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Shri Ajit Singh

s/o Shri Bachan Singh,

Village and PO Cheema, Tehsil Jagraon,

District Ludhiana. ---------Complainant

**Vs.**

Public Information Officer

o/o Tehsildar, Jagraon,

District Ludhiana. -------Respondent

**Complaint Case No. 1070 of 2017**

Present:- Shri Ajit Singh complainant in person.

Shri Gurpreet Singh, BDPO Jagraon and Shri Surinder Singh, Junior Assistant, on behalf of the SDM, Ludhiana.

**ORDER**

The case was last heard on 14.06.2018, when due to continuous absence of Shri Gurpreet Singh, BDPO, Jagraon, a Bailable Warrant was issued under Section 18(3) of the RTI Act read with relevant provisions of Civil Procedure Code to ensure his personal appearance on the next date of hearing to produce the original record. The case was adjourned for today.

2. Today, Shri Gurpreet Singh, BDPO, Jagraon is present along with relevant record. He states that an inquiry has been conducted by him and its report has been sent to DDPO, Ludhiana. He further states that another inquiry in the matter is still pending. Accordingly, the PIO is directed to submit copies of both the inquiries on the next date of hearing.

3. To come up on **20.09.2018 at 11.30 A.M. for further proceedings.**

**Sd/-**

**Dated : 17.07.2018 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

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Shri G.P. Singh,

Ward No.11/241, Near Goyal Hospital,

Ahmedgarh (Sangrur). --------Appellant

**Vs.**

Public Information Officer

o/o Deputy Commissioner, Ludhiana.

First Appellate Authority,

O/o Deputy Commissioner, Ludhiana. -------Respondents

**Appeal Case No. 1728 of 2017**

Present:- Shri G. P. Singh, appellant, in person.

Shri Jagsir Singh, Tehsildar(East) Ludhiana; Shri Mandeep Singh Dhillon, Tehsildar(West) Ludhiana; Kanwar Narinder Singh, Tehsildar(Central) Ludhiana and Shri Resham Singh, Superintendent, D.C. Office, Ludhiana, on behalf of the respondents.

**ORDER**

The case was last heard on 14.06.2018, when neither Shri Jagseer Singh, Tehsildar (East), Ludhiana himself was present nor his representative was there to associate with the proceedings in the Commission. Viewing the defying attitude of Shri Jagseer Singh, Tehsildar(East) Ludhiana seriously, a Bailable Warrant was issued under Section 18(3) of the RTI Act read with relevant provisions of Civil Procedure Code, to ensure his presence on the next date of hearing to produce original record. Besides, a compensation of Rs. 2,000/- was awarded to the appellant for the loss and detriment suffered by him, to be paid through Bank Draft. The case was adjourned for today.

Contd……p/2

**AC - 1728 of 2017 -2-**

2. Today, the appellant informs that neither any information has been provided to him nor compensation amount has been paid to him. He further states that he wants Action Taken Report on his letter dated 31.08.2015.

3. A letter No. 809, dated 13.07.2018, with a copy endorsed to the appellant, has been received from Tehsildar(Central) Ludhiana vide which detailed reply has been furnished stating that a reply regarding letter dated 31.08.2015 has already been sent to the appellant vide letter No. 785, dated 22.09.2017.

4. The respondents, present during the hearing, state that the relevant record relates to the year 1961, which is not available, as the same has been destroyed in the floods during 1998. Consequently, after hearing both the parties and discussing the matter at length, it is directed that a comprehensive report, along with available record, as to what action has been taken on the letter dated 31.08.2015 of the appellant, be supplied to him by the office of DRO-cum-PIO. It is also directed that a compensation amount of Rs. 2000/- be paid to the appellant by Tehsidar(Central) Ludhiana. The representative of the office of Deputy Commissioner, Ludhiana assures to comply with the orders of the Commission.

5. On the assurance given by the respondent, the case is **disposed of and closed.**

**Sd/-**

**Dated : 17.07.2018 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

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Shri Manjit Singh

s/o Shri Bachan Singh, Villaga Daba,

Near Nirmal Palace, Ludhiana. ----------Appellant

**Vs.**

Public Information Officer

o/o Additional Deputy Commissioner of Police-II,

Sherpur, Ludhiana.

First Appellate Authority,

O/o Additional Deputy Commissioner of Police-II,

Sherpur, Ludhiana. -------Respondents

**Appeal Case No. 782 of 2018**

Present:- Shri Manjit Singh, appellant, in person.

Shri Pavittar Singh, S.I., Police Station, Daba, Ludhiana, on behalf of the respondents.

**ORDER**

The case was last heard on 14.06.2018, when the appellant informed that no information had been supplied to him. He requested to impose penalty upon the PIO for the delay in the supply of information and award compensation to him for loss and detriments suffered by him. None was present during two consecutive hearings on behalf of the respondents nor any reply had been filed by the PIO. Viewing the callous attitude of the PIO seriously, a compensation of Rs. 1000/- was awarded to the

appellant for the loss and detriment suffered by him. Besides, the PIO was directed to supply the requisite information to the appellant before the next date of hearing, failing

Contd…..p/2

**AC - 782 of 2018 -2-**

which punitive action under the provisions of RTI Act, 2005 would be initiated against him. The case was adjourned for today.

2. Today, the appellant informs that neither the information has been supplied to him nor compensation amount of Rs. 1000/- has been paid to him.

3. The representative of the respondents hands over information to the appellant in the court today, with a copy to the Commission, which is taken on record. Accordingly, the appellant is directed to furnish deficiencies, if any, in the provided information to the PIO, with a copy to the Commission. Besides, the PIO is directed to pay compensation amount of Rs. 1000/- to the appellant through a Bank Draft.

4.. To come up on **20.09.2018 at 11.30 A.M. for confirmation of compliance of orders.**

**Sd/-**

**Dated : 17.07.2018 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**PUNJAB STATE INFORMATION COMMISSION**

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Shri Shingara Singh,

General Secretary All India Freedom Fighters Federation,

S/o Shri Sarwan Singh r/o Village Hargana,

Tehsil Khamano, District: Fatehgarh Sahib. ------------Appellant

**Vs.**

Public Information Officer

o/o Tehsildar (East), Ludhiana.

First Appellate Authority,

O/o Deputy Commissioner, Ludhiana. -------Respondents

**Appeal Case No. 789 of 2018**

Present:- Shri Shingara Singh, appellant, in person.

Shri Mandeep Singh Dhillon, Tehsildar(East) Ludhiana, on behalf of the respondents.

**ORDER**

The case was last heard on 14.06.2018, when none was present on behalf of the respondents during two consecutive hearings nor any reply had been filed by the PIO. Viewing the callous and lackadaisical attitude of the PIO seriously, a Show-Cause Notice was issued to the PIO for imposition of penalty for the delay in the supply of information. Besides, an opportunity of personal hearing was afforded to the PIO on the next date of hearing i.e. today. The case was adjourned for today.

2. Today, Shri Mandeep Singh Dhillon, PIO-cum-Tehsildar(East) Ludhiana is present today. He explains the position of the case vis-à-vis the reasons for their

Contd……p/2

**AC - 789 of 2018 -2-**

absence. He seeks adjournment to enable them to supply the requisite information to the appellant, which is granted with the directions that complete information be provided to the appellant before the next date of hearing, under intimation to the Commission.

3. To come up on **20.09.2018 at 11.30 A.M. for further proceedings.**

**Sd/-**

**Dated : 17.07.2018 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

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Shri Tejinder Singh

s/o Village Bholapur, P.O. Ramgarh,

Chandigarh Road,

Ludhiana-141123 ----------Appellant

**Vs.**

Public Information Officer

o/o State House Officer,

Police Station, Division No.2, Ludhiana.

First Appellate Authority,

O/o Commissioner of Police, Ludhiana. -------Respondents.

**Appeal Case No. 794 of 2018**

Present:- None on behalf of the appellant.

Shri Sewa Singh, Head Constable, on behalf of the respondents.

**ORDER**

The case was last heard on 14.06.2018, when none was present on behalf of the appellant as well as the respondent. However, the appellant informed vide letter dated 14.06.2018, received through e-mail, that he had not received any information. He requested to adjourn the case to some other date.

2. A perusal of the case file revealed that the appellant has written in his own hand on a letter received from the respondent that he has received complete information to his satisfaction on 04.04.2018. Accordingly, the appellant was directed to furnish deficiencies, if any, in the provided information, to the PIO, with a copy to the Commission. The case was adjourned for today.

Contd……p/2

**AC - 794 of 2018 -2-**

3. Today, the appellant is not present. However, a letter dated 17.07.2018 has been received from him through e-mail informing that he is unable to attend hearing due to heavy rains. He has further informed that no information has been provided to him. He has requested to adjourn the case to 02.08.2018, 09.08.2018 or 22.08.2018.

4. The representative of the respondent states that the appellant has already received the information and no deficiencies in the provided information have been pointed out by him.

5. Since no observations, on the provided information, have been furnished by the appellant, the case is **disposed of and closed.**

**Sd/-**

**Dated : 17.07.2018 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**PUNJAB STATE INFORMATION COMMISSION**

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Shri Jasbir Singh

s/o Village Bholapur Jhabewal, P.O. Ramgarh,

Chandigarh Road,

Ludhiana-141123 ----------Appellant

**Vs.**

Public Information Officer

o/o District Magistrate,

Ludhiana.

First Appellate Authority,

O/o District Magistrate,

Ludhiana.

Public Information Officer

o/o District Education Officer (Primary),

Ludhiana.

Public Information Officer

o/o District Education Officer (Secondary),

Ludhiana. -------Respondents

**Appeal Case No. 818 of 2018**

Present:- None on behalf of the appellant.

Shri Satwinder Singh, D.E.O.(E), Ludhiana, on behalf of the respondents.

**ORDER**

The case was last heard on 14.06.2018, when none was present on behalf of the appellant as well as the respondents. However, a perusal of the case file revealed that the PIO of the office of Deputy Commissioner, Ludhiana had sent RTI application to the District Education Officers (Primary/Secondary), Ludhiana for

Contd……p/2

**AC - 818 of 2018 -2-**

providing necessary information to the appellant. Accordingly, PIOs of the offices of District Education Officer(Primary), Ludhiana and District Education Officer(Secondary), Ludhiana were impleaded as necessary parties in this case and they were directed to supply the asked for information to the appellant, before the next date of hearing. The case was adjourned for today.

2. Today, Shri Satwinder Singh, D.E.O.(E), Ludhiana, appearing on behalf of the respondents submits a letter No. iL;LnL$2018^2985^2988, dated 16.07.2018 from PIO of the office of D.E.O.(Elementary), Ludhiana vide which a detailed reply has been furnished to the appellant. Accordingly, the appellant is directed to send his observations, if any, on the reply received from the PIO, to the PIO with a copy to the Commission.

3. To come up on **20.09.2018 at 11.30 for further proceedings.**

**Sd/-**

**Dated : 17.07.2018 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

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Shri Amin Chand

s/o Late Shri Tek Chand,

#205, Ghumar Mandi,

Ludhiana. -------------Appellant

**Vs.**

Public Information Officer

o/o Registrar (East),

Ludhiana.

First Appellate Authority,

O/o Deputy Commissioner,

Ludhiana. -------Respondents

**Appeal Case No. 811 2018**

Present:- Shri Amin Chand, appellant, in person.

Shri Vaneet Kaushal, Clerk, on behalf of the respondents.

**ORDER**

The case was last heard on 14.06.2018, when the appellant informed that no information had been received from the respondents. He requested that he might be suitably compensated for the loss and detriment suffered by him as he attended the hearings in the Commission while travelling from Ludhiana. None was present on behalf of the respondents nor any reply had been received from the PIO. Accordingly, a compensation of Rs. 1000/- was awarded to the appellant to be paid by the Public Authority through a Bank Draft. Besides, the PIO was directed to supply the requisite information to the appellant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 would be initiated against him. The case was adjourned for today.

Contd…….p/2

**AC - 811 2018 -2-**

2. Today, the appellant informs that he has received the compensation amount of Rs. 1000/- through a Bank Draft but he has not been supplied the information. Consequently, after hearing both the parties and discussing the sought information, the appellant is advised to intimate the specific information required by him to the respondent. The appellant spells out the specific documents required by him. Accordingly, the respondent PIO is directed to supply the requisite information to the appellant. The respondent assures to comply with the orders of the Commission.

3. On the assurance given by the respondent, the case is **disposed of and closed.**

**Sd/-**

**Dated : 17.07.2018 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**PUNJAB STATE INFORMATION COMMISSION**

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Shri Satish Kumar Bhiri, Advocate,

Near Nehru Park, Jaito,

District Faridkot-151202. ----------Appellant

**Vs.**

Public Information Officer

o/o Superintendent, PCS Branch,

Personnel Department, Punjab Civil Secretariat,

Chandigarh.

First Appellate Authority,

O/o Deputy Secretary to Government of Punjab,

Department of Personnel, Punjab Civil Secretariat,

Chandigarh. -------Respondents

**Appeal Case No. 815 of 2018**

Present:- Shri Satish Kumar Bhiri, appellant, in person.

Shri Manoj Kumar, Senior Assistant, on behalf of the respondents.

**ORDER**

The case was last heard on 14.06.2018, when none was present on behalf of the respondents without any intimation. Viewing the absence of the respondent seriously, the PIO was again directed to explain reasons for denial of information, in person, on the next date of hearing i.e. today. The case was adjourned for today.

2. Today, Shri Manoj Kumar, Senior Assistant, PCS Branch, appearing on behalf of the respondents states that In this case, certain personal information has

Contd…….p/2

**AC - 815 of 2018 -2-**

been sought by the appellant in respect of Shri Anil Kumar Garg, former Commissioner, Municipal Corporation, Bathinda. He submits a Memo. No. 5/62/2017-3 PCS/160, dated 17.07.2018 from the PIO vide which it has been informed that the appellant was asked vide letter dated 19.12.2017 to spell out the public interest involved in seeking the said information and on receiving no convincing reply the information was denied to the appellant vide letter dated 01.01.2018 as per the judgement of the Hon’ble Supreme Court of India passed on 03.10.2012 in SLP (civil no. 27734 of 2012) titled “Girish Ram Chandra Deshpande vs. CIC, New Delhi and others”, and subsequently a Speaking Order was also passed by the First Appellate Authority on 07.02.2018 while denying the information.

3. After hearing both the parties, discussing the sought information, going through the documents placed on record and due consideration, I agree with the contention of the respondents in denying the information.

4. Accordingly, the case is **disposed of and closed.**

**Sd/-**

**Dated : 17.07.2018 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**PUNJAB STATE INFORMATION COMMISSION**

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Shri Jasbir Singh,

Village:Bholapur Jhabewal,

P.O:Ramgarh, Distt:Ludhiana. --------Appellant

**Vs.**

Public Information Officer

O/o District Transport Officer, Faridkot.

First Appellate Authority

o/o State Transport Commissioner,

Punjab, Sector: 17, Chandigarh. -------Respondents

**Appeal Case No. 2483 of 2016**

Present:- None on behalf of the appellant.

Shri Gurpal Singh, APIO, office of State Transport Commissioner, Punjab, Chandigarh and Shri Neeraj Kumar, Clerk, office of Regional Transport Authority, Faridkot.

**ORDER**

In this case, during hearing on 20.12.2017, in exercise of the powers conferred by Section 20(1) of the RTI Act, 2005, a penalty to the tune of Rs. 25,000/- (Rupees Twenty Five Thousand only) was imposed upon Shri Hardip Singh, Regional Transport Authority, Faridkot( the then DTO Faridkot) to be deducted from his salary for the months of March, 2018 and April, 2018 at the rate of Rs. 12,500/- each and deposited in the State Treasury under the following head:-

- 0070-Other Administrative Services

- 60 Other Services

- 800 Other Receipts

- 86 Fee under RTI Act, 2005

An attested copy of the receipt Challan was also directed to be presented to the Commission

Contd……p/2

**AC - 2483 of 2016 -2-**

on the next date of hearing. Besides, in exercise of the powers conferred by Section 19(8)(b) of the RTI Act, 2005, a compensation of Rs. 5,000/-(Rupees five thousand only) was awarded to Shri Jasbir Singh, Appellant, for the loss and detriment suffered by him during this long period, to be paid by the Public Authority through a

Bank Draft, within 30 days and a confirmation to this effect was directed to be furnished to the Commission on the next date of hearing. A copy each of the order was forwarded to Principal Secretary, Transport and State Transport Commissioner, Punjab, Chandigarh to ensure the compliance of the orders. The case was adjourned to 14.05.2018.

2. On 14.05.2018, a letter No. t;Ne$nghb e/; Bpo 2483 nkc 2016$15117^20, dated 21.03.2018, addressed to the PIO of the office of District Transport Officer, now Secretary, Regional Transport Authority, Faridkot, with a copy endorsed to the Commission, was received from the First Appellate Authority-cum-Secretary, Regional Transport Authority(Head Office), Chandigarh, vide which a copy of the orders dated 20.12.2017 passed by the Commission was sent to PIO of the office of District Transport Officer, now Secretary, Regional Transport Authority, Faridkot for strict compliance of the orders of the Commission. Shri Neeraj Kumar Clerk, office of Regional Transport Authority, Faridkot, appearing on behalf of the respondents was unable to submit a compliance report in respect of the orders dated 20.12.2017 of the Commission. Therefore, a copy each of the orders was again forwarded to the Principal Secretary Transport, Punjab and State Transport Commissioner, Punjab, Chandigarh, to ensure the compliance of the orders of the Commission dated 20.12.2017. The case was adjourned to 14.06.2018.

3. On 14.06.2018, none was present on behalf of the appellant as well as the

Contd……p/3

**AC - 2483 of 2016 -3-**

respondents. Viewing the absence of the respondents vis-à-vis the callous attitude of the PIO

seriously, the PIO was again directed to furnish compliance report at the earliest possible, failing which further action under the provisions of RTI Act will be initiated against him. The case was adjourned for today.

4. Today, Shri Neeraj Kumar, Clerk, office of Regional Transport Authority, Faridkot, appearing on behalf of the PIO states that a Writ Petition, challenging the orders of the Commission, has been filed in the Hon’ble Punjab and Haryana High Court. It is of no consequence unless the orders of the Commission are stayed.

5. Shri Gurpal Singh, APIO, office of State Transport Commissioner, Punjab, Chandigarh, appearing on behalf of the respondents states that First Appellate Authority-cum-Secretary, Regional Transport Authority(Head Office), Punjab, Chandigarh has directed the PIO, office of DTO, now Secretary, Regional Transport Authority, Faridkot, vide letter No. t;Ne$nghb e/; Bzpo 2483 nkc 2016$110900^901, dated 10.07.2018, to comply with the orders of the Commission dated 20.12.2017 and furnish a compliance report to the Principal Secretary Transport, Punjab, Chandigarh and State Transport Commissioner, Punjab.

6. It is noted with concern that a period of about 7 months has lapsed but the orders of the Commission dated 20.12.2017 have not been complied with till date despite forwarding copy of the orders of the Commission to Principal Secretary, Transport, Punjab, Chandigarh and State Information Commissioner, Punjab, Chandigarh to ensure their compliance.

7. Accordingly, it is directed that no salary be paid to Shri Hardip Singh, Secretary, Regional Transport Authority, Faridkot, the then DTO Faridkot unless total penalty amount of

Contd……p/4

**AC - 2483 of 2016 -4-**

Rs. 25,000/- is not deposited in the State Treasury under the relevant head after deducting the same from his salary and compensation amount of Rs. 5,000/- is not paid to the appellant. Besides, Shri Hardip Singh, who happens to be DDO himself, in this case, is directed to submit a certificate, in person, on the next date of hearing, to the effect that penalty amount of Rs. 25,000/- has been deducted from his salary and deposited in the State Treasury under relevant head and compensation amount of Rs. 5,000/- has been paid to Shri Jasbir Singh, Appellant, through a Bank Draft.

8. A copy each of the order is forwarded to Principal Secretary, Transport, Punjab, Chandigarh and State Transport Commissioner, Punjab, Chandigarh to ensure strict compliance of the orders.

9. To come up on **12.11.2018 at 11.30 A.M. for confirmation of compliance of orders.**

**Sd/-**

**Dated : 17.07.2018 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**CC: Principal Secretary Transport, REGISTERED**

**Punjab Civil Secretariat-2,**

**Sector: 9, Chandigarh.**

**State Transport Commissioner, REGISTERED**

**Punjab, Sector: 17, Chandigarh.**

**Shri Hardip Singh, REGISTERED**

**Secretary, Regional Transport Authority,**

**Faridkot.**