



Sh Yogesh Mahajan S/o Sh Kuldeep Raj
Mahajan, Opposite Water Tank,
Municipal Market, Mission road,
Pathankot.

Appellant

Public Information Officer,
O/o XEN, Water Supply and Sanitation,
Division No-3, Bathinda.

First Appellate Authority,
O/o SE, Water Supply and Sanitation
Circle, Bathinda

Respondent

Appeal Case No. 1278 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 06.01.2020 has sought information regarding grants received/utilized in the division from 07.01.2019 to 06.01.2020 –copies of comparative statements approved by competent authority for works by e-tendering/online – work by tender/offline undertaken – sanction letter issued for work of CSR to all SDE from the office of Executive Engineer, W/S & Sanitation Division No.3, Bathinda. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 05.02.2020 which took no decision on the appeal.

The case first came up for hearing on 28.09.2020 through video conferencing at DAC Bathinda. The respondent present pleaded that some of the information has been provided to the appellant and the remaining will be sent within a week.

The appellant was absent and vide email informed that the PIO has not provided the information. The PIO was directed to provide complete information to the appellant within a week and send a compliance report to the Commission.

On the date of the next hearing on 03.11.2020, the appellant vide email has informed that the PIO has not provided the complete information. The respondent was absent.

The PIO was directed to comply with the earlier order of the Commission and provide the information to the appellant within a week with a copy to the Commission and explain the reasons for the delay in providing the information.

On the date of hearing on 05.01.2021, both the parties were absent. The case was adjourned.

On the date of last hearing on 11.08.2021, the appellant informed that the PIO has not provided the information despite the order of the Commission.

The respondent was absent on the 2nd consecutive hearing had complied with the order of the Commission. The PIO was given one last opportunity to comply with the order of the Commission and appear before the Commission on the next date of hearing along with the explanation for not complying with the order of the Commission.

Hearing dated 15.12.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda/Pathankot.

The appellant is absent and vide email has informed that the PIO has not provided the information. The appellant is directed to appear on the next date of hearing to pursue his case.

The PIO is also absent on 4th consecutive hearing nor is represented. The PIO is given one last opportunity to appear personally on the next date of hearing alongwith the explanation for not providing the information within the time prescribed under the RTI Act otherwise the Commission will be constrained to take action under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing **26.04.2022 11.00 AM** through the videoconference facility available in the office of Deputy Commissioner, Bathinda. The appellant to attend a hearing in DAC Pathankot.

Chandigarh
Dated:15.12.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Smt. Rupinder Kaur, W/o
Late Sh. Joginder Singh,
C-27, Civil Lines,
Bathinda.

Complainant

Versus

Public Information Officer,
O/o Commissioner, MC,
Bathinda.

Respondent

Complaint Case No. 155 of 2020

PRESENT: Smt. Rupinder Kaur as the Appellant
Sh. Jatinder Singh, Building Inspector for the Respondent

ORDER: Facts of the case:-

That the complainant through the RTI application dated 04.10.2019 has sought information regarding details of property No. C-28 MC No. MCB Z-2-09103 Civil Line Bhatinda – map approved for the purpose of residential/commercial/school and other information concerning the office of Commissioner, MC Bhatinda. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 05.02.2020.

That on the date of first hearing on 03.09.2020, the complainant claimed that the PIO had denied the information. The complainant further informed that since a school named Little Kingdom Nursery School is being run in her neighbour, she wants to prove if any permission has been granted by the competent authority.

The respondent was absent. The Commission received an email from the PIO stating that the appellant was asked to specify the file number and date but the complainant did not specify the same. Further, the information sought was in question form.

The PIO had denied the information on two grounds;

- i) Had asked to specify;
- ii) That it is personal information and cannot be provided under section 8(1)

That having gone through the case, the Commission found that there was a larger public interest involved in this particular RTI application. As much as the Commission agreed that the personal information such as building plans etc. of other parties should not be shared, Section 10 of the RTI Act, however, gives the benefit in cases where there is disclosable and non-disclosable information on the same page.

Given the above, the PIO was directed to provide that part of the information that denotes the purpose of which the map has been sanctioned and severe rest of the information.

That on the date of hearing on 03.11.2020, the respondent present pleaded that since the information sought by the appellant is personal information, it cannot be provided. This view of the respondent did not hold merits as the order had already been passed by the Commission to provide the information.

Since there had been an enormous delay in attending to the RTI application, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit**. The PIO was directed to provide the information as per the earlier order of 03.09.2020 within a week from the receipt of this order.

That on the date of the hearing on **05.01.2021**, the appellant claimed that the PIO has not provided the information. The PIO was absent.

The Commission received a reply from the ATP-cum-PIO, MC Bathinda which was taken on the file of the Commission. In the reply, the PIO has mentioned that since the record relating to the building branch is maintained in accordance with file number and date, the appellant was asked to provide file number and date but the same was not supplied by the appellant. The PIO further mentioned in the reply that they also asked the concerned school to provide their building map, file number and date but the same was not been provided by the concerned school.

The Commission observed that since the information was sought by the appellant from the PIO-MC Bathinda and the order to provide the information has already been passed by the Commission, the reply of the PIO was found wishy-washy as the PIO put the onus on the school whereas the information was to be provided by the respondent.

The reply of the PIO was found vague and the PIO was directed to provide the information to the appellant as per the order dated 03.09.2020. The PIO was given one last opportunity to file an appropriate reply to the show notice otherwise it would be presumed that the PIO has nothing to say in the matter.

That since the appellant to collect the information had to suffer undue inconvenience, the PIO-MC Bathinda was directed to pay an amount of **Rs.2500/-** via demand draft as compensation to the appellant **and** submit proof of having compensated the appellant.

The PIO was directed to comply with the earlier order of the Commission within ten days of receiving this order. The decision on the show cause notice was to be taken at the next date of hearing.

The case was also marked to Commissioner, MC Bathinda to ensure timely compliance of this order.

That on the date of last hearing on 11.08.2021, as per the appellant, the PIO neither provided the information nor any compensation.

The respondent was absent. The commission received a reply from the PIO on 16.04.2021 which was taken on the file of the Commission.

In the reply, the PIO contended that since the record was 17 years old it was not traceable initially and most of the staff who would have had the information on the matter had retired. As per them, they finally could retrieve the record by availing the help of retired staff.

As per the procured record, the map of the building on which little Kingdom School is running was approved for the residential purpose and its file number is 228 dated 14.05.2003. No separate plan existed for running a school.

This reply was taken care of the RTI application, however, the PIO did not deposit the compensation amount of Rs.2500/- (Rupees Twenty Five hundred) to the appellant.

The PIO was directed to pay the compensation before the next date of hearing.

That the case has come up for hearing **today** through video conferencing at DAC Bathinda. As per complainant, the PIO has neither provided the information nor has paid compensation as per order of the Commission.

Complaint Case No. 155 of 2020

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO and as per respondent, Sh.Inderjit Singh-ATP is the PIO, Sh.Inderjit Singh-ATP-cum-PIO, O/o MC Bathinda is hereby held guilty for not providing the information as ordered on 03.09.2020 (part of the information that denotes the purpose of which the map has been sanctioned and severe rest of the information). He is held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information as well as to pay the compensation.

Hence, given the above facts a penalty of **Rs.5,000/-** is imposed on Sh.Inderjit Singh-ATP-cum-PIO, O/o MC Bathinda which will be deposited in the Govt. Treasury. The PIO is directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

The PIO is also directed to pay compensation amount of Rs.2500/- to the complainant by way of demand draft as per earlier order and give in writing to the complainant the following within ten days of the receipt of this order:

“As per the procured record, the map of the building on which little Kingdom School is running was approved for the residential purpose and its file number is 228 dated 14.05.2003. No separate plan existed for running a school.”

To come up for further hearing on **26.04.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bhatinda.

Chandigarh
Dated:15.12.2021

Sd/-
(KhushwantSingh)
State InformationCommissioner



Sh. Baljinder Singh, S/o Sh. Darshan Singh,
Daan Singh Nagar, Gali No-1,
Back Side Guru Nanak Public School,
Goniana Mandi, Distt. Bathinda

.....Appellant

Versus

Public Information Officer,
O/o EO, MC, Goniana Mandi
Distt. Bathinda.

First Appellate Authority, O/o Joint
Deputy Director, Local Govt,
Mini Secretariat, Bathinda.

.....Respondent

Appeal Case No. 538 of 2020

PRESENT: Sh. Baljinder Singh as Appellant
Sh. Deepak Setia, EO-MC Goniana Mandi and Sh. Vijay Kumar Earlier
PIO for the Respondent

ORDER:

The appellant RTI application dated 29.10.2019 has sought information regarding details of clerks promoted from the post of peon and the documents submitted by them in NC Goniana Mandi and other information concerning the office of EO-MC Goniana Mandi. The appellant was provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 02.12.2019. After the first appeal, the PIO sent a reply to the appellant vide letter dated 31.12.2019 stating that the information sought is in question form, it cannot be provided. The First appellate authority also disposed of the appeal on 03.01.2020 directing the PIO to provide the information as per the RTI Act and within time.

On the date of the first hearing on 03.09.2020, the PIO was absent. Sh. Subhash Chander, Clerk representing the PIO appeared and pleaded that the information has been supplied to the appellant on 02.07.2020 with a copy to the Commission. The respondent further informed that Sh. Sita Ram and Sh. Subhash Chander was promoted as a clerk from the post of peon and the documents submitted by them to the office had been supplied to the appellant.

The appellant claimed that the information had been provided with a delay of more than ten months.

Having gone through the record, the Commission observed that the PIO had earlier denied the information and provided the sought information only after receiving the notice of the Commission. The denial of information was sent by the PIO on 31.12.2019. The First Appellate, while disposing of the appeal passed no instruction except an observation that the PIO should attend the RTI applications in the true spirit of the RTI Act, and attend future hearings in person.

That having gone through the facts of the case, it was observed that the PIO had tried to stonewall the information and the intention of the PIO was pointing towards not providing the information.

Given the facts, the PIO-cum-EO MC Goniana Mandi was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of the hearing on 03.11.2020, the PIO was absent nor had a filed reply to the show-cause notice. The PIO was given one more opportunity to file a reply to the show-cause notice. In case of failure to file it, it was observed that the commission would presume that the PIO had nothing to say in the matter and take action accordingly.

On the date of the hearing on 05.01.2021, the PIO was absent on 3rd consecutive hearing nor had complied with the order of the Commission.

To secure an erring PIO's presence before the commission a bailable warrant of the **EO-cum-PIO, MC Goniana Mandi** was issued u/s 18(3) of the RTI Act through Senior Superintendent of Police, Bathinda for his presence before the Commission on **26.04.2021** which date was postponed to **11.08.2021**.

On the date of last hearing on 11.08.2021, Sh.Tarun Kumar, EO-NC Goniana Mandi appeared and informed that the information has already been provided to the appellant on 02.07.2020. The PIO sent his reply which was taken on the file of the Commission.

In the reply, the respondent mentioned that the delay in providing the information had occurred on the part of Sh.Vijay Kumar who was the EO-cum-PIO at the time of filing of RTI application and remained till 08.03.2020 and thereafter he was given an additional charge of EO-cum-PIO MC Goniana Mandi. Sh.Vijay Kumar is presently posted as EO-NC Budhlada.

The respondent further informed that when he was given the additional charge of EO-NC Goniana, he was posted in Bhucho Mandi and having an additional charge of NC Bhucho Mandi, NC Nakhana & NC Lehira. He is presently posted in Talwandi Bhai and having an additional charge of EO-NC Goniana. Further after taking charge as EO NC Goniana on 09.03.2020, the Central Govt. had declared lockdown w.e.f.20.03.2020 in the country as well as in the States due to Corona Epidemic and thereafter restrictions were imposed in the office working with 50% staff strength. After relaxation in the lockdown, the RTI application came to his notice and information was provided on 02.07.2020.

Since Sh.Vijay Kumar was the PIO-cum-EO NC Goniana at the time of filing of RTI application as well as the PIO for at least the next 100 days, Sh.Vijay Kumar, EO-NC Budhlada(Earlier PIO-NC Goniana Mandi) was issued a **show cause notice under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file reply on an affidavit.**

Hearing dated 15.12.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda. Sh.Deepak Setia, EO-MC Goniana Mandi and Sh.Vijay Kumar, EO-MC Budhlada (earlier PIO-cum-EO MC Goniana Mandi) are present. The respondent Sh.Vijay Kumar pleaded that the RTI application was filed on 29.10.2019 and since the information sought by the appellant was in question form, he had denied the information on that basis without any intention to stonewall the information and had sent reply to the appellant on 31.12.2019. Thereafter, the appellant filed first appeal and as per order of the First Appellate authority, the information was provided to the appellant on 02.07.2020 which the appellant had acknowledged having received the same.

I have gone through the facts and the merits of the case. I am inclined to give the benefit of doubt to the PIO as the PIO had replied within time. However, the PIO failed to apply his mind, but not tantamount to denial of information.

Given the above facts, I hereby drop the show cause.

However, the Commission is of the view that since the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

Hence the PIO-cum-EO-MC Goniana Mandi is directed to pay an amount of **Rs.2,500/-** via demand draft through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the commission of the compliance of the order and submit proof of having compensated the appellant.

To come up compliance on **26.04.2022 at 11.00 PM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Sd/-

Chandigarh
Dated:15.12.2021

(Khushwant Singh)
State Information Commissioner

CC to Sh.Vijay Kumar,
EO-MC, Budhlada.



Sh. Yogesh Mahajan, S/o Sh. Kuldeep Raj Mahajan,
Opposite Water Tank, Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o XEN,
Water Supply and Sanitation,
Sub Division-1, Gurdaspur.

First Appellate Authority,
O/o SE,
Water Supply and Sanitation Circle,
Gurdaspur

.....Respondent

Appeal Case No. 3488 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 17.08.2020 has sought information regarding grants received/utilized from 01.08.2019 to 01.08.2020 in Sub Division No.1,2& 3 Gurdaspur and Sub Division Dinanagar – copies of work order booked in all the subdivisions – copies of comparative statements of other works for which no tender was called and other information as enumerated in the RTI application concerning the office of Xen Water Supply & Sanitation Division No.1, Gurdaspur. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 10.09.2020 which took no decision on the appeal.

The case last came up for hearing on 11.08.2021 through video conferencing at DAC Pathankot. As per the appellant, the PIO did not provide the information but only sent a reply vide letter dated 07.05.2021 that since there has been lockdown order u/s 144 of CPC and restrictions imposed to work with 50% staff strength w.e.f. 02.05.2021, the information will be provided after the relaxation of the above-said restrictions. The respondent was absent.

The Commission observed that there has been an enormous delay of one year in attending to the RTI application. The Commission having taken a serious view of this directed the PIO to provide the information to the appellant and send a compliance report to the Commission otherwise the commission will be constrained to take action against the PIO u/s 20 of the RTI Act.

Hearing dated 15.12.2021:

The case has come up for hearing today through video conferencing at DAC Pathankot. Both the parties are absent.

Earlier order stands. The case is adjourned.

To come up for further hearing on **26.04.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Pathankot.

Sd/-

Chandigarh
Dated:15.12.2021

(Khushwant Singh)
State Information Commissioner



Smt Tarsem Devi, W/o Late Sh Vakil Singh, R/o
Villgae Lahri 183, P.O Rattangarh,
Tehsli & Distt Pathankot.

... Appellant

Versus

Public Information Officer,
O/o Child Development Project Officer,
Pathankot.

First Appellate Authority,
O/o Child Development Project Office,
Pathankot.

.....Respondent

Appeal Case No. 3541 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 15.07.2020 has sought information regarding a copy of the APR/document where a report of Sarpanch or other officers regarding non-acceptance of old aged Pension by Tarsem Devi is recorded – copy of the order for stoppage of pension and other information as enumerated in the RTI application concerning the office of Child Development Project Officer, Pathankot.. The appellant was not satisfied with the reply of the PIO dated 17.09.2020 after which the appellant filed the first appeal before the First Appellate Authority on 07.09.2020 which took no decision on the appeal.

The case last came up for hearing on 11.08.2021 through video conferencing at DAC Pathankot.. As per counsel representing the appellant, the PIO did not provided the information.

The respondent present pleaded that the matter regarding deduction/discontinuation of old aged pension relates to District Social Security Officer Gurdaspur.

The PIO-District Social Security Officer, Gurdaspur was impleaded in the case and directed to provide the information to the appellant. A copy of the RTI application was attached with the order for the reference of the PIO-DSSO Gurdaspur.

Hearing dated 15.12.2021:

The case has come up for hearing today through vide conferencing at DAC Pathankot. Both the parties are absent.

Earlier order stands. The case is adjourned.

To come up for further hearing on **26.04.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Pathankot.

Chandigarh
Dated:15.12.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: PIO-District Social Security Officer,
Gurdaspur.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Smt. Gurmeet Kaur Kwatra,
Res Cum Off, E-457, Ground Floor,
Greater Kailash-2, New Delhi.

... Appellant

Versus

Public Information Officer,
O/o District Civil Hospital,
Pathankot.

First Appellate Authority,
O/o Civil Surgeon,
Pathankot.

.....Respondent

Appeal Case No. 3563 of 2020

PRESENT: None for the Appellant
Dr.Saurav and Sh.Satish Kumar for the Respondent

ORDER:

The appellant through RTI application dated 12.09.2019 has sought information regarding old/existing/new temporary/contractual employees along with ID proofs, salary details and attendance register – appointing authority –list of employees employed in last 7 years - details of safai tender – security guards – funds allocated by State Govt. to de-addiction centre – list of patients admitted – quantity of medicine namely Buperophine that came to the de-addiction centre and other information as enumerated in the RTI application concerning the office of District Civil Hospital, Pathankot. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 27.11.2019 which took no decision on the appeal.

The case last came up for hearing on 11.08.2021 through video conferencing at DAC Pathankot. The appellant is present on WhatsApp and claimed that the PIO has not provided the information.

The respondent was absent nor had sent any reply to the RTI application.

During the hearing, the appellant conveyed being interested only in the information relating to points 6,7,8,9 & 10.

The PIO was directed to provide complete information on points 6,7,8,9 & 10 of the RTI application to the appellant and send a compliance report to the Commission.

Also having gone through the facts of the case, the Commission observed that there has been an enormous delay in attending to the RTI application. Having taken a serious view of this the PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file reply on an affidavit.**

The PIO was further directed to send details regarding:

- Who was the PIO at the time of filing of RTI application and till what duration?
- Who was the PIO at the time of filing the first appeal?
- Who was the PIO at the time of issue of notice from the Commission?
- Who is the current PIO?

Hearing dated 15.12.2021:

The case has come up for hearing today through video conferencing at DAC Pathankot. The Commission has received a letter from the PIO on 06.12.2021 which has been taken on the file of the Commission.

The case is adjourned. To come up for further hearing on **26.04.2022** 11.00 AM through video conference facility available in the office of Deputy Commissioner, Pathankot.

Chandigarh
Dated:15.12.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Rajinder Kumar, S/o Sh. Mehar Chand, Ward
No-2, Supreme Enclave,
Near Vishwakarma Bhawan,
Link Road, Mansa.

...Appellant

Versus

Public Information Officer,
O/o Director, Local Govt,
Sector-35, Chandigarh.

First Appellate Authority,
O/o Director, Local Govt, Pb
Sector-35, Chandigarh.

.....Respondent

Appeal Case No. 2128 of 2020

PRESENT: Sh.Rajinder Kumar as the Appellant
Sh.Amit Kumar, Sr. Assistant for the Respondent

ORDER:

The appellant through RTI application dated 13.05.2020 has sought information regarding the decision taken vide resolution No.365 to 382 of general meeting dated 17.01.2020 of NC Mansa along with noting – resolution no.364 dated 29.11.2019 and other information concerning the office of Director, Local Govt. Punjab, Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 15.06.2020 which took no decision on the appeal. After filing the first appeal, the PIO sent a reply to the appellant vide letter dated 25.06.2020 stating that the matter is under consideration. On being not satisfied with the reply, the appellant filed 2nd appeal in the Commission on 10.08.2020.

The case was first heard on 02.12.2020. The appellant claimed that the PIO has not provided the information. The respondent was absent. Having gone through the file, the Commission observed that the copy of the RTI application with the commission was not legible. The appellant was directed to send a legible copy of the RTI application to the Commission.

The PIO was directed to relook at the RTI application and provide the information to the appellant as per the RTI application.

Sh.Jang Bahadur Singh, Sr. Assistant O/o Local Govt.(General Branch) appeared late and brought the information. A copy of the information was sent to the appellant with the order and the appellant was directed to point out the discrepancies, if any, in writing to the PIO and the PIO was directed to remove the same.

On the date of the hearing on **01.02.2021**, the appellant pointed out the discrepancies. The respondent present informed that the information has already been sent to the appellant as per the RTI application and no further information is available in their record.

Hearing both the parties, the PIO was directed to send a covering letter to the appellant mentioning point-wise details of the information that has been provided as discussed during the hearing.

Secondly, If no other information available on the matter, the PIO must give in writing an affidavit that the information that has been provided is true, complete and no other information is available in the record.

On the date of hearing on **12.05.2021**, the appellant claimed that despite orders of the Commission, the PIO has neither supplied complete information nor given any affidavit.

The respondent was absent without any communication. Since there has been an enormous delay of more than one year in providing the information and there was no compliance of the order, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

On the date of last hearing on 23.08.2021, as per the appellant, the PIO neither provided the complete information nor any affidavit as per the direction of the Commission.

That the Commission received a reply of the PIO on 19.08.2021 which was taken on the file of the Commission. However, the PIO did not comply the order of the Commission to provide complete information or to provide an affidavit that the information that has been provided is true, complete and no other information is available in the record.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-Director Local Govt. Pb, Chandigarh, the Commission was of the view that the appellant has had to suffer undue inconvenience to get the information, and hence found it a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO- Director Local Govt. Pb, Chandigarh was directed to pay an amount of **Rs.2500/-** via demand draft through Govt. Treasury as compensation to the appellant and submit proof of having compensated the appellant.

The PIO was again directed to provide an affidavit to the appellant that the information that has been provided is true, complete and no other information is available in the record.

The decision on the show cause notice to be taken on the next date of hearing.

Hearing dated 15.12.2021:

The case has come up for hearing today through video conferencing at DAC Mansa/ Mohali. The respondent present pleaded that in compliance with the order of the Commission, the compensation amount of Rs.2500/- has been paid to the appellant vide demand draft No.001105 dated 23.09.2021 and the appellant has received the same.

However, as per appellant, the PIO has not provided the affidavit as per order of the Commission.

The PIO is given one last opportunity to provide affidavit that the information that has been provided is true, complete and no other information is available in the record. The affidavit should be on stamp paper duly attested by the competent authority.

The decision on the show cause will be taken on the next date of hearing.

To come up for further hearing on **26.04.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Mansa. The PIO to appear at Chandigarh.

Chandigarh
Dated :15.12.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Rajinder Kumar, S/o Sh. Mehar Chand, Ward No-
2, Supreme Enclave,
Near Vishwakarma Bhawan,
Link Road, Mansa.

...Appellant

Versus

Public Information Officer,
O/o Director, Local Govt, Pb
Sector-35, Chandigarh.

First Appellate Authority,
O/o Director, Local Govt, Pb
Sector-35,
Chandigarh.

Respondent

Appeal Case No. 2219 of 2020

PRESENT: Sh.Rajinder Kumar as the Appellant
Sh.Amit Kumar, Sr. Assistant for the Respondent

ORDER:

The appellant through RTI application dated 11.05.2020 has sought information on 12 points regarding a letter of the Director Local Govt No.17896 dated 28.04.2020 regarding meeting dated 17.01.2020 – letter No.149-50 dated 20.01.2020 - report of EO vide letter dated 24.01.2020 and other information as enumerated in the RTI application concerning the office of Director, Local Govt. Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed the first appeal before the First Appellate Authority on 15.06.2020 which took no decision on the appeal.

The case was first heard on 02.12.2020. The appellant claimed that the PIO has not provided the information. The respondent was absent. Having gone through the file, the Commission observed that the copy of the RTI application that is with the commission was not legible. The appellant was directed to send a legible copy of RTI application to the Commission.

The PIO was directed to relook at the RTI application and provide the information to the appellant as per the RTI application.

Sh.Jang Bahadur Singh, Sr. Assistant O/o Local Govt.(General Branch) appeared late and brought the information. A copy of the information was sent to the appellant with the order and the appellant was directed to point out the discrepancies, if any, in writing to the PIO and the PIO was directed to remove the same.

On the date of the hearing on 01.02.2021, the appellant claimed that the PIO has not provided the complete information on points-9,10,11 & 12. The respondent present informed that the information has already been sent to the appellant as per the RTI application and no further information is available in their record.

The PIO was directed to give in writing an affidavit that the information that has been provided is true, complete and no other information is available in the record.

Appeal Case No. 2219 of 2020

On the date of hearing on **12.05.2021**, the appellant claimed that despite orders of the Commission, the PIO neither supplied complete information nor given any affidavit.

The respondent was absent without any communication. Since there has been an enormous delay of more than one year in providing the information and there was no compliance of the order, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of last hearing on **23.08.2021**, as per the appellant, the PIO neither provided the complete information nor any affidavit as per the direction of the Commission.

The Commission received a reply of the PIO on 19.08.2021 which was taken on the file of the Commission. However, the PIO did not comply the order of the Commission to provide complete information or to provide an affidavit that the information that has been provided is true, complete and no other information is available in the record.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-Director Local Govt. Pb, Chandigarh, the Commission was of the view that the appellant had to suffer undue inconvenience to get the information, and hence found it a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO- Director Local Govt. Pb, Chandigarh was directed to pay an amount of **Rs.2500/-** via demand draft through Govt. Treasury as compensation to the appellant and submit proof of having compensated the appellant.

The PIO was again directed to provide an affidavit to the appellant that the information that has been provided is true, complete and no other information is available in the record.

The decision on the show cause notice to be taken on the next date of hearing.

Hearing dated 15.12.2021:

The case has come up for hearing today through video conferencing at DAC Mansa/ Mohali. The respondent present pleaded that in compliance with the order of the Commission, the compensation amount of Rs.2500/- has been paid to the appellant vide demand draft No.001104 dated 23.09.2021 and the appellant has received the same.

However, as per appellant, the PIO has not provided the affidavit as per order of the Commission.

The PIO is given one last opportunity to provide affidavit that the information that has been provided is true, complete and no other information is available in the record. The affidavit should be on stamp paper duly attested by the competent authority.

The decision on the show cause will be taken on the next date of hearing.

To come up for further hearing on **26.04.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Mansa. The PIO to appear at Chandigarh.

Chandigarh
Dated :15.12.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Rakesh Parkash s/o Sh.Jagan Nath,
R/o New Road, Kesar Vakilwali Gali,
Mansa.

....Complainant

Versus

Public Information Officer,
O/o District Treasury Officer,
Mansa.

...Respondent

Complaint case No.473 of 2020

PRESENT: Sh.Rakesh Parkash as the Complainant
None for the Respondent

ORDER:

The case was first heard on 02.12.2020. The respondent present informed that since the case is pending with Commissioner Cyber Crime Branch for enquiry, the information cannot be provided and the reply has already been sent to the complainant on 09.06.2020.

The complainant claimed that when the RTI application was filed, the record was available with the District Treasury office.

Having gone through the RTI application, reply of the PIO and hearing both the parties, it was settled that the PIO to provide whatever information is in his custody.

On the date of the hearing on **01.02.2021**, the respondent pleaded that the bills that are being sought through the RTI application, after processing, are sent to the office of AG Punjab for payment, and the asked information is available with the office of AG Punjab.

Given the above, The PIO- AG Punjab was impleaded in the case and directed to look at the RTI application and file a suitable reply. A copy of the RTI application was sent along with the order to the PIO-AG Punjab.

On the date of the hearing on **12.05.2021**, the respondent PIO-District Treasury Officer reiterated his earlier plea that the asked information is in the custody of the office of AG Punjab.

Smt.Bhanumati, DAG o/o AG Punjab was present and pleaded that it was not possible to provide information without voucher numbers of the bills. According to the respondent, the bills received from different departments of Punjab are kept in record with the marking of voucher numbers.

The PIO O/o AG Punjab was directed to file a written reply.

On the date of last hearing on **23.08.2021**, both the parties were absent. The case was adjourned.

Hearing dated 15.12.2021:

The case has come up for hearing today through video conferencing at DAC Mansa/Mohali. The respondent is absent. The Commission has received a letter from the PIO-DAG Pb Chandigarh which has been taken on the file of the Commission. In the said letter, the PIO has informed that they have already filed written reply vide email dated 22.05.2021. In the reply, it was mentioned by the PIO-DAG Pb that it is not possible to provide information without voucher numbers of the bills.

Complaint case No.473 of 2020

The appellant contended that the vouchers are available with the office of District Treasury Officer since the bills were available with them when the RTI application was filed.

The PIO-District Treasury Officer, Mansa is directed to appear personally before the Commission at Chandigarh on the next date of hearing and file appropriate reply.

To come up for further hearing on **26.04.2022 at 11.00 AM.**

Chandigarh
Dated :15.12.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: PIO-O/o AG, Punjab,
Sector 17, Chandigarh.



Sh Harjinder Singh, S/o Sh Kuldeep Singh,
#29, Mall Road, Ferozepur Cantt,
Ferozepur .

... Appellant

Versus

Public Information Officer,
O/o ADC (D),
Ferozepur

First Appellate Authority,
O/o Joint Director,
Rural Development,
Vikas Bhawan, Phase-8,
Mohali.

... Respondent

Appeal Case No. 2784 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 05.06.2020 has sought information on 8 points regarding misappropriation of fund in Manrega – funds received from 01.04.2019 under Manrega scheme – payments made – name and designation of officers dealing the scheme – action taken against employees involved in the scam as per advertisement published in Ajit Newspaper – complaints registered against employees and other information as enumerated in the RTI application from the office of ADC(D) Ferozepur. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 25.07.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ferozepur. Both the parties are absent.

The case is adjourned. To come up for further hearing on **26.04.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ferozepur.

Chandigarh
Dated: 15.12.2021

Sd/-
(Khushwant Singh)
State Information Commission



Sh M.P Singh S/o Sh Gallu Singh,
R/o Village Sohargarh, Ratewala,
Distt Ferozepur.

... Appellant

Versus

Public Information Officer,
O/o District Social Security Officer,
Ferozepur.

First Appellate Authority,
O/o Commissioner,
Ferozepur.

...Respondent

Appeal Case No. 2016 of 2021

PRESENT: None for the Appellant
Sh.Rajinder Kumar, Sr.Assistant O/o CDPO Zira for the Respondent

ORDER:

The appellant through RTI application dated 03.02.2021 has sought information regarding list of pensioners name of the bank and account number in which pension PLA No.178285 is deposited – number of pensions PLA No.107355 deposited in account No.85340300032925 and other information as enumerated in the RTI application from the office of District Social Security Officer Ferozepur. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 03.03.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ferozepur. The Commission has received a letter from the Superintendent O/o Commissioner, Ferozepur Division stating that they are not the first appellate authority in this case and the appeal of the appellant has been forwarded to District Social Security Officer, Ferozepur vide letter dated 07.04.2021 with a copy to the appellant for information.

The respondent present from the office of CDPO Zira has sought adjournment and assured to provide the information within 15 days.

The appellant is absent.

The PIO is directed to provide information to the appellant within 15 days and send a compliance report to the commission.

The case is adjourned. To come up for further hearing on **26.04.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ferozepur.

Chandigarh
Dated: 15.12.2021

Sd/-
(Khushwant Singh)
State Information Commission