

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
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Sh. Harish Chander (98146-94986)
(Regd. Post) C/o Goyal Ayurvedic Store,
Chauna Bazar, District Faridkot-151202.
Versus

Appellant

Public Information Officer
(Regd. Post) O/o EO, NC Jaiton, District Faridkot.

First Appellate Authority (By Name)
(Regd. Post) O/o Deputy Director,
Local Government, Ferozepur.

Respondent

Appeal Case No. 3542 of 2014

Present: Nobody present on the behalf of appellant.
Ms. Poonam Bhatnagar, (97803-16600) Ex-EO cum PIO (presently posted as
EO, Mamdot) present as respondents.

ORDER

1. The Hon'ble Chief Information Commissioner, Sh. S.S. Channy Vide Office Order dated 09.04.2019 has allocated the above mentioned case for hearing by the Division Bench consisting of both the undersigned State Information Commissioners. Accordingly, the case is fixed for today's hearing.
2. Ms. Poonam Bhatnagar, EO Mamdot, District Ferozepur, states that during having charge of PIO O/o Nagar Council, Jaiton she was having other additional charges and still she had provided requisite information even after having heavy workload and number of RTI applications and pleaded the Commission to waive off penalty imposed on her.
3. After hearing the respondent and going through the documents placed on record, it is found that in previous orders (after the matter was remitted to Commission for rehearing) all the relevant facts have already been taken into account and nothing important was left apart to be considered. Ms. Poonam Bhatnagar, EO Mamdot, District Ferozepur was also not able to defend herself with relevant/legal facts for her plea to waive off the penalty imposed on her.
4. In the view of above, the FAA O/o Deputy Director, Local Government, Ferozepur is directed to ensure that the amount of penalty i.e. Rs. 25,000/- already imposed on concerned respondent PIO should be deducted from the salary of **concerned PIO O/o EO, Nagar Panchayat, Mamdot, District Ferozepur, (Smt. Poonam Bhatnagar)** and be deposited in the Government treasury under head 0070-Other Administrative Services-60-Other Services-800-Other Receipts-86-Fees under the Right to Information Act.



Appeal Case No. 3542 of 2014

5. Any unwanted/willful delay in compliance of order may compel the bench to enhance further action under RTI act 2005.
6. A copy of this order be sent to **Smt. Poonam Bhatnagar**, EO, Nagar Panchayat, Mamdot.
7. The matter is adjourned to **22.10.2019 at 11.30 AM** for further hearing.
8. Announced in the Court; copy of the order to be sent to the parties **through registered post**.

Sd/-
(Sh. Sanjiv Garg)
State Information Commissioner

Sd/-
(Dr. Pawan Kumar Singla)
State Information Commissioner

Chandigarh
16.09.2019 at 11.30 AM

Copy to :

(Regd. Post) Chief Secretary to Govt. of Punjab,
Punjab Civil Secretariat, Sector 1,
Chandigarh.

(Regd. Post) The Principal Secretary to Govt. of Punjab,
Department of Local Govt.
Punjab Civil Secretariat, Sector 9,
Chandigarh.

Smt. Poonam Bhatnagar (PIO)
(Regd. Post) EO, Nagar Panchayat Mamdot,
District Ferozepur.

PS to SIC (SG) for kind information

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Sh. Kuldip Singh Walia

S/o Sh. Harjit Singh
R/o flat No. 1506, 2nd floor,
Housefed Complex, Banur, Punjab

Appellant

Versus

Public Information Officer

O/o Registrar, Co-operative Societies,
Punjab, Chandigarh

First Appellate Authority

O/o Registrar, Co-operative Societies,
Punjab, Chandigarh

Respondents

Appeal Case No.: 656 of 2018

Present: Nobody present on the behalf of appellant.
Ms. Rita, SA (94646-30789), present along with Sh. Samuel, SA on the behalf of respondent PIO.

Order

1. The Hon'ble Chief Information Commissioner, Sh. S.S. Channy Vide Office Order dated 09.04.2019 has allocated the above mentioned case for hearing by the Division Bench consisting of both the undersigned State Information Commissioners. Accordingly, the case is fixed for today's hearing.
2. Ms. Rita, SA states and submits a reply to the Commission signed by PIO O/o Housefed Punjab addressed to Registrar, Co-operative Societies, Punjab Chandigarh mentioning therein that CWP no. 3917 of 2007 and 1661 of 2009 respectively have been admitted in Punjab & Haryana High Court; in which decision is pending to decide whether Housefed (Punjab) is a Public Authority or not under section 2(h) of RTI Act. This letter is taken on record. She further added that this reply has also been sent to the appellant.
3. Appellant is absent for today's hearing but two similar emails have been received in the Commission from email id kuldipsinghwalia@gmail.com both on 14.09.2019 **pointing out deficiencies therein**. These emails are taken on record.
4. After hearing the respondent going through the documents placed on record, It is found that Ms. Rita, SA and Sh. Samuel, SA are not well aware of the facts of this case. The respondent PIO O/o Registrar, Co-operative Societies, Punjab, Chandigarh will Show Cause under Section 20 (1) of the RTI Act, as to why penalty be not imposed upon her for willful delay/denial in supplying the information to the RTI appellant.



Appeal Case No.: 656 of 2018

In addition to their submissions, the PIO is also hereby given an opportunity under Section 20(1) provision, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He/she may note that in case he/she does not file his/her submission and does not avail him/her of the opportunity of personal hearing on the next date fixed, it will be presumed that he/she has nothing to say and the Commission shall proceed to take further ex-parte proceedings against her.

5. The PIO is also given last opportunity along with directions to appear in person on next date of hearing and to remove the deficiencies already pointed out by the appellant as mentioned above in point no. 3 of this order (As copy of above said emails have also been sent to respondent on email ids rcspunjab@gmail.com and vikasgg1@gmail.com)
6. The matter is adjourned to **22.10.2019 at 11.30 AM** for further hearing.
7. Announced in the Court; copy of the order to be sent to the parties.

Sd/-
(Sh. Sanjiv Garg)
State Information Commissioner

Sd/-
(Dr. Pawan Kumar Singla)
State Information Commissioner

Chandigarh
16.09.2019 at 11.30 AM

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Sh. Karamjeet Singh S/o Sh. Jageer Singh
R/o Village Rurkee Khaam, Tehsil Kharar,
SAS Nagar (Mohali)-140301 (73802-82365)

Appellant

Versus

Public Information Officer
O/o Tehsildar, Kharar, District Mohali.

First Appellate Authority
O/o SDM, Kharar, District Mohali.

Respondents

Appeal Case No.: 1903 of 2018
Date of Institution: 31.05.2019
Date of Decision: 16.09.2019

Present: Sh. Karamjeet Singh, the appellant present in person.
Sh. Shishupal Singh, Clerk (98762-41773), present on the behalf of respondent PIO.

Order

1. The Hon'ble Chief Information Commissioner, Sh. S.S. Channy Vide Office Order dated 09.04.2019 has allocated the above mentioned case for hearing by the Division Bench consisting of both the undersigned State Information Commissioners. Accordingly, the case is fixed for today's hearing.
2. Respondent PIO is absent today's hearing but on previous hearing Sh. Shishupal Singh stated and submitted a reply vide letter no. 217 dated 26.03.2019 signed by PIO cum Divisional Magistrate, Kharar, (which is already on record) comprising of pending requisite information therein satisfying the RTI application regarding the information that relates with the copies of attendance registers.
3. Sh. Karamjeet Singh, the appellant, is present for today's hearing.
4. After hearing the appellant and going through the documents placed on record, it is found that the requisite information stands supplied and no further action is required in this case and hence the instant appeal case is **disposed of and closed**.
5. Announced in the Court. Copy of the order to be sent to the parties.

Sd/-
(Sh. Sanjiv Garg)
State Information Commissioner

Sd/-
(Dr. Pawan Kumar Singla)
State Information Commissioner

Chandigarh
16.09.2019 at 11.30 AM

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