

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



(Regd. Post) Sh. T.R. Maini D.A. (Retd), (7696660722)
#22 B, Ranika Bagh, Amritsar.

Complainant

Versus

(Regd. Post) Public Information Officer (By Name)
O/o Financial Commissioner,
Department of Rural and Panchayat Development
SAS Nagar

(Regd. Post) Ms. Seema Jain (IAS)
Financial Commissioner,
O/o Department of Rural and Panchayat Development
SAS Nagar

Respondent

Complaint Case No.: 165 of 2019
Heard through CISCO WEBEX

Present: Sh. T. R. Maini, the complainant in person.
For the respondent: Sh. Randhir Singh (APIO) (9463836377) along with Ms. Baljinder Kaur (PIO)

ORDER

1. This order may be read with reference to the previous order dated 20.10.2020 vide which respondent Sh. Sagar Mittal stated that compensation cheque is ready to supply to the complainant along with reply. He added that requisite information could not be supplied to the complainant as concerned file was missing but now traced. He further added that RTI application was not received in the office and after receiving the information we have gone through but in RTI cell there are 200 to 300 applications available.

Complainant, Sh. T.R. Maini states that not even a single page has been received from the respondent till date.

After hearing both the parties and examining the case file, it was observed by the Commission that respondent had given contradictory reply because he was saying that concerned file is missing during the hearing whereas in the sent reply through email (dated 20.10.2020) to the Commission it is clearly mentioned that case is under process and will be supplied once it will be finalized. Copy of compensation cheque bearing cheque no. 967761 dated 19.10.2020 has been received by the bench, which is taken on record.

As per respondents, Sh. Sagar Mittal and Sh. Jagjeet Singh informed the Commission that **Ms. Baljinder Kaur (Contact Number 8288035817)** is the concerned respondent PIO in this case.

In view of the defying attitude of the respondent PIO neither attending the court nor submitting any explanation for the delay in supplying the information within the time schedule as prescribed under the RTI Act 2005, **penalty amounting Rs. 15,000/- (Rs. Fifteen Thousand Only)** **was imposed** on the concerned respondent PIO, Office of Financial Commissioner, Department of Rural and Panchayat Development SAS Nagar.

The Drawing and Disbursing Officer of the office of the Financial Commissioner, Department of Rural and Panchayat Development SAS Nagar is directed to deduct the amount of penalty of Rs. 15,000/- from the salary of the concerned respondent PIO and deposited in the State Treasury in the following Head of Account and to report its compliance to the Commission:-

“0070-Other Administrative Services

60 other Services

800-Other Receipts

86-Fee under the RTI Act, 2005”

Respondent PIO was also directed to send the compensation cheque to the complainant along with a last and final opportunity to him to supply the information to the complainant as per queries raised by him in RTI application before the next date of hearing positively, failing to which stern action will be initiated against him as per RTI Act, 2005.

A copy of previous order dated 20.10.2020 was sent to the Financial Commissioner, Ms. Seema Jain (IAS) by name through registered post for the compliance of Commission's order. Matter was adjourned for further hearing on 15.12.2020 i.e. today.

2. **In today's hearing**, complainant, Sh. T. R. Maini states that compensation cheque amounting Rs. 3,000/- has been received from the respondent. He added that respondent PIO sent a reply stating that requisite information is in question form so it could not be supplied to him and he is not satisfied with the supplied reply.

3. On this, respondent, Sh. Randhir Singh states that 03 pages have been supplied to the complainant in connection with point no. 1 and afterwards matter was under process but file was not traceable. He added that now file has been found and inquiry will be marked so requisite information could not be supplied to the complainant. He also mentioned that inquiry will take three (03) months.

4. Respondent, Ms. Baljinder Kaur states that the then PIO, Ms. Manjit Kaur is the concerned respondent PIO in this case. She also mentioned that she has sent a reply to the Commission through a letter dated 02.12.2020.

5. After hearing both the parties and examining the documents placed on record, it is observed that on the previous hearing held on 20.10.2020, respondent Sh. Sagar Mittal and Sh. Jagjeet Singh intimated the Commission that **Ms. Baljinder Kaur (Contact Number 8288035817)** is the concerned respondent PIO in this case and today Ms. Baljinder Kaur states that **Ms. Manjit Kaur** is the concerned respondent PIO. Reply of respondent, Ms. Baljinder Kaur was received in the Commission (letter dated 02.12.2020) vide diary no. 17670 dated 04.12.2020 stating as follows:

3. ਸਿਕਾਇਤ ਕਰਤਾ ਵੱਲੋਂ ਆਰ.ਟੀ.ਆਈ., ਐਕਟ ਅਧੀਨ ਮਿਤੀ 23.11.2018 ਨੂੰ ਦਰਖਾਸਤ ਪੇਸ਼ ਕੀਤੀ ਸੀ ਉਸ ਉਪਰੰਤ ਨੋਟਿਸ ਮਿਤੀ 15.5.19 ਅਤੇ 24.7.19 ਪ੍ਰਾਪਤ ਹੋਏ, ਉਸ ਸਮੇਂ ਦੌਰਾਨ ਸ਼੍ਰੀਮਤੀ ਮਨਜੀਤ ਕੌਰ ਪੀ.ਆਈ.ਓ-ਕਮ-ਅਧੀਨ ਸਕੱਤਰ ਨਿਯੁਕਤ ਸਨ। ਇਸ ਸਮੇਂ ਉਹ ਦਫ਼ਤਰ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰ ਸਕੱਤਰੇਤ, ਪੰਜਾਬ (ਮਾਝ ਵਿਭਾਗ) ਵਿਚ ਤੈਨਾਤ ਹਨ।

6. **A copy of this order be sent to the Financial Commissioner, Ms. Seema Jain (IAS) by name through registered post** for the compliance of previous order of the Commission dated 20.10.2020 before the 30th January 2021. She is also advised to look into the matter as complainant filed RTI application dated 23.11.2018 but till date no sufficient reply/information has been supplied to the complainant and **complainant, Sh. T.R. Maini is very senior citizen, accordingly this case must be taken on priority basis.**

7. Respondent PIO is directed to submit a copy of compensation cheque to the Commission along with directions to file a reply in writing regarding the status of this case on the next date of hearing as respondent, Sh. Randhir Singh intimated the Commission that inquiry will be marked during the hearing.

8. Matter is adjourned for further hearing on **03.02.2021 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISCO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).

9. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 15.12.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner



Sh. Siri Ram (7087530511)

S/o Sh. Sundar Ram,
R/o Village garhiSheru, Rahon Road,
Office-Mattewara, VIA BastiJodhewal,
Tehsil & District Ludhiana-141007

Appellant

Versus

Public Information Officer

O/o SHO, Police Station,
Meharban-Ludhiana

First Appellate Authority

O/o Commissioner of Police,
Ludhiana

Respondent

Appeal Case No.: 1611 of 2020

Heard through CISCO WEBEX

Present: Sh. Lal Chand Virhe on behalf of the appellant.
For the respondent: Sub-Inspector, Gursewak Singh (6280676622)

ORDER

1. This order may be read with reference to the previous order dated 07.12.2020 vide which respondent, Sub-Inspector, Gursewak Singh states that appellant had not mentioned any darkhast number in RTI application so requisite information could not be supplied to him.

Appellant was advised to visit the respondent's office on 09.12.2020 along with darkasht number so that demanded information could be supplied to the appellant. Respondent PIO is directed to co-operate on the appellant's visit and supply either the requisite information or reply in writing to the appellant as per queries raised by him in his RTI application. Matter was adjourned for further hearing on 15.12.2020 i.e. today.

2. In today's hearing, respondent, Sub-Inspector, Gursewak Singh states that darkhast number is not given by the appellant.

3. On this, representative of the appellant, Sh. Lal Chand Virhe states that he has visited the respondent's office on 09.12.2020 but no record has been supplied to him. He added that darkhast number is already in the official record.

4. After hearing both the parties and examining the case file, appellant is advised to visit the respondent's office today and inspect the official record as per RTI application. Respondent PIO is directed to co-operate on the appellant's visit and supply either the requisite information or reply in writing to the appellant as per queries raised by him in his RTI application.

5. Both the parties are advised to represent this case in person on the next date of hearing positively to clear the facts of this case, failing to which case will be decided on merit basis.

6. Matter is adjourned for further hearing on **16.12.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).

7. Announced in the Court. Copy of the order to be sent to the parties through **registered post**.

Chandigarh
15.12.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



Sh. Siri Ram (7087530511)

S/o Sh. Sundar Ram,
R/o Village garhiSheru, Rahon Road,
Office-Mattewara, VIA Basti Jodhewal,
Tehsil & District Ludhiana-141007

Appellant

Versus

Public Information Officer

O/o SHO, Police Station,
Meharban-Ludhiana

First Appellate Authority

O/o Commissioner of Police,
Ludhiana

Respondent

Appeal Case No.: 1615 of 2020

Heard through CISCO WEBEX

Present: Sh. Lal Chand Virhe on behalf of the appellant.
For the respondent: Sub-Inspector, Gursewak Singh (6280676622)

ORDER

1. This order may be read with reference to the previous order dated 07.12.2020 vide which, representative of the appellant, Sh. Lal Chand Virhe states that requisite information only in connection with point no. 1 has been received from the appellant. He added that statements have not been supplied to the appellant.

Respondent, Sub-Inspector, Gursewak Singh stated that requisite information whatever was available in the official record has already been supplied to the appellant personally by hand comprising 63 pages. He further mentioned that only one person's statement was received from the Commissioner of Police Office, which is already supplied to the appellant.

After hearing both the parties and examining the documents placed on record, it was observed that appellant was not satisfied even after supplying 63 pages, accordingly he was advised to visit the respondent's office on 09.12.2020 and inspect the official record as per his RTI application. Respondent PIO was directed to make sure that appellant inspected the record on his visit and supply the identified pages as per RTI application and as per RTI Act, 2005. _Matter was adjourned for further hearing on 15.12.2020 i.e. today.

