

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh.Lajpat Rai, S/o Sh Harbans Lal,
H no-B-3/287, Romana Street,
Jaito, Distt Faridkot.

... Appellant

Versus

Public Information Officer,
O/o Addl, Chief Secretary,
Local Govt, Sector-35-A,
Chandigarh

First Appellate Authority,
O/o Addl, Chief Secretary,
Local Govt, Sector-35-A,
Chandigarh

...Respondent

Appeal Case No. 1706 of 2020

PRESENT: Sh.Lajpat Rai as the Appellant
Sh.Ramninder Singh, APIO for the Respondent

ORDER:

The appellant through RTI application dated 20.01.2020 has sought information regarding action taken on the application filed for cancellation of probation period of Ramesh Kumar and Prem Chand – action taken on the complaint dated 13.11.2019 for missing record by Ajay Singh Clerk - and other information as enumerated in the RTI application concerning the office of Addl.Chief Secretary 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 19.02.2020 which took no decision on the appeal.

The case first came up for hearing on 02.11.2020 through video conferencing at DAC Faridkot. The respondent was absent. The case was adjourned.

On the date of the last hearing on **04.01.2021**, both the parties were absent.

Having gone through the file, the Commission observed that there has been an enormous delay in attending to the RTI application and the PIO was absent on 2nd consecutive hearing, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

The PIO was again directed to provide the information within 10 days of the receipt of this order.

Hearing dated 16.08.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent present pleaded that the information relating to point-9 concerning them was denied u/s 8(H) since the matter was under consideration with the Govt. and the reply was sent to the appellant on 13.03.2020. Thereafter, on the recommendation of DC Faridkot, show cause notice has been issued to all the employees found responsible and a reply has been sent to the appellant vide letter dated 30.07.2021. Further, since the remaining information relates to the office of Director, Local Govt., the RTI application was transferred to them u/s 6(3) on 06.03.2020. The PIO-Director Local Govt has also sent information to the appellant vide letters dated 27.02.2020 and 19.03.2020.

Appeal Case No. 1706 of 2020

The appellant is not satisfied with the information provided and wants information regarding the action taken by the Principal Secretary Local Govt. on his applications as mentioned in the RTI application.

The PIO is directed to relook at the RTI application and provide whatever action has been taken by the Principal Secretary on the applications of the appellant along with all noting/correspondence. The PIO is also directed to file a reply to the show-cause notice. The last opportunity is provided to the PIO to reply to the show cause otherwise it will be construed that the PIO has nothing to say on the matter and a decision will be taken accordingly.

To come up for further hearing on **27.12.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot. PIO to appear through VC at DAC Mohali.

Chandigarh
Dated 16.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Lajpat Rai, S/o Sh Harbans lal,
H no-B-3/287, Romana Street,
Jaito, Distt Faridkot.

... Appellant

Versus

Public Information Officer,
O/o Chief Vigilance Officer,
Local Govt. Deptt, Sector-35-A,
Chandigarh.

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

...Respondent

Appeal Case No. 1703 of 2020

PRESENT: Sh.Lajpat Rai as the Appellant
Sh.Rajeev Saggar PIO-CVO for the Respondent

ORDER:

The appellant through RTI application dated 20.01.2020 has sought information regarding a copy of letters dated 28.10.2017 & 1.09.2017 sent to DDLG Ferozepur by CVO with an enquiry report on the action taken – a copy of the letter dated 03.06.2019 forwarded by DC Faridkot for action against employees – details of staff working in the office of CVO – complaints received in NC from 01.01.2006 and other information as enumerated in the RTI application concerning the office of Chief Vigilance Officer, Local Govt. Department Punjab Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 20.02.2020 which took no decision on the appeal.

The case first came up for hearing on 02.11.2020 through video conferencing at DAC Faridkot. The respondent was absent. The case was adjourned.

On the date of the last hearing on **04.01.2021**, both the parties were absent.

Having gone through the file, the Commission observed that there has been an enormous delay in attending to the RTI application and the PIO was absent on 2nd consecutive hearing, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit**. The PIO was again directed to provide the information within 10 days of the receipt of this order.

Hearing dated 16.08.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent is present at Chandigarh. As per the respondent, the appellant has inspected the record and the information as specified by him has been sent to the appellant on his WhatsApp. The respondent has also brought a set of information that has been taken on the file of the Commission.

Appeal Case No. 1703 of 2020

A copy of the information that has been submitted by the respondent is being sent to the appellant along with the order and the appellant is directed to point out the discrepancies in the information to the PIO with a copy to the Commission and the PIO is directed to remove the same. The PIO is also directed to file a reply to the show-cause notice otherwise it will be construed that the PIO has nothing to say on the matter and a decision will be taken accordingly.

To come up for further hearing on **27.12.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot. PIO to appear through VC at DAC Mohali.

Chandigarh
Dated 16.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Lajpat Rai, S/o Sh Harbans lal,
H no-B-3/287, Romana Street,
Jaito, Distt. Faridkot.

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1702 of 2020

PRESENT: Sh.Lajpat Rai as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 23.01.2020 has sought information on 15 points regarding action taken on the application filed for cancellation of probation period of Ramesh Kumar and Prem Chand – action taken on the complaint dated 13.11.2019 for misplacing the record by Ajay Singh Clerk - and other information as enumerated in the RTI application 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 20.02.2020 which took no decision on the appeal.

The case first came up for hearing on 02.11.2020 through video conferencing at DAC Faridkot. The respondent was absent. The case was adjourned.

On the date of the last hearing on **04.01.2021**, both the parties were absent.

Having gone through the file, the Commission observed that there has been an enormous delay in attending to the RTI application and the PIO was absent on 2nd consecutive hearing, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.** The PIO was again directed to provide the information within 10 days of the receipt of this order.

Hearing dated 16.08.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per the appellant, the PIO has supplied information on 09.04.2020 which is incomplete.

The respondent is absent on 3rd consecutive hearing nor has sent a reply to the show-cause notice as well as not provided the complete information.

The PIO is given one last opportunity to provide complete information and file a reply to the show-cause notice otherwise it will be construed that the PIO has nothing to say on the matter and a decision will be taken accordingly.

To come up for further hearing on **27.12.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Sd/-

Chandigarh
Dated 16.08.2021

(Khushwant Singh)
State Information Commissioner

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Sh Madan Lal. S/o Sh Om Prakash,
Jain Niwas, MCB Zone-2, H No-10803,
Street no-18, Parinda Road-18,
Guru Teg Bahadur Nagar, Bathinda.

... Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council,
Jaito, Distt. Faridkot.

First Appellate Authority,
O/o Deputy Director,
Local Bodies, Ferozepur.

...Respondent

Appeal Case No. 1638 of 2020

PRESENT: Sh.Madan Lal as the Appellant
Sh.Veerpal Singh, Inspector for the Respondent

ORDER:

The appellant through RTI application dated 28.12.2019 has sought information regarding a copy of correspondent done relating to promotion of Ramesh Kumar, Prem Kumar, Kewal Sharma from 07.04.2017 till date – case file of case no.21/2011 against Kewal Sharma copy of audit report of Finance department, Central Audit department from 04/2005 to 03/2007, 11.08.2010 to 07.10.2010 & 04/2007 to 03.2010 - action taken report against an employee for missing record relating to book No.120 – computerized CD for deposit of property tax – case file of FIR No.29/18 & 80/30/5/19 against Davinder Kumar clerk and other information concerning the office of EO, NC Jaito. The appellant was not provided with the information after which the appellant filed first appeal before the first appellate authority on 20.02.2020 which took no decision on the appeal.

The case first came up for hearing on 02.11.2020 through video conferencing at DAC Faridkot. The appellant claimed that the PIO has not provided the information. The respondent was absent.

Having gone through the RTI application, the Commission observed that the information that had been asked for by the appellant appeared to be the service record of employees Sh. Ramesh Kumar, Sh.Prem Kumar and Sh.Kewal Sharma as well as very voluminous information. The Commission advised the appellant to revise his RTI application and seek that information, which is not personal, and not voluminous and does not divert the resources of the public authority.

During the course of the hearing, it came to the notice that two appellants Sh.Madan Lal and Sh.Chander Shekhar, had filed similar appeal cases (No.1638/2020 & 1697/2020) for seeking exactly the same information. The Commission did not allow the appellants to pursue such malpractices especially if said matter comes to the notice that the RTI applications are being fixed amongst various applicants, as during the hearing, it came to notice that both appellants are closely associated with each other.

The same matter was brought to the notice of the appellant who then requested that the cases be clubbed. In the interest of justice, both the cases were clubbed and the EO, NC Jaito was directed to provide only one set of information to Sh. Madan Lal by raising requisite fee as per provisions of RTI Act. Since the appellant had also been advised to submit a revised RTI application, the fee is raised once the appellant submits the revised RTI application and information be provided after a deposit of the requisite fee.

The Commission also warned both the appellants not to repeat this practice of fixing RTI applications; otherwise, the Commission will be constrained to reject such applications in the future.

On the date of the last hearing on **04.01.2021**, as per the earlier order of the Commission, the appellant had revised the RTI application. However, due to a network problem the hearing could not be completed.

Hearing dated 16.08.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent present pleaded that since the information as sought by the appellant is personal information, it cannot be provided and the appellant has already been sent a reply again on 19.03.2021.

The appellant pleaded that he has already sent a revised RTI application but the PIO has not supplied the information.

I have gone through the RTI application and direct the PIO to provide:-

- | | |
|---------|--|
| Point-1 | To only provide a certified copy of rules in connection with promotion of peons
The rest of the information sought in point 1 is personal information and not to be provided. |
| Point-2 | To provide the audit report |
| Point-3 | To provide the information as available on record. Otherwise, reply appropriately |
| Point-4 | Not to be provided |
| Point-5 | To provide if available on record. Otherwise, reply appropriately. |

To come up for further hearing on **27.12.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Bathinda. The PIO to appear through VC at DAC Faridkot.

Chandigarh
Dated 16.08.2021

Sd/-
(KhushwantSingh)
State Information Commissioner

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Sh.Ujagar Singh, S/o Sh.Bant Singh,
R/o Street No-1, Mann Colony,
Daba, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o ADGP, (Crime), Pb
Police Headquarters, Chandigarh.

First Appellate Authority,
O/o DGP, (Crime), Pb
Police Headquarter, Chandigarh

.....Respondent

Appeal Case No. 157 of 2019

The case has come up for hearing today through video conferencing at DAC Ludhiana. Due to technical reasons, the hearing could not take place.

The case is adjourned. To come up for further hearing on **27.12.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated:16.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : PIO-DSP, Mehal Kalan(Barnala)

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Sh. Suresh Aggarwal, S/o Sh.Prem Chand,
R/o H NO-2585/2-A, Jagat Nagar,
Basti Jodhwal,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Zone-D, Ludhiana.

First Appellate Authority,
O/o Municipal Corporation,
Head Office, Mata Rani Chowk,
Ludhiana

.....Respondent

Appeal Case No. 177 of 2019

The case has come up for hearing today through video conferencing at DAC Ludhiana. Due to technical reasons, the hearing could not take place.

The case is adjourned. To come up for further hearing on **27.12.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 16.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: 1. Sh.Pardeep Sabharwal
Commissioner, MC Ludhiana

- **2. PIO-Xen Drainage,**
Department of Irrigation, Pb,
Urban Estate, Phase-I, Dugri,
Ludhiana

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Sh. Lajpat Rai, S/o Sh. Harbans Lal,
H No-B-3/287, Romana Street,
Jaito, Distt Faridkot.

... Complainant

Versus

Public Information Officer,
O/o EO, NC, Jaito,
Distt. Faridkot.

...Respondent

Complaint Case No. 653 of 2020

PRESENT: Sh.Lajpat Rai as the Complainant
None for the Respondent

ORDER:

The complainant through an RTI application dated 21.11.2019 has sought information regarding action taken report on the complainant filed on 24.10.2019 against Nagar Council Jaito's EO and concerned staff for irregularities in cash matters – date of audit from 01.02.2000 to 01.12.2019 along with fee received as audit fee – objections raised during the audit – disciplinary action taken against the staff for irregularities and other information as enumerated in the RTI application from the office of EO-NC Jaito. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 15.09.2020.

The case last came up for hearing on 26.02.2021 through video conferencing at DAC Faridkot. The Commission received a letter from the PIO-Examiner, Local Fund Accounts, Pb Chandigarh stating that the information concerning them relating to points 1,2 & 1st part of point-3 has already been provided to the complainant in an earlier appeal case No.894/2020 which was disposed off by Dr.Pawan Kumar Singla, State Information Commissioner on 10.08.2020 and since the remaining information (2nd part of point-3 and point-4) relates to EO-NC Jaito, the RTI application has been transferred to them on 23.01.2020 u/s 6(3) of the RTI Act.

The EO-NC Jaito was impleaded in the case and directed to provide information as per the RTI application transferred by Local Fund Accounts on 23.01.2020 and appear before the Commission on the next date of hearing alongwith explanation for not attending to the RTI application.

Hearing dated 16.08.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant claims that the PIO has not supplied the information.

The respondent PIO-cum-EO, NC Jaito who was impleaded in the case at the last hearing is absent nor has complied the order of the Commission to provide the information as per the RTI application transferred by PIO-Examiner on 23.01.2020.

There has been an enormous delay of more than one year and eight months in attending to the RTI application and the PIO is absent on 2nd consecutive hearing. The commission has taken a serious view of this and hereby directs the PIO –cum-EO, NC Jaito to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide information to the appellant within 10 days of the receipt of the order.

To come up for further hearing on **27.12.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated:16.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sector 16, Chandigarh.
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Sh.Kamalpreet Singh
134, Basant City,
Tharika, P.O.Lalton Kalan,
Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Civil Surgeon,
Bathinda.

First Appellate Authority,
O/o Civil Surgeon
Bathinda.

Appeal Case No.442 of 2021

PRESENT: Sh.Kamalpreet Singh as the appellant
Dr.Meenakshi PIO for the Respondent

ORDER:

The appellant through the RTI application dated 12.10.2020 has sought information regarding exact names of Pathology, Microbiology, Histopathology or any other tests conducted by the laboratory of the Health department Bathinda since 2010-11 in which chemicals namely potassium iodide, N-Hexane, carbon Tetra Chloride are used – a copy of the stock position on 12.10.2020 from 2010-11 of all chemicals and other information as enumerated in the RTI application from the office of Civil Surgeon Bathinda. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 25.11.2020 which took no decision on the appeal. After filing the appeal, the PIO sent information on 01.12.2020 to which the appellant was not satisfied and filed a 2nd appeal in the Commission.

The case has come up for hearing today through video conferencing at DAC Ludhiana/Bathinda. As per the respondent, the information has been supplied to the appellant vide letter dated 01.12.2020.

The appellant is not satisfied with the supplied information.

Having gone through the RTI application and hearing both the parties, the PIO is directed to sort out the discrepancies and provide whatever information is available on the record with a forwarding letter that the information that has been provided, is true, complete and no other information is available.

To come up for further hearing on **27.12.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear through VC at DAC Bathinda.

Chandigarh
Dated: 16.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Kamalpreet Singh
134, Basant City,
Tharika, P.O.Lalton Kalan,
Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Civil Surgeon,
Patiala.

First Appellate Authority,
O/o Civil Surgeon
Patiala.

Appeal Case No.443 of 2021

PRESENT: Sh.Kamalpreet Singh as the appellant
None for the Respondent

ORDER:

The appellant through the RTI application dated 12.10.2020 has sought information regarding the exact name of Pathology, Microbiology, Histopathology or any other tests conducted by the laboratory of Health department Bathinda since 2010-11 in which chemicals namely potassium iodide, N-Hexane, carbon Tetra Chloride are used— a copy of current stock position on 12.10.2020 from 2010-11 of all chemicals and other information as enumerated in the RTI application from the office of Civil Surgeon Bathinda. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 25.11.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana/Patiala. The respondent is absent. As per a letter received from the PIO on 20.05.2021, the information has been supplied to the appellant vide letter dated 25.01.2021 and again on 10.05.2021.

The appellant is not satisfied with the supplied information.

The appellant is directed to point out the discrepancies to the PIO with a copy to the Commission and the PIO is directed to sort out the discrepancies and provide whatever information is available on record. The PIO is directed to appear at the next hearing.

To come up for further hearing on **27.12.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear through VC at DAC Patiala.

Chandigarh
Dated: 16.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Jaspreet Singh,
2041/5, Lahill Colony,
Patiala .

... Appellant

Versus

Public Information Officer,
O/o District Controller,
Food Supplies and Consumer Affairs,
Patiala.

First Appellate Authority,
O/o Food Civil Supplies and Consumer Affairs,
Pb, Chandigarh.

...Respondent

Appeal Case No. 3532 of 2020

PRESENT: Sh.Jaspreet Singh as the Appellant
Sh.Rakesh Chand for the Respondent

ORDER:

The case was first heard on 23.03.2021 through video conferencing at DAC Patiala. The appellant claimed that the PIO has not provided the information.

The respondent present pleaded that they received the RTI application from the appellant on 18.06.2020 and since the information is voluminous and was to be called from different branches, after calling the details of information, the appellant was asked to vide letter dated 06.07.2020 to deposit the requisite fee of Rs.30000/- which the appellant did not deposit.

The respondent further informed that some of the information regarding points 3 & 6 relates to 3rd parties since the appellant has asked for complete files of the shellers in the area which includes personal information of the owners of the rice shellers.

Having gone through the RTI application and hearing both the parties, the appellant was directed to inspect the record by visiting the office of the PIO on 05.04.2021 at 12.00 Noon and get the relevant information after depositing the requisite fee as per the RTI Act. The PIO was directed to allow inspection of the record and provide the relevant information to the appellant except for information on points 3 & 6, the decision on which will be taken at the next date of hearing.

On the date of the last hearing on **09.06.2021**, the appellant informed that he visited the office of the PIO on 05.04.2021 but could inspect only 3 Registers out of 38 Registers and concerned files. The appellant stated that since the information is voluminous, he needs 15 continuous days to inspect the file and specify the information.

The case was adjourned.

Hearing dated 16.08.2021:

The case has come up for hearing today through video conferencing at DAC Patiala. The appellant reiterated his plea that since the information is voluminous, he needs 15 days to inspect the record and specify the information.

Appeal Case No. 3532 of 2020

The appellant is directed to file a written submission giving reasons that why this record is important for the appellant, and why should he be given rights to inspect the record for such a lengthy period, as prima facie it is evident that it will clearly divert the resources and hamper the functioning of the public authority.

To come up for further hearing on **27.12.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 16.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner