

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Ashok Kumar,
S/o Sh. Rajinder Nath,
1299, Morni Wala Khuh,
VPO Dera Bassi,
District Mohali – 140 507

Versus

Public Information officer,
o/o XEN, Maili Construction Division,
SCO-37, 3rd Floor, Sector-17 E,
Punjab, Chandigarh.
First Appellate Authority,
O/o Superintendent Engineer,
Dholbaha Dam Construction Division,
District Hoshiarpur.

Appeal Case No. 913 of 2021 (Video Conference Proceedings)

PRESENT:

Ashok Kumar (Appellant)
Prabjot Singh, APIO-cum-SDO (for the Respondent) 95690-07023

ORDER:

1. The RTI application is dated **15.9.20** vide which the appellant has sought **information regarding his service record**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **19.10.2020**, and second appeal was filed in the Commission on **11.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **16.7.2021**.

2. Both parties are present through Video Conference Facility from Mohali and have made written submissions to the Commission. After argument at this hearing this Commission directs the respondent PIO as under:

i) Send the reply, sent to the appellant vide Letter No. 741/32 E dated: 12.3.2020 along with the information supplied, to this Commission.

ii) To provide the information being sought by the appellant regarding his LTC in response to the letter received from him on 6.10.2017.

vi) To arrange for a repeat inspection of the record that the appellant earlier inspected on 7.9.2020 and thereafter provide attested copies of the record requested by the appellant. The PIO must ensure to take a receipt for the information supplied, from the appellant.

3. Regarding the complaint given to the SSP Chandigarh, the respondent PIO has acted correctly in directing the appellant to seeking this information from the office of SSP, Chandigarh who is custodian of the said information.

Contd. ...2

PUNJAB STATE INFORMATION COMMISSION

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

**Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in**



Appeal Case No. 913 of 2021 (Video Conference Proceedings)

4. The appellant has sought action taken on his earlier RTI applications. In case the PIO had failed to reply or provide information in response to the earlier RTI applications, the correct course for the appellant would have been to file a first appeal to the FAA and if required, thereafter a second appeal to this Commission. Alternatively, he could have filed a complaint to the Commission. The appellant has done neither and the respondent PIO is under no obligation to provide information sought at point 5 of this RTI application.

5. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

6. Next hearing on 27.10.2021 at 11.00 am through Video Conference Facility at D.C. Office, Mohali.

**Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.**

Chandigarh
16.7.2021

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



REGISTERED **SHOW CAUSE NOTICE**

Prem Sagar,
S/o Sh. Amar Nath,
58, Main Bazar,
Sawan Nagar,
District Amritsar.

Versus

Public Information officer,
o/o Administrative Officer-2,
o/o Chief Engineer (Canals),
Irrigation Works, Punjab,
Sector-18, Chandigarh.

First Appellate Authority,
o/o Director Water Cell,
Irrigation Department, Punjab,
SCO-45/1, Sector-17 E,
Chandigarh.

Appeal Case No. 893 of 2021 (Video Conference Proceedings)

PRESENT:

Prem Sagar (Appellant) 79730-24457
(Respondent) Absent

ORDER:

1. The RTI application is dated **10.6.20** vide which the appellant has sought **information regarding his promotion etc. by way of the action taken on the Department of Irrigation's Memo No. 10/12/15-2SP3/1004766 dated 19.6.2017 addressed to the Chief Engineer Canals and Irrigation Work**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **11.9.2020**, and second appeal was filed in the Commission on **8.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **16.7.2021**.

2. The respondent PIO is absent without intimation. On examination of the appeal filed by the appellant shows that the respondent PIO has not bothered to provide the requested information or send a reply to this RTI application. This is despite an order by the FAA on 7.10.2020, directing the respondent PIO to provide the information. Under the circumstances this Commission deems it fit to serve him with this Show Cause Notice.

3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **10.6.20**.

Contd. ...2

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Appeal Case No. 893 of 2021 (Video Conference Proceedings)

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 14.10.2021 at 11.00 am through Video Conference Facility. (The appellant will attend the hearing at DC office Amritsar and the respondent PIO will attend the hearing at DC office, Mohali.)

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

16.7.2021

Cc: Director, Water Cell,
Irrigation Department,
Punjab, SCO-45/1,
Sector-17 E, Chandigarh, for information and further necessary action.

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



H.S. Hundal,
#203, Judicial Courts,
Sector-76, S.A.S Nagar,
Mohali-160071

Versus

Public Information officer,
o/o Sub Divisional Magistrate,
District Moga.
First Appellate Authority,
o/o Sub Divisional Magistrate,
District Moga.

Appeal Case No.909 of 2021(Video Conference Proceedings)

PRESENT:

H. S Hundal (Complainant) 98785-00082
(Respondent) Absent

ORDER:

1. The RTI application is dated **18.11.20** vide which the appellant has sought **information regarding funds received and expenditure for Covid etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **18.12.2020**, and second appeal was filed in the Commission on **10.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **16.7.2021**.

2. The respondent PIO is absent but has informed the Commission of his inability to attend this hearing owing to the ongoing strike by state government employees. The appellant has stated that he had received a reply with incomplete information on 12.3.2021. He has listed the deficiencies both to the respondent PIO as well as to this Commission. The respondent PIO is directed to supply the remaining information at the earliest.

3. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005
Signature of the PIO
Name of the PIO
Name of the Public Authority
Date

4. **Next hearing on 22.12.2021 at 11.00 am through Video Conference Facility. (The appellant will attend the hearing at DC office Mohali and the respondent PIO will attend the hearing at DC office, Moga.)**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
16.7.2021

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



REGISTERED SHOW CAUSE NOTICE

Sham Lal,
S/o Sh. Birbal,
2450-C, Ward No. 6,
Opposite PWD Rest House,
Kartar Singh Nagar,
District Moga-142001

Versus

Public Information officer,
o/o Municipal Corporation,
District Moga.

First Appellate Authority,
o/o Municipal Corporation,
District Moga.

Appeal Case No. 1294 of 2021 (Video Conference Proceedings)

PRESENT:

Sham Lal (Appellant) 98765-97799
(Respondent) Absent

ORDER:

1. The RTI application is dated **1.12.20** vide which the appellant has sought **information regarding the construction and repair of a particular road**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **15.1.2021**, and second appeal was filed in the Commission on **10.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **16.7.2021**.

2. The respondent PIO is absent without intimation. He has however, submitted a copy of a reply (Letter No. 1800/C dated 30.12.2020) sent to the appellant along with one page by way of information. The appellant however, states that he has not received the said letter. The said reply as available on file, was read out during the hearing. The appellant has expressed dissatisfaction with it. As per his contention, the PIO's reply does not answer his query on whether any contract was awarded for construction of the road cited in the RTI application over the last 4 years. It is this Commission's view also that the reply/information submitted by the PIO is evasive and does not address this RTI application. Under the circumstances, this Commission deems it fit to serve respondent PIO with this **Show Cause Notice**.

3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **1.12.2020**.

Contd....2

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Appeal Case No. 1294 of 2021 (Video Conference Proceedings)

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 22.12.2021 at 11.00 am through Video Conference Facility at DC office, Moga.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

16.7.2021

Cc: Commissioner,
Municipal Corporation,
District Moga, for information and further necessary action.

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Harjot Singh, (advocate)
Chamber No. 1011,
District Court Complex,
Ludhiana.

Versus

Public Information Officer,
o/o Ludhiana Improvement Trust,
Ludhiana.

First Appellate Authority,
O/o Ludhiana Improvement Trust ,
Ludhiana.

Appeal Case No. 96 of 2021 (Video Conference Proceedings)

PRESENT:

Harjot Singh (Appellant) 98150-00231
Yadvinder Singh, Accountant (for the Respondent) 79730-54756
Chetna, Advocate (for the Respondent) 97804-34600
K.K. Garg, Mohali (Advocate for the Third Party Sukhmeen Kaur)

ORDER:

(To be read in continuity with earlier orders on 9.4.2021)

1. The RTI application is dated **13.8.2020** vide which the appellant has sought information **regarding Orient Cinema in Ludhiana by way of the complete file etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **2.9.2020** and second appeal was filed in the Commission on **24.12.2020** under Section 19 of the Right to Information Act, 2005. This appeal case was last heard on **9.4.2021**.

2. Both the parties are present through Video Conference Facility from Ludhiana. The Advocate representing the third party in this case, is also present through Video conference facility from Mohali. At the last hearing on 9.4.2021, the respondent PIO was directed to submit a copy of the complete file pertaining to the Orient Cinema cited in this RTI application from the date of its original allotment within one month. The advocate for the Third Party submitted that the third party in this case, Smt. Sukhmeen Kaur has submitted an application contending that the file pertaining to Orient Cinema BRS Nagar, Ludhiana contains many documents that are "personal and private" to her and must therefore not be supplied to the appellant. The respondent PIO, represented by Yadvinder Singh, Accountant and Chetna, Advocate for Ludhiana Improvement Trust, made the similar arguments claiming the requested information pertains to the said Third Party.

Contd....2

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Appeal Case No. 96 of 2021 (Video Conference Proceedings)

3. The respondent PIO is directed to submit a complete list of documents with total number of pages contained in the file pertaining to Orient Cinema BRS Nagar Ludhiana. This must include a list of documents which are personal or private to the said Third Party. The advocate for the Third Party is requested to make a similar submission. This must be done before the next date of hearing.

4. **Next hearing on 8.10.2021 at 11.00 am through Video Conference Facility at DC office, Ludhiana.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
16.7.2021

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Rakesh Kumar Gupta,
S/o Sh. Des Raj Gupta,
8/237, Jagraon Road,
Mandi Mullanpur,
District Ludhiana – 141 101

Versus

Public Information officer,
o/o Additional Chief Secretary (D)
-cum-Financial Commissioner (D),
Punjab Civil Secretariat,
Sector-1, Chandigarh – 160 001

First Appellate Authority,
o/o Additional Chief Secretary (D)
-cum-Financial Commissioner (D),
Punjab Civil Secretariat,
Sector-1, Chandigarh – 160 001

Appeal Case No. 859 of 2021 (Video Conference Proceedings)

PRESENT:

Rakesh Kumar Gupta (Appellant) 98149-24851
Birinder Singh, District Mandi Officer (for the Respondent) 98141-31171
Gurdeep Singh, Supervisor (for the Respondent) 99882-12210

ORDER:

1. The RTI application is dated **22.7.2020** vide which the appellant has sought information **regarding recovery of penalty imposed on M.C. Dakha for running a cycle-stand on encroached land,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **8.8.2020** and second appeal was filed in the Commission on **18.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **16.7.2021**.
2. Both parties are present through Video Conference Facility. At the time of hearing the Video Conference Link to Ludhiana had to be suspended.
3. **Next hearing on 8.10.2021 at 11.00 am through Video Conference Facility. (The appellant will attend the hearing at DC Office, Ludhiana and the respondent PIO will attend the hearing at D.C. Office, Mohali.)**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
16.7.2021

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Rakesh Kumar Gupta,
S/o Sh. Des Raj Gupta,
8/237, Jagraon Road,
Mandi Mullanpur,
District Ludhiana – 141 101

Versus

Public Information officer,
o/o Director, Colonisation,
Department of Colonisation, Punjab,
Sector-35-A, Chandigarh-160022
First Appellate Authority,
o/o Director, Colonisation,
Department of Colonisation, Punjab,
Sector-35-A, Chandigarh-160022

Appeal Case No. 860 of 2021 (Video Conference Proceedings)

PRESENT:

Rakesh Kumar Gupta (Appellant) 98149-24851
Jugraj singh, Senior Assistant (for the Respondent) 95017-12432

ORDER:

1. The RTI application is dated **22.7.2020** vide which the appellant has sought information **regarding recovery of penalty imposed on M.C. Dakha, Nagar Panchyat Mullanpur by running cyle stand,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **8.8.2020** and second appeal was filed in the Commission on **18.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **16.7.2021**.

2. Both parties are present through Video Conference Facility. At the time of hearing the Video Conference Link to Ludhiana have to be suspended.

3. Next hearing on 8.10.2021 at 11.00 am through Video Conference Facility. (The appellant will attend the hearing at DC Office, Ludhiana and the respondent PIO will attend the hearing at D.C. Office, Mohali.)

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
16.7.2021

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Nitin Kumar Garg,
S/o Sh. Brish Bhan Garg,
C/o Police Public Dairy,
15 A, Shastri Nagar,
Model Town, Ludhiana.

Versus

Public Information officer,
o/o Chief Engineer, Head Quarters,
Department of Irrigation Works,
Sector-18, Near Panchayat Bhawan,
Punjab, Chandigarh.

First Appellate Authority,
o/o Principal Secretary,
Department of Irrigation, Pb.,
Chandigarh.

Appeal Case No. 899 of 2021 (Video Conference Proceedings)

PRESENT:

Rakesh Kumar Gupta (Appellant) 98149-24851

Ravinder Singh, APIO-cum-Superintendent (for the Respondent) 98554-73092

ORDER:

1. The RTI application is dated **22.10.2020** vide which the appellant has sought information **regarding seven Junior Engineers**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **5.12.2020** and second appeal was filed in the Commission on **10.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **16.7.2021**.

2. Both parties are present through Video Conference Facility. The appellant attended the hearing at the DC Office, Ludhiana. The respondent PIO, represented by Ravinder Singh, APIO-cum-Superintendent, present at DC Office Mohali, stated that three replies have been sent to the appellant on 9.11.2020, 15.11.2020, and 15.6.2021, asking him to give reasons for seeking the information requested in his RTI Application. It was pointed out to the respondent that as per the RTI Act 2005, a citizen does not have to specify any reasons for seeking any public information. The respondent further stated that the appellant has not given any batch number or any other detail about the Junior Engineers about whom he has sought information.

3. The respondent PIO is directed to write the appellant with a copy to this Commission asking him for the batch numbers of the JEs listed in the RTI application. The appellant is requested to provide the details.

Contd. ...2

PUNJAB STATE INFORMATION COMMISSION

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

**Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in**



Appeal Case No. 899 of 2021 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 22.12.2021 at 11.00 am through Video Conference Facility. (The appellant will attend the hearing at DC office Ludhiana and the respondent PIO will attend the hearing at DC office, Mohali.)

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

16.7.2021

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Ratinder Brar,
W/o Late Gurdev Singh Brar,
172, Sector-7,
Panchkula-134109.

Versus

Public Information officer,
o/o Commissioner, Municipal Corporation,
District Ludhiana.
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
District Ludhiana.

Appeal Case No. 884 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Harjeet Singh, Draftsman from Zone A (for the Respondent) 981461-66090

ORDER:

1. The RTI application is dated **6.10.2020** vide which the appellant has sought information **regarding complaints of illegal commercial activity and unauthorized changes/construction at 74-D, Sarabha Nagarm, Ludhiana,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **21.11.2020** and second appeal was filed in the Commission on **9.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **16.7.2021**.

2. The appellant is absent without intimation. The respondent PIO, represented by Harjeet Singh, Draftsman, Zone-A, is present through Video Conference Facility from Ludhiana.

3. At the time of hearing the Video Conference Link to Ludhiana had to be suspended.

4. **Next hearing on 22.12.2021 at 11.00 am through Video Conference Facility. (The appellant will attend the hearing at DC office Mohali and the respondent PIO will attend the hearing at DC office, Ludhiana.)**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
16.7.2021