2. In today's hearing, representative of the appellant, Sh. Lal Chand Virhe states that statements are still pending from the respondent PIO.

3. On this, respondent, Sub-Inspector, Gursewak Singh states that original file was not available on the appellant's visit dated 09.12.2020 and he assured that appellant will be contacted after collecting the original file. He was called to visit the respondent's office on 14.12.2020 to inspect the original record. He was also called today morning.

4. After hearing both the parties and examining the case file, appellant is advised to visit the respondent's office today and inspect the official record as per RTI application. Respondent PIO is directed to co-operate on the appellant's visit and supply either the requisite information or reply in writing to the appellant as per queries raised by him in his RTI application.

5. Both the parties are advised to represent this case in person on the next date of hearing positively to clear the facts of this case, failing to which case will be decided on merit basis.
6. Matter is adjourned for further hearing on **16.12.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).
7. Announced in the Court. Copy of the order to be sent to the parties through **registered post**.

Chandigarh
15.12.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner



Sh. Rajinder Paul Singh (9779048083)

S/o Sh. GurdialSingh,
C/o Sh. GurmailSinghNahar (Advocate),
Ex Distt Attorney, Ex Deputy Advocate General,
4th Floor, Near Public Lift, Court Complex,
Ludhiana-141001.

Appellant/Complainant

Versus

Public Information Officer
O/o Commissioner of Police,
Ludhiana

First Appellate Authority
O/o Commissioner of Police,
Ludhiana

Respondent

Appeal Case No.: 1734 of 2020
Heard through CISCO WEBEX

Present: Sh. Rajinder Paul Singh, the appellant in person.
For the respondent: ASI, Ramesh Kumar (9915603000)

ORDER

1. This order may be read with reference to the previous order dated 07.10.2020 vide which, appellant intimated the Commission that requisite information is still pending from the respondent PIO. Respondent, ASI, Ramesh Kumar requested for an adjournment to supply the requisite information due to shortage of staff during Pandemic Covid19. Matter was adjourned for further hearing on 15.12.2020 i.e. today.

2. In today's hearing, respondent, ASI, Ramesh Kumar states that appellant was called but he intimated that he is unavailable to collect the information so requisite information has been sent to the appellant through registered post yesterday i.e. 14.12.2020.

3. Appellant, Sh. Rajinder Paul Singh is present for today's hearing

4. After hearing the respondent and examining the case file, one opportunity is given to the appellant to go through the information once he had received from through registry and point out deficiency, if any, in writing to the respondent PIO with a copy to the Commission, failing to which case will be decided on merit basis.

Respondent PIO is directed to remove deficiency, if any pointed out by the appellant as per RTI application before the next date of hearing positively.

5. Matter is adjourned for further hearing on **19.01.2021 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).

6. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 15.12.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



Sh. Rakesh Dogra, (9872695385)

#83/6K/1A/1, Steet No 8,
Oswal Industrial Complex,
Backside Hero Cycles, GT Road,
Ludhiana.

Appellant

Versus

Public Information Officer

O/o Police Commissioner,
Ludhiana.

First Appellate Authority

O/o Police Commissioner,
Ludhiana.

Respondents

Appeal Case No.: 3402 of 2018
Heard through CISCO WEBEX

Present: Sh. Rakesh Dogra, the appellant in person.
For the respondent: Sh. Major Singh (9815591940)

ORDER

1. The above mentioned case was last heard on 28.11.2018 by the then Hon'ble Chief Information Commissioner by passing the following order:-

“The appellant states that a compromise in this case has reached between the parties and he needs a report from the competent authority in this regard. Accordingly, it is directed that in case a compromise has reached in this case then necessary report be supplied to the appellant. The respondent assures to comply with the orders of the Commission.

On the assurance given by the respondent, the case is disposed of & closed.”

2. Appellant, Sh. Rakesh Dogra has brought to the notice of Hon'ble CIC that the above order of the Commission has not been complied with so far. Accordingly this case was allotted to the undersigned bench by the Hon'ble Chief Information Commissioner, Sh. Suresh Arora dated 09.06.2020. Therefore, matter was fixed for 19.10.2020 but due to technical issues matter was further adjourned for hearing on 15.12.2020 i.e. today.

3. In today's hearing, respondent, Sh. Major Singh earlier joined meeting through CISCO WEBEX but during the hearing of this he was not present through WEBEX and he intimated the undersigned bench through telephonic message that requisite information could not be supplied to the appellant as he was called to record statements but he is not cooperating in this regard.

4. On this, appellant, Sh. Rakesh Dogra states that requisite information is still pending from the respondent PIO. He added that his statement has already been recorded.

5. After hearing both the parties and examining the case file, another opportunity is given to both the parties to represent this case on the next date of hearing positively to clear the facts of this case, failing o which case will be decided on merit basis.

6. Matter is adjourned for further hearing on **25.01.2021** through CISCO WEBEX at 11:00

A.M. (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).

7. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 15.12.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner