

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



Rajni Bala,

W/o Ritin Shahi, Advocate,

104, Golden City, Khanna,

Ludhiana.

Versus

Public Information officer,

o/o Secretary,

District Legal Service Authority,

Fatehgarh Sahib.

Complaint Case No. 1308 of 2021 (Video Conference Proceedings)

PRESENT:

Rakesh Kumar Shahi, Advocate (for the Complainant) 97803-00415

(Respondent) Absent

ORDER:

1. The complainant, **Rajni Bala**, filed this RTI application dated **7.10.2021** and sought information **regarding Surprise checking of One Stop Centre Fatehgarh Sahib**, from the PIO o/o **Secretary, District Legal Service Authority, Fatehgarh Sahib**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **3.12.2021**. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. The respondent PIO is absent but has informed the Commission via email letter No.640 dated 16.3.2022 that he is not able to attend today's hearing because he is unwell. The complainant's Advocate, has also made a detailed submission vide an email dated 11.3.2022, seeking penalties to be imposed on the respondent PIO and compensation to the complainant.

3. The Commission will taken an informed decision on the penalty and compensation after giving respondent PIO an opportunity to be heard at the next Hearing. Meanwhile, the respondent PIO is directed to submit a written explanation for his / her decision to deny the requested information.

4. **Next hearing on 24.6.2022 at 11.00 am via Video Conference Facility at DC Office, Fatehgarh Sahib.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

17.3.2022

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Rohit Sharma Advocate,
Chamber No.320, Lawyers Chambers,
2nd Floor, District Courts,
Bathinda.

Versus

Public Information officer,
o/o Executive Engineer, I.B., Canal,
Division Jawaharke, Mansa.

Complaint Case No. 1190 of 2021 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Atinder Pal Singh, APIO-cum-SDO (for the Respondent) 94639-52933

ORDER:

1. The complainant, **Rohit Sharma**, filed this RTI application dated **17.6.2021** and sought information **regarding Measurement Books**, from the PIO o/o **XEN, IB Canal Division, Jawaharke, Mansa**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **1.10.2021**. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. The complainant is absent but has informed the Commission that he has received the information except that at point no. 3 by way of a certified copy of MB cited in the RTI application. The respondent PIO, represented by Atinder Pal Singh, APIO-cum-SDO, states that the concerned MB is missing from the record and is not traceable.

3. The respondent PIO-cum-XEN, Mansa Division, IB, Jawaharke, District Mansa, Jagmeet Singh, is herewith directed to submit a duly notarized affidavit giving the status of the MB cited in the RTI application and also explain the delay in addressing this RTI application. Separately, the PIO must also initiate action as per State Government Rules regarding the missing record/MB, under intimation to this Commission.

4. **Next hearing on 9.6.2022 at 11.00 am via Video Conference Facility at DC Office, Mansa.**

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

Chandigarh
17.3.2022

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Rohit Sharma Advocate,
Chamber No.320, Lawyers Chambers,
2nd Floor, District Courts,
Bathinda.

Versus

Public Information officer,
o/o Executive Engineer, I.B., Canal,
Division Jawaharke,
Mansa.

Complaint Case No. 1191 of 2021 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Atinder Pal Singh, APIO-cum-SDO (for the Respondent) 94639-52933

ORDER:

1. The complainant, **Rohit