this regard has been sent to the appellant vide letter dated 02.02.2018.

5. The appellant states that no case is pending against him in any Court. The respondent is intentionally not providing the information.

Contd…p-2

 **Appeal Case No. 1076 of 2018**

6. The PIO is directed to bring all the record relating to the RTI application of the appellant, on the next date of hearing. The Commission will decide either it should be provided to the appellant or not.

7. The matter to come up for further hearing now on **11.07.2018 at 11.30AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

 **15.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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SH.Harnek Singh,

S/o Sh. Bant Singh,

R/o H.No.870, Sector:04,

Mundi Kharar, Distt:Mohali. .

Complainant.

Versus

**Public Information Officer,**

O/o D.M,

PUNSUP, Ferozepur.

Respondent

 **Complaint Case No. 285 of 2018**

**PRESENT:** (i) Sh. Harnek Singh, the complainant.

(ii) Sh. Deepak kumar, DDC on behalf of the respondent.

**ORDER**

 The RTI application is dated 31.12.2016 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 01.03.201 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 15.05.2018 in the Commission.

3. The complainant states that till today, no information has been supplied to him by the respondent.

4. The respondent states that the RTI application of the complainant has been received in the office on 08.05.2018 and the reply has been given to him vide letter dated 11.05.2018. Copy of the same is handed over to the complainant today in the Commission for his perusal.

5. After going through the information, the complainant states that this information is incomplete. Information regarding point no. 1 and 2 is still pending.

6. After examining the case file, it reveals that the PIO has not dealt with the RTI application in time.

7. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **Smt. Mohita Ahuja** **PIO- cum- Senior Auditor o/o D.M. PUNSUP, Ferozepur** is directed to show cause as to why penalty @ 250/-per day be not imposed upon her under Section 20 (1) of the RTI Act for not sending the information to the complainant well in time.

Contd….p-2

**Complaint Case No. 285 of 2018**

8. The respondent-PIO is directed to file a written point-wise affidavit in this regard, before the next date of hearing.

9. The PIO may also make use of the next date of hearing for her personal hearing as well under the principles of natural justice and explain her conduct and status of the complaint to enable the Commission to arrive at a reasonable/logical conclusion in the matter.

10. The matter to come up for further hearing now on **11.07.2018 at 11.30AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

**CC: Smt. Mohita Ahuja, Senior Auditor o/o D.M, PUNSUP, Ferozepur (Regd. Post)**

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Sh.Harrish Chhokra,

VPO:Khui Khera, Tehsil & Distt:Fazilka. Appellant

Versus

**Public Information Officer,**

O/o District Food & Civil Supplies,

Fazilka.

**First Appellate Authority**

o/o Director,

Food Civil Supplies & Consumer Affairs,

Punjab, Chandigarh.

Respondent

 **Appeal Case No. 1069 of 2018**

**PRESENT:** (i) None is present on behalf of the appellant.

 (ii) Sh. Anupam, Inspector on behalf of the respondent.

**ORDER:**

The RTI application is dated 15.12.2017 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 31.01.2018 and second appeal was filed in the Commission on 21.03.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

 2. Notice was issued to the parties for hearing for 15.05.2018 in the Commission.

3. A letter has been received from the appellant in the Commission vide dairy no. 9197 dated 03.05.2018 mentioning therein that due to his B.Come.2nd year final exams, he is unable to attend today’s hearing.

4. The respondent states that the information has already been sent to the appellant vide letter dated 20.04.2018.

5. After examining the case file, it reveals that the reply has been sent to the appellant after the lapse of four months.

6. In view of the above, the PIO is directed to file an affidavit explaining the facts that on what basis the information has been delayed, on the next date of hearing and should personally appear, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

Contd..p-2

**Appeal Case No. 1069 of 2018**

7. The appellant is also advised to go through the information and point out the deficiency, if any in the information provided to the respondent within 10 days with a copy to the Commission and should personally appear, failing which decision shall be taken on merit.

8. The matter to come up for further hearing now on **11.07.2018 at 11.30AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Ms.Bimla Devi,

W/o Sh. Om Parkash,

R/o H .NO.13936, St. No.3,

Dhibar Colony, Bathinda.

Complainant.

Versus

**Public Information Officer**,

O/o Executive Engineer,

Water Supply and Sanitation,

Division No.2, Model Town,

Bhagu Road, Bathinda.

Respondent

**Complaint Case No. 70 of 2017**

Present : (i) Sh. Narinder Kumar on behalf of the complainant.

 (ii) None is present on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 09.05.2018.

2. Sh. Narinder Kumar is appearing on behalf of the complainant states that till today, no information has been supplied to him by the respondent.

3. The respondent is absent. The copy of the information which has been sent by the respondent in the Commission by email is handed over to the representative of the complainant today in the Commission.

4. After going through the information, the representative of the complainant states that he is satisfied with the information provided and has given in writing his satisfaction.

5. The PIO has not filed any reply to the show cause notice. Last opportunity is given to the PIO to file written reply in regard to the show cause notice, before the next date of hearing.

6. The matter to come up for further hearing now on **11.07.2018 at 11.30AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

*Note: After the hearing was over, Sh. Arvinder Singh, Clerk appeared and filed written reply in response to the show cause notice, which is taken on record. Keeping in view all the facts mentioned in the reply is found satisfactory. The show cause notice issued to the PIO is hereby, dropped. No further cause of action is left and case is* ***disposed of and closed****. Copies of the order be sent to the parties.*

 *Sd/-*

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Vikramjit Singh Nanda,

S/o Sh. Tilak Raj Nanda,

R/o 683/13 Nikki Mandi,

Patti, Distt: Tarn Taran.

Appellant

Versus

**Public Information Officer**,

O/o DGP,

Police HQ, Punjab,

Chandigarh.

**First Appellate Authority,**

o/o DGP,

Police HQ, Punjab,

Chandigarh.

Respondent

**Appeal CASE NO. 3787 OF 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Satnam Singh, ASI o/o SSP, Tarn Taran on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 03.05.2018.

2. The appellant is absent for today’s hearing without any intimation to the Commission.

3. Sh. Satnam Singh, ASI is appearing on behalf of the o/o SSP, Tarn Taran and files an affidavit mentioning therein that the complete information as per office record has already been provided to the appellant by hand on 13.04.2018 and nothing is left to be given to the appellant.

4. After examining the case file, it reveals that the appellant has pointed out deficiency vide letter dated 29.03.2018 and the respondent has provided the information comprising 41 pages to the appellant by hand on 13.04.2018 and copy of the receiving the information is taken on record, which shows that he has received the complete information and is satisfied. He has not attended any of the hearing in the Commission.

5. In view of the above, no further cause of action is left in the instant appeal case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

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Sh. Surinder Singh Joshi, Advocate,

Kothi No.10, Sector:8/A,

Chandigarh.

 …Appellant

Versus

**Public Information Officer**,

O/o Registrar,

Co-operative Societies, Punjab,

Chandigarh.

**First Appellate Authority,**

o/o Registrar,

Co-operative Societies, Punjab,

Chandigarh.

 ...Respondent

**Appeal Case No. 1744 of 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Prem Kumar, Suptd., on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 03.05.2018.

2. The appellant is absent for today’s hearing without any intimation to the Commission.

3. The respondent files an affidavit mentioning therein that the complete information as per office record has already been provided to the appellant on 08.11.2016 and 30.11.2016 and nothing is pending in this regard.

4. After hearing the respondent and perusing the case file, it is ascertained that the information as per officer record has already been supplied to the appellant and PIO has also filed an affidavit in this regard today in the Commission. The appellant has not attended the last two hearings consequently, which shows that he does not want to pursue the case. The respondent is directed to send the copy of the affidavit to the appellant by registered post within one week.

5. In view of the above, no further cause of action is left in the instant Appeal Case, which his hereby, **disposed of and closed**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Surinder Singh Joshi, Advocate,

Kothi No.10, Sector:8/A,

Chandigarh.

 …Appellant

Versus

**Public Information Officer**,

O/o Registrar,

Co-operative Societies, Punjab,

Chandigarh.

**First Appellate Authority,**

o/o Registrar,

Co-operative Societies, Punjab,

Chandigarh.

 ...Respondent

 **Appeal Case No. 1870 of 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii)Smt. Jaspreet Kaur, Suptd., o/o J.R.S, Patiala on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 03.05.2018.

2. The appellant is absent for today’s hearing without any intimation to the Commission.

3. The respondent files an affidavit mentioning therein that the complete information as per office record has already been provided to the appellant on 05.12.2017 and nothing is pending in this regard.

4. After hearing the respondent and perusing the case file, it is ascertained that the information as per officer record has already been supplied to the appellant and PIO has also filed an affidavit in this regard today in the Commission. The appellant has not attended the last two hearings consequently, which shows that he does not want to pursue the case. The respondent is directed to send the copy of the affidavit to the appellant by registered post within one week.

5. In view of the above, no further cause of action is left in the instant Appeal Case, which his hereby, **disposed of and closed**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

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Sh. Sawinder Singh,

S/o Sh. Bal Singh,

P.O:Shutrana, Tehsil: Pattran,

Distt:Patiala. . Complainant

Versus

**Public Information Officer,**

O/o District Social Security Officer,

Block D, Mini Sectt., Patiala.

Respondent

 **Complaint Case No. 292 of 2018**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Jagmohan Singh, Jr. Assistant. on behalf of the respondent.

**ORDER**

 The RTI application is dated 04.01.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 05.03.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

 2. Notice was issued to the parties for hearing for 15.05.2018 in the Commission.

3. The complainant is absent for today’s hearing without any intimation to the Commission.

4. The respondent states that the reply has been given to the complainant vide letter dated 11.05.2018 comprising 8 pages.

5. After examining the case file, it reveals that the PIO has provided the information to the complainant after the lapse of four months.

6. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **Sh. Varinder Singh Bains, District Social Security Officer, Patiala** is directed to show cause as to why penalty @ 250/-per day be not imposed upon him under Section 20 (1) of the RTI Act for not sending the information to the complainant well in time.

Contd….p-2

**Complaint Case No. 292 of 2018**

8. The respondent-PIO is directed to file a written point-wise affidavit in this regard, before the next date of hearing.

9. The PIO may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice and explain his conduct and status of the complaint to enable the Commission to arrive at a reasonable/logical conclusion in the matter.

10. Last opportunity is given to the complainant to follow up his case in the Commission, failing which decision shall be taken on merit.

11. The matter to come up for further hearing now on **11.07.2018 at 11.30AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

**CC: Sh. Varinder Singh Bains, District Social Security Officer, Block –D, Mini Sectt., Patiala (Regd. Post)**

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Sh. Pawan Kumar Sharma,

Advocate, S/o Late Sh.Bhagwant Kishore,

H.No.585, Phase:02, Mohali.

 Complainant

Versus

**Public Information Officer,**

O/o Deputy Registrar,

Cooperative Societies,

Sector:76, D.C. Complex,

Mohali.

 ...Respondent

 **Complaint Case No. 363 of 2018**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii)Sh. Prem Kumar, Suptd. on behalf of the respondent.

**ORDER**

 The RTI application is dated 02.02.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 20.03.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

 2. Notice was issued to the parties for hearing for 15.05.2018 in the Commission.

3. The complainant is absent for today’s hearing without any intimation to the Commission.

4. Sh. Prem Kumar, Suptd., is appearing on behalf of the o/o D.R, Cooperative Societies, Mohali and states that the complainant has filed an RTI application on the wrong address i.e. Deputy Registrar, Cooperative Societies, Khara, Distt:Mohali that is why the RTI application of the complainant has not been dealt with in time.

5. The perusal of the file discloses that the application for information was filed by the Complainant before the PIO, Deputy Registrar, Cooperative Societies, Kharar, Distt:Mohali. However, in the initial notice issued in the case, the Respondent has been shown as PIO, Deputy Registrar, Cooperative Societies, Kharar, Distt:Mohali. It is because of this mistake that the Respondent has not been served. The description of the Respondent in the instant appeal, therefore, needs to be corrected. I order accordingly.

Contd…p-2

**Complaint Case No. 363 of 2018**

6. Let a fresh notice of hearing be sent to the parties for **11.07.2018 at 11.30AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Manpreet Singh,

S/o Sh. Gurdev Singh,

H.No. B-2/224, Mohalla Chibia,

Noormahil, Distt:Sangrur.

Appellant

Versus

**Public Information Officer,**

O/o Director,

Food Civil Supplies and Consumer Affairs,

Punjab, Chandigarh.

**First Appellate Authority**

o/o Director,

Food Civil Supplies and Consumer Affairs,

Punjab, Chandigarh.

Respondent

 **Appeal Case No. 1080 of 2018**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Naib Chand, Sr. Assistant on behalf of the respondent.

**ORDER:**

 The appellant is absent for today’s hearing. A letter has been received from the appellant in the Commission by email mentioning therein that till today, no information has been given to him by the respondent.

2. The respondent states that the RTI application of the appellant is dated 03.10.2017 and the information has been sent to him in the Month of February, 2018.

3. The PIO and the First Appellate Authority, both are directed to appear personally on the next date of hearing and file the written reply that on what basis the information has been delayed.

4. Last opportunity is given to the appellant to follow up his case in the Commission, failing which decision shall be taken on merit.

5. The matter to come up for further hearing now on **11.07.2018 at 11.30AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Sukhchain Singh,

S/o Sh. Ajit Singh Sanan,

Mohalla, Ward No.11, Fatehgarh Churian,

Tehsil:Batala, Distt:Gurdaspur.

 …Appellant.

Versus

**Public Information Officer,**

O/o Principal Secy.,

Local Govt., Punjab,

Chandigarh.

**First Appellate Authority**

o/o Principal Secy.,

Local Govt., Punjab,

Chandigarh.

**Public Information Officer,**

O/o Deputy Director,

Urban Local Bodies.,

Amritsar.

 ...Respondent

 **Appeal Case No. 4089 of 2016**

**PRESENT:** (i) Sh. Sukhchain Singh, the appellant.

(ii) Sh. Sanjeev Kumar, Suptd.,Sh. Baldev Singh, Clerk o/o Nagar Council, Fatehgarh Churian and Sh. Dinesh Suri, Suptd., o/o Director, Local Bodies, Amritsar on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 12.04.2018.

2. The appellant states that neither the complete information nor the compensation of Rs. 2000/- has been given to him by the respondent till today.

3. Sh. Sanjeev Kumar, Suptd., appears on behalf of the o/o Local Govt., Punjab states that as per the official record, no information is pending. He further states that the same matter is also pending in the Hon’ble Punjab and Haryana High Court and the next date of hearing in this case is 15.10.2018.

4. After hearing both the parties and perusal of the record as available in the file, I am of the view that an important matter is involved in this case hence, this case file is returned to the Deputy Registrar to place it before the Hon’ble Chief Information Commissioner to constitute larger Bench to decide this matter. Copies of the order be sent to the parties.

 **Sd/-**

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

**CC: Deputy Registrar, Punjab State Information Commission. By Hand**

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Sh. Jaspal Singh,

S/o Sh. Ramesh Arora,

319/3, Gurdeep Nagar,

Jagraon, Distt: Ludhiana.

Appellant

Versus

**Public Information Officer**,

O/o Principal Secy.,

Punjab Govt. Local Govt.,

Chandigarh.

**First Appellate authority**

o/o Principal Secy.,

Punjab Govt. Local Govt.,

Chandigarh.

**Public Information Officer**,

O/o Governor of Punjab,

Punjab Raj Bhawan,

Chandigarh.

Respondent

**Appeal CASE NO. 3884 OF 2016**

**PRESENT:** (i) Sh. Jaspal Singh, the appellant.

(ii) Sh. Shikha Nehra, PIO o/o Governor, Punjab and Sh. Sanjeev Kumar, Suptd., o/o Local Govt.,on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 12.04.2018.

2. The appellant states that he has received the compensation of Rs. 2000/- but the information is still pending.

3. During the last hearing, the PIO o/o Governor, Punjab was impleaded as respondent no. 2 and at today’s hearing, the PIO o/o Governor, Punjab files a written reply mentioning therein that the information relating to point no. 1 has already been given to the appellant and the RTI application of the appellant was transferred to the Principal Secy., Local Govt., Punjab vide letter dated 30.08.2016 under Section 6(3) of the RTI Act, 2005.

4. Sh. Sanjeev Kumar, Suptd., Principal Secy., Local Govt., states that he is not aware about this such letter dated 30.08.2016 and states that some more time be given to him to locate the same.

Contd…p-2

**Appeal CASE NO. 3884 OF 2016**

5. In view of the above, the PIO o/o Principal Secy., Local Govt., Punjab, is directed to appear personally on the next date of hearing and trace the letter dated 18.08.2016 which has been transferred by the Hon’ble Governor of Punjab vide letter dated 30.08.2016 and what action has been taken by the PIO on this letter. The First Appellate Authority o/o Governor of Punjab, Chandigarh is also directed to file his written reply in regard to the first appeal dated 12.10.2016 and what action has been taken on this appeal. If the orders of the Commission will not be complied with by the authorities, the penal action will be initiated against the officials for the non compliance the orders of the Commission as per the provisions of the RTI Act, 2005.

6. The matter to come up for further hearing now on **28.06.2018 at 11.30 AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**15.05.2018 State Information Commissioner**

CC: First Appellate Authority o/o Hon’ble Governor of Punjab, Punjab Raj Bhawan, Chandigarh. (Regd. Post)