

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

Tel No. 0172-2864116, Fax No. 0172-2864125

Visit us @ www.infocommpunjab.com; Email: psic26@punjabmail.gov.in;

COMPLAINT CASE NO. 154 OF 2018

Sh. Vinay Sophat,
136/1, Block 12,
Shahpur Road,
Ludhiana.

...Complainant

Versus

Public Information Officer,
O/o DPI (Colleges),
Punjab, 7th Floor, Punjab School Education Board,
Complex, Phase-8, SAS Nagar, Mohali.

...Respondent

PRESENT: None is present on behalf of the complainant.
Sh. Jai Singh Rana, Sr. Assistant is present on behalf of the PIO.

ORDER:

This order may be read with reference to the previous order dated
22.11.2018.

2. The Complainant is absent from today's hearing in the
Commission.

3. Sh. Jai Singh Rana, Sr. Assistant appears on behalf of the
Respondent – PIO and states that the requisite information has already been
supplied to the Complainant and he has satisfied with the information. He further
states that a reply in response to the Show Cause Notice for Penalty imposed
upon the PIO has already been filed, before the Commission.

4. In view of the above, last opportunity is given to the Respondent –
PIO (Sh. Harvinder Singh Bhalla, Deputy Director –cum- PIO, O/o Director Public
Instructions (Colleges), Punjab, S.A.S. Nagar (Mohali) to appear personally and
file written reply in proper Affidavit shape, in response to the order dated:
04.10.2018.

5. The case is adjourned to **26.02.2019 at 11:30 AM**. Copies of the
order be sent to the parties.

Chandigarh
16.01.2019

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

Copy to Intimation and Necessary Action:-

Sh. Harvinder Singh Bhalla,
Deputy Director –cum- PIO,
O/o Director Public Instructions (Colleges), Punjab,
S.A.S. Nagar (Mohali).

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COMPLAINT CASE NO. 569 OF 2018

Sh. Pawan Sood,
95, Tagore Nagar-A,
Civil Lines, Ludhiana.

...Complainant

Versus

Public Information Officer,
O/o President,
The Tagore Nagar 'A' Welfare Society,
107, Tagore Nagar 'A',
Civil Lines, Ludhiana-141001.

...Respondent

PRESENT: Sh. Pawan Sood, Complainant.
Sh. Anil Chopra, President, The Tagore Nagar 'A' Welfare Society,
Ludhiana.

ORDER:

This order may be read with reference to the previous order dated
22.11.2018.

2. The Complainant appears and states that no information has been
provided to him by the Respondent – PIO.

3. Sh. Anil Chopra, President, The Tagore Nagar 'A' Welfare Society,
Ludhiana appears with the information for the perusal of the Commission and the
Complainant. Copy of the same is handed over to the Complainant.

4. After going through the information, the Complainant states that the
incomplete information is provided to him.

5. The Respondent further states that the information which was
available has been provided to the Complainant and the Society does not keep
the record for more than 5 years, hence this record cannot be found. He has filed
an Affidavit in this regard, today in the Commission, which is taken on record.

6. After examining the case file, it is revealed that the Respondent has
provided the available information to the Complainant today in the Commission
and files an Affidavit. Therefore, no further action is required, hence this
Complaint Case is **closed and disposed off**. Copies of the order be sent to the
parties.

Chandigarh
16.01.2019

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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COMPLAINT CASE NO. 582 OF 2015

Sh. Bhupinder Singh S/o S. Gurnam Singh,
Dogar Basti, Near Gali No. 3,
Main Road, Faridkot.

...Complainant

Versus

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Faridkot.

...Respondent

ORDER:

This case was last heard on 05.09.2018 and the order was reserved.

2. Vide order dated 27.06.2018, a penalty of Rs. 25.000/- was imposed on the Respondent - PIO under Section 20 of the Right to Information Act, 2005 due to the failure on his part to supply the information within the statutorily prescribed period of 30 days. The perusal of the order dated: 27.06.2018 shows that on that day the Respondent - PIO was not present and, therefore, the case was decided against him in absentia.

3. Sh. Nachhatar Singh Brar who was PIO at the time of filing RTI application, has filed a reply dated: 05.09.2018, praying for the recall of the order dated 27.06.2018, imposing the penalty of Rs. 25,000/- upon him and has intimated/prayed as under:-

"In this connection, it is submitted that I remained posted on the post of DTO, Faridkot during the period of 06.01.2014 to 24.12.2014 thereafter I was transferred to the Post of SDM, Amlah.

During the tenure of my position as DTO Faridkot the RTI application of the complainant was not brought to my notice by the subordinate staff of my office. I retired from the post of PCS on 28.02.2015 after attaining the age of superannuation. I was never informed about the proceedings of this case by the staff of the O/o DTO Faridkot and my successors. I have downloaded the copies of the orders passed by the bench from the website of the Commission the perusal of which shows that this penalty was earlier imposed upon Sh. Vijay Syal PCS and subsequently upon Sh. Hardeep Singh the then DTO by issuing Show Cause Notice under Section 20(1) of the RTI Act, 2005. However, I have not been given any chance to file my submissions in this regard. On the basis of the reply filed by my successor the penalty of Rs. 25000/- has been imposed upon me which is against the spirit of natural justice and provisions of RTI Act.

Through the order dated: 27.06.2018 the Hon'ble Bench has given following directions to Sh. Hardeep Singh PCS respondent PIO:-

"The Respondent PIO (Sh. Hardeep Singh, P.C.S.) is directed to supply this order of the Commission by hand to Sh. Nacchatar Singh Brar, P.C.S., Sh. Vijay Kumar Syal, P.C.S. and Sh. Harjit Singh Sandhu, P.C.S. for personal appearance on the next date of hearing, failing which punitive and stringent provisions of the RTI Act, 2005 could be invoked against them."

Cont... P-2

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COMPLAINT CASE No. 582 of 2015

It is brought to your kind notice that Sh. Hardeep Singh has not complied with this direction and no copy of this order has been supplied to me therefore I could not appear before the bench on the next date of hearing.

In this connection It is also submitted that Rule 2.2 (b) of CSR Volume II Provides as under: -

“The Government further reserve to themselves the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to Government, if, in a departmental or judicial proceeding, the pensioner is found guilty of grave mis-conduct or negligence during the period of his service, including service rendered upon re-employment after retirement.

Provided that-

1. Such departmental proceedings, if instituted while the officer was in service, whether before his retirement or during his re-employment, shall after the final retirement of the officer, be deemed to be a proceeding under this article and shall be continued and concluded by the authority by which it was commenced in the same manner as if the officer had continued in service;

(1) Such departmental proceedings, if not instituted while the officer was in service whether before his retirement or during his re-employment-

a. Shall not be instituted save with the sanction of the Government;

b. Shall not be in respect of any event which took place more than four years before such institution; and

c. Shall be conducted by such authority and in such place as the Government may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could not be made in relation to the officer during his service.

(2) No such judicial proceedings, if not instituted while the officer was in service, whether before his retirement or during his re-employment shall be instituted in respect of a cause of action which arose or an event which took place more than four years before such institution; and

The Public Service Commission should be consulted before final orders are passed.

Explanation.-

For the purpose of this rule-

(a) a departmental proceeding shall be deemed to be instituted on the date on which the statement of charges is issued to the officer or pensioner, or if the officer has been placed under suspension from an earlier date, on such date; and

(b) a judicial proceeding shall be deemed to be instituted-

a. in the case of criminal proceeding, on the date on which the complaint or report of the police officer on which the Magistrate takes cognizance, is made; and

b. in the case of a civil proceeding, on the date of presentation of the plaint in the court.

Note:-

As soon as proceedings of the nature referred to in the above rule are instituted, the authority which institutes such proceedings should without delay intimate the fact to the Accountant –General. The amount of the pension withheld under clauses (b) should not ordinarily exceed one-third of pension originally sanctioned, including any amount of pension to be so withheld, regard should be had to the consideration whether the amount of the pension left to the pensioner in any case would be adequate for his maintenance.”

It is humbly prayed that as submitted above, I retired from Govt. Service on 28.02.2015 and the period of this incident is February 2014. In view of the above quoted provision no action against the undersigned may be initiated/taken at this point of time. I had been transferred from Faridkot to SDM Amloh in Dec. 2014.

Hence, in view of the above position it is requested that order dated: 27.06.2018 passed by Hon’ble Bench regarding penalty may kindly be reviewed and penalty imposed upon me may kindly be waived of because while imposing the penalty no Show Cause Notice under Section 20 (1) of the RTI Act was served to me.

x x x x Cont... P-3

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COMPLAINT CASE No. 582 of 2015

4. I have carefully considered the submissions made by the Respondent PIO Sh Nachhattar Singh Brar. The first question to be addressed is whether the Bench can review/recall its earlier order dated: 27.06.2018, imposing a penalty of Rs. 25.000/- upon the Respondent?

5. The Right to Information Act, 2005 does not contain any provision conferring the power of review on the Commission in relation to the orders passed by it on the judicial side. It is trite law that power of review can be exercised by a statutory authority only if it has been expressly conferred by the statute concerned. In the absence of an express power, a statutory authority, cannot review its orders on merits. However, this principle is subject to certain exceptions. These exceptions are:-

i. Where the order sought to be recalled has been passed without notice to the person affected or where his absence at the time of passing the order was not willful, but was occasioned by reasons beyond his control.

ii. Where the order sought to be recalled has been passed on mis-presentation of facts by the opposite party.

lii Where there are obvious clerical/typographical mistakes in the order.

6. In the instant case, I find that the absence of the Respondent on 27.06.2018 was more on account of remissness on the part of the subordinate staff than any willful default on the part of the Respondent because he was not in service at that time and had retired on 28.2.2015. Moreover, the perusal of the case file show that requisite information stands provided to the complainant. Since Sh. Nachhattar Singh Brar stands retired on 28.2.2015 and despite the direction of the Commission, he was not apprised of the proceedings of the Commission by the then PIO, therefore he cannot be held responsible for not appearing before Commission at the time of hearing of the case.

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COMPLAINT CASE No. 582 of 2015

Section 20 of the RTI Act, 2005 provides as under:

(1) *Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees:*

Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him:

Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer or the State Public Information Officer, as the case may be.

(2) *Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause and persistently, failed to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall recommend for disciplinary action against the Central Public Information Officer or the State Public Information Officer, as the case may be, under the service rules applicable to him.*

7. Since notice was not issued to Sh. Nachhattar Singh Brar to appear personally before the Commission and to explain his position before imposing penalty in this case In view of the facts mentioned in the request of Sh. Nachhattar Singh Brar for the review/recall orders passed in the instant case falls within the first exception as indicated in para 5 (i) above.

8. In view of the foregoing, I am of the view that penalty imposed in this case upon Sh. Nachhattar Singh Brar deserves to be recalled and therefore, I recall the order passed on 27.06.2018, imposing a penalty of Rs. 25.000/- upon the Respondent and close the case. Copies of the order be sent to the parties.

**Chandigarh
16.01.2019**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

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COMPLAINT CASE No. 582 of 2015

Copy to Intimation & Necessary Action:

Sh. Nachhatar Singh Brar, P.C.S., (Retd.)

Former PIO -cum- D T O, Faridkot,

Kothi No. 150, Sector-27-A,

Chandigarh.

First Appellate Authority

O/o Secretary,

Regional Transport Authority (Main Office),

S.C.O. 177-178, Sector-17-C,

Chandigarh.

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APPEAL CASE NO. 1082 OF 2018

Sh. Manjit Singh,
S/o Sh. Nigahia ISngh,
Flat No. 16/D, First Floor,
Akanksha Apartment, Parshant Vihar,
Baltana, Zirakpur.

...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.

...Respondents

PRESENT: Sh. Manjit Singh, Appellant.
Ms. Simarjit Kaur, Additional Director –cum- PIO.

ORDER:

This order may be read with reference to the previous order dated 22.11.2018.

2. The appellant states that no information has been provided to him by the Respondent - PIO.

3. Ms. Simarjit Kaur, Additional Director –cum- PIO appears alongwith information for the perusal of the Commission and the appellant. Copy of the same is handed over to the appellant. She further files reply in response to the Show Cause Notice issued to her and compensation cheque of Rs. 2000/- handed over to the appellant alongwith the complete information.

4. After going through the information, the appellant states that he is satisfied with the provided information and expressed his willingness in writing to close the case.

5. After examining the case file, it is ascertained that the Respondent –PIO has supplied the requisite information to the appellant alongwith compensation cheque of Rs. 2000/- today in the Commission.

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APPEAL CASE No. 1082 of 2018

6. The Respondent - PIO has filed the reply in response to the Show Cause Notice, which is taken on record. Keeping in view all the facts mentioned in the reply are found satisfactory. The Show Cause Notice is hereby, dropped. However, the Respondent - PIO is warned to be careful in future while dealing with the RTI applications.

7. The Respondent – PIO has supplied the information to the appellant and he has received the same and expressed his willingness in writing that he is satisfied with the provided information and wants to close the case. Therefore, no further action is required in this Appeal case, hence this case is **closed and disposed off**. Copies of the order be sent to the parties.

**Chandigarh
16.01.2019**

**Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner**

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 1199 OF 2018

Sh. Gurdev Singh,
S/o Sh. Jarnail Singh,
R/o Ward No. 12, Makhu,
Tehsil: Zira, Distt: Ferozepur.

...Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Ferozepur.

First Appellate Authority
O/o Additional Deputy Commissioner (G),
Ferozepur.

...Respondents

PRESENT: Sh. Gurdev Singh, Appellant.
Sh. Manjit Singh, D.R.O. –cum- PIO.

ORDER:

This order may be read with reference to the previous order dated 22.11.2018.

2. The appellant states that incomplete information has been provided to him by the Respondent - PIO.

3. Sh. Manjit Singh, D.R.O. –cum- PIO appears and states that the available information has already been supplied to the appellant and compensation amount of Rs. 3000/- in cash handed over to the appellant, during the hearing. He further files an Affidavit, which is taken on record.

4. In view of the above, the Respondent – PIO has supplied the available information to the appellant and he has filed an Affidavit in this regard. The original Affidavit is handed over to the appellant alongwith the compensation amount of Rs. 3000/- in cash.

5. Thus, information as per the record of the O/o Deputy Commissioner, Ferozepur was duly furnished. Once information stood furnished, it required no other action by the State Information Commission. If the appellant is dissatisfied with the non-supply of information, the remedy open to him is to approach either the higher authorities or to move an appropriate judicial forum for directions to the authorities.

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE No. 1199 of 2018

6. In view of the above, therefore, no further action is required in this Appeal case, hence this case is **closed and disposed off**. Copies of the order be sent to the parties

**Chandigarh
16.01.2019**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

Copy to Intimation and Necessary Action:-

**S. Manjit Singh,
D.R.O. –cum- PIO
O/o Deputy Commissioner,
Ferozepur.**

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

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APPEAL CASE NO. 1200 OF 2018

Sh. Gurdev Singh,
S/o Sh. Jarnail Singh,
R/o Ward No. 12, Makhu,
Tehsil: Zira, Distt: Ferozepur.

...Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Ferozepur.

First Appellate Authority
O/o Additional Deputy Commissioner (G),
Ferozepur.

...Respondents

PRESENT: Sh. Gurdev Singh, Appellant.
Sh. Manjit Singh, D.R.O. –cum- PIO.

ORDER:

This order may be read with reference to the previous order dated 22.11.2018.

2. The appellant states that incomplete information has been provided to him by the Respondent - PIO.

3. Sh. Manjit Singh, D.R.O. –cum- PIO appears and states that the available information has already been supplied to the appellant and compensation amount of Rs. 3000/- in cash handed over to the appellant, during the hearing. He further files an Affidavit, which is taken on record.

4. In view of the above, the Respondent – PIO has supplied the available information to the appellant and he has filed an Affidavit in this regard. The original Affidavit is handed over to the appellant alongwith the compensation amount of Rs. 3000/- in cash.

5. Thus, information as per the record of the O/o Deputy Commissioner, Ferozepur was duly furnished. Once information stood furnished, it required no other action by the State Information Commission. If the appellant is dissatisfied with the non-supply of information, the remedy open to him is to approach either the higher authorities or to move an appropriate judicial forum for directions to the authorities.

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APPEAL CASE No. 1200 of 2018

6. In view of the above, therefore, no further action is required in this Appeal case, hence this case is **closed and disposed off**. Copies of the order be sent to the parties

**Chandigarh
16.01.2019**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

Copy to Intimation and Necessary Action:-

**S. Manjit Singh,
D.R.O. –cum- PIO
O/o Deputy Commissioner,
Ferozepur.**

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 1398 OF 2017

Sh. Manjit Singh,
S/o Sh. Hari Singh,
Village Upperla Manwal,
P.O: Tehsil & Distt: Pathankot.

...Complainant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Pathankot.

Public Information Officer,
O/o XEN,
PWD, B & R, Pathankot.

Public Information Officer,
O/o XEN,
Punjab Mandi Board,
Pathankot.

...Respondents

PRESENT: None is present on behalf of the Complainant.
Sh. Amandeep Mehra, S.D.O. O/o XEN, Punjab Mandi Board,
Pathankot.

ORDER:

This order may be read with reference to the previous order dated
22.11.2018.

2. The Complainant has sent an Email in the Commission mentioning
therein that due to some urgent work, he is unable to attend today's hearing in
the Commission.

3. Sh. Amandeep Mehra, S.D.O. O/o XEN, Punjab Mandi Board,
Pathankot appears and states that the requisite information has already been
provided to the Complainant and nothing is left to be supplied and files an
Affidavit in this regard, which is taken on record.

4. During the last hearing dated: 04.10.2018, the Show Cause Notice
was issued to both the PIO O/o XEN, PWD, B & R, Pathankot and PIO O/o XEN,
Punjab Mandi Board, Pathankot under Section 20 (1) of the RTI Act, 2005 for not
providing the information. Today, the PIO O/o XEN, PWD, B & R, Pathankot is
again absent without any intimation to the Commission, which shows that he has
no regard to the orders of the Commission.

Cont...P-2

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COMPLAINT CASE No. 1398 of 2017

5. Hence, bailable warrant be issued to the PIO O/o Deputy Commissioner, Pathankot and PIO O/o XEN, PWD, B & R, Pathankot through Senior Superintendent of Police, Pathankot so that they should appear before the Commission to represent their case personally and provide the complete information and file a reply in response to the Show Cause Notice issued to them vide order dated: 04.10.2018, failing which penalty provision will be initiated against them as per provisions of the RTI Act, 2005.

6. In view of the above, the Respondent – PIO O/o XEN, Punjab Mandi Board, Pathankot is exempted from the further proceedings in this case.

7. The case is adjourned to **26.02.2019 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh
16.01.2019**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

PUNJAB STATE INFORMATION COMMISSION

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BAILABLE WARRANT OF PRODUCTION

BEFORE

PROF. VINEY KAPOOR MEHRA,

STATE INFORMATION COMMISSIONER, PUNJAB

AT CHANDIGARH

In case: Manjit Singh Vs. Public Information Officer O/o XEN, PWD, Punjab
Mandi Board, Pathankot.

COMPLAINT CASE NO. 1398 of 2017

UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005

Next Date of Hearing: 26.02.2019

To

**The Senior Superintendent of Police,
Pathankot.**

Whereas Public Information Officer PIO O/o Deputy Commissioner, Pathankot and PIO O/o XEN, PWD, B & R, Pathankot has failed to appear before the State Information Commissioner despite the issuance of notice/summon in the above mentioned complaint case. Therefore, you are hereby directed to serve this bailable warrant to the PIO O/o Deputy Commissioner, Pathankot and PIO O/o XEN, PWD, B & R, Pathankot to appear before undersigned at RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR – 16, CHANDIGARH on 26.02.2019 at 11:30 AM.

**CHANDIGARH
16.01.2019**

**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

PUNJAB STATE INFORMATION COMMISSION

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APPELLANT CASE NO. 1835 OF 2018

Sh. Parveen Kohli,
S/o Sh. Sawdesh Kohli,
451/2, College Road,
Jagraon, Distt: Ludhiana.

...Appellant

Vs.

Public Information Officer

O/o District Food & Supply Officer,
Jagraon, Distt:Ludhiana.

First Appellate Authority

P/o District Controller,
Food Civil Supplies & Consumer Affairs,
Ludhiana.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Gurinder Singh, D.F.S.O. is present on behalf of the PIO.

ORDER:

This order may be read with reference to the previous order dated 22.11.2018.

2. The appellant is absent for today's hearing and has also not attended the last hearings dated 28.08.2018, 04.10.2018 and 22.11.2018.

3. Sh. Gurinder Singh, D.F.S.O. O/o District Food & Supply Officer, Jagraon, District Ludhiana appears on behalf of the Respondent – PIO and states that the requisite information has already been supplied to the appellant vide letter dated: 21.11.2018 but no observation has been received from him.

4. The perusal of the file indicates that the information has been provided to the appellant by the respondent vide letter dated 21.11.2018. The appellant has not attended the hearings in the Commission consequently thrice entailing thereby that he does not want to follow up his case further. It is presumed that he is satisfied with the provided information. In wake of aforementioned, this Appeal Case is hereby, **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
16.01.2019

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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APPEAL CASE NO. 4120 OF 2018

Sh. Gagandeep Singh Janjua,
Village Tura, Post Office Kumbh,
Tehsil Amloh, District Fatehgarh Sahib-147301

...Appellant

Versus

Public Information Officer,
O/o Tehsildar,
Nawanshahar (Shaheed Bhagat Singh Nagar).

First Appellate Authority,
O/o Sub-Divisional Magistrate,
Nawanshahar (Shaheed Bhagat Singh Nagar).

...Respondents

PRESENT: Sh. Gagandeep Singh Janjua, Appellant.
None is present on behalf of the Respondents.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 11.06.2018. First appeal was filed with the First Appellate Authority on dated: 19.07.2018 and second appeal was filed in the Commission on dated: 30.11.2018.

2. Notice of hearing has been issued to the parties for 16.01.2019 to appear before the Commission.

3. The appellant appears and states that he is satisfied with the information provided by the Respondent – PIO and wants to close the case.

4. The Respondent has sent an Email in the Commission mentioning therein that the requisite information has already been supplied to the appellant.

5. After examining the case file, it is revealed that the Respondent – PIO has supplied the information to the appellant and he has received the same and expressed his willingness in writing that he is satisfied with the provided information and wants to close the case. Therefore, no further action is required, hence the Appeal Case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
16.01.2019

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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APPEAL CASE NO. 4121 OF 2018

Sh. Gagandeep Singh Janjua,
Village Tura, Post Office Kumbh,
Tehsil Amlah, District Fatehgarh Sahib-147301

...Appellant

Versus

Public Information Officer,
O/o Tehsildar,
Nawanshahar (Shaheed Bhagat Singh Nagar).

First Appellate Authority,
O/o Sub-Divisional Magistrate,
Nawanshahar (Shaheed Bhagat Singh Nagar).

...Respondents

PRESENT: Sh. Gagandeep Singh Janjua, Appellant.
None is present on behalf of the Respondents.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 11.06.2018. First appeal was filed with the First Appellate Authority on dated: 19.07.2018 and second appeal was filed in the Commission on dated: 30.11.2018.

2. Notice of hearing has been issued to the parties for 16.01.2019 to appear before the Commission.

3. The appellant appears and states that he is satisfied with the information provided by the Respondent – PIO and wants to close the case.

4. The Respondent has sent an Email in the Commission mentioning therein that the requisite information has already been supplied to the appellant.

5. After examining the case file, it is revealed that the Respondent – PIO has supplied the information to the appellant and he has received the same and expressed his willingness in writing that he is satisfied with the provided information and wants to close the case. Therefore, no further action is required, hence the Appeal Case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
16.01.2019

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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APPEAL CASE NO. 4123 OF 2018

Sh. Gagandeep Singh Janjua,
Village Tura, Post Office Kumbh,
Tehsil Amlah, District Fatehgarh Sahib-147301

...Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Council, Rahon,
District Shaheed Bhagat Singh Nagar.

First Appellate Authority,
O/o Deputy Director,
Local Government, Jalandhar.

...Respondents

PRESENT: Sh. Gagandeep Singh Janjua, Appellant.
Sh. Ghurbharan Sharma, Executive Officer –cum- PIO O/o Nagar
Council, Rahon, District Shaheed Bhagat Singh Nagar.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 21.08.2018. First appeal was filed with the First Appellate Authority on dated: 08.10.2018 and second appeal was filed in the Commission on dated: 30.11.2018.

2. Notice of hearing has been issued to the parties for 16.01.2019 to appear before the Commission.

3. The appellant appears and states that no information has been provided to him by the Respondent – PIO.

4. Sh. Ghurbharan Sharma, Executive Officer –cum- PIO appears and files a reply mentioning therein that the requisite information has already been supplied to the appellant.

5. In view of the above, the Respondent – PIO is directed to bring the information which has been supplied to the appellant, before the Commission, on the next date of hearing, if there is no other information then file an affidavit duly attested in response to the information, which has been provided to the appellant, on the next date of hearing.

6. The case is adjourned for **26.02.2019 at 11:30 AM**. Copies of the order be sent to the parties.

Chandigarh
16.01.2019

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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APPEAL CASE NO. 4142 OF 2018

Sh. Kanwal Pal Singh,
HIG-683, Phase-I,
Urban Estate, Patiala-147002.

...Appellant

Versus

Public Information Officer,
O/o District Education Officer (Elementary Education),
Patiala.

First Appellate Authority,
O/o Director Public Instructions (Elementary Education),
Punjab,
S.A.S. Nagar (Mohali).

...Respondents

PRESENT: Sh. Kanwal Pal Singh, Appellant.
Sh. Hatinder Pal, Clerk O/o D.E.O. (EE), Patiala is present on
behalf of the Respondent – PIO.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 29.11.2016. First appeal was filed with the First Appellate Authority on dated: 10.07.2018 and second appeal was filed in the Commission on dated: 03.12.2018.

2. Notice of hearing has been issued to the parties for 16.01.2019 to appear before the Commission.

3. Sh. Hatinder Pal, Clerk O/o D.E.O. (EE), Patiala appears on behalf of the Respondent – PIO with the requisite information for the perusal of the Commission and the appellant.

4. After going through the information, the appellant states that the Respondent has brought the incomplete and irrelevant information.

5. In view of the above, the Respondent – PIO Ms. Kuldeep Kumari, Superintendent is directed to appear personally and bring the original record relating to the RTI application of the appellant, on the next date of hearing, failing which action would be initiated against her as per provisions of the RTI Act, 2005.

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APPEAL CASE No. 4142 of 2018

6. The case is adjourned for **26.02.2019 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh
16.01.2019**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

Copy to Intimation & Necessary Action:-

Ms. Kuldeep Kumari,
Superintendent –cum- PIO,
O/o District Education Officer (Elementary Education),
Patiala.

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 4166 OF 2018

Sh. Tejinder Singh,
Village Bholapur, Post Office Ramgarh,
Chandigarh Road,
District Ludhiana-141123

...Appellant

Versus

Public Information Officer,
O/o Municipal Council,
Morinda,
District Roopnagar.

First Appellate Authority,
O/o Regional Deputy Director,
Local Government,
Ludhiana.

...Respondents

PRESENT: Sh. Tejinder Singh, Appellant.
Sh. Jagjit Singh Judge, Executive Officer –cum- PIO &
Sh. Sandeep Singh, Accountant O/o Municipal Council, Morinda
(Roopnagar).

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 17.02.2018. First appeal was filed with the First Appellate Authority on dated: 02.05.2018 and second appeal was filed in the Commission on dated: 04.12.2018.

2. Notice of hearing has been issued to the parties for 16.01.2019 to appear before the Commission.

3. The appellant appears and states that no information has been provided to him by the Respondent – PIO.

4. Sh. Jagjit Singh Judge, Executive Officer –cum- PIO O/o Municipal Council, Morinda (Roopnagar) appears and states that the RTI application of the appellant has been received in the office on 22.02.2018 and the reply has been sent to him vide letter no. M.C.M.-18/339, dated: 23.03.2018 by simple post. He further shows the dispatch register. He further states that he has brought the requisite information for the perusal of the Commission and the appellant, which is handed over to the appellant, during the hearing.

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APPEAL CASE No. 4166 of 2018

5. The Appellant is advised to point out the deficiency, if any, in the provided information to the Respondent – PIO within a week, under intimation to the Commission. The Respondent – PIO is directed to remove the same, after receiving the discrepancies from the appellant, before the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.

6. The case is adjourned for **26.02.2019 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh
16.01.2019**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

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APPEAL CASE NO. 4189 OF 2018

Sh. Bhupinder Singh,
S/o Major Singh,
R/o Street No. 11, Guru Kirpa Nagar,
Abohar, District Fazilka.

...Appellant

Versus

Public Information Officer,
O/o Senior Medical Officer,
Civil Hospital,
Abohar, District Fazilka.

First Appellate Authority,
O/o Civil Surgeon,
Abohar, District Fazilka.

...Respondents

PRESENT: Adv Deshpreet Singh is present on behalf of the Appellant.
Dr. Hans Raj, Civil Surgeon –cum- FAA; Dr. Yudhishter, M.O.
–cum- APIO, Ms. Jyoti, Steno, Sh. Ritesh Kumar, Clerk
for the Respondents.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 08.08.2018. First appeal was filed with the First Appellate Authority on dated: 20.10.2018 and second appeal was filed in the Commission on dated: 04.12.2018.

2. Notice of hearing has been issued to the parties for 16.01.2019 to appear before the Commission.

3. Adv Deshpreet Singh appears on behalf of the appellant and states that no information has been provided to the appellant by the Respondent – PIO till date.

4. Dr. Yudhishter, Medical Officer –cum- APIO O/o Civil Hospital, Abohar, District Fazilka appears and states that the appellant was advised to deposit the required fee of Rs. 8000/- vide letter no. 777, dated: 27.08.2018 through registered post but he has not turned up. So no information was provided to the appellant.

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APPEAL CASE No. 4189 of 2018

5. After examining the case file, it is revealed that the appellant has not deposited the fee within stipulated time as prescribed under the RTI Act 2005. The appellant is advised that he should visit the office of the Respondent on any working day and inspect the record and obtain the information on payment of requisite fee. The instant Appeal Case is devoid of merit which is hereby **closed and disposed off**. Copies of the order be sent to the parties.

**Chandigarh
16.01.2019**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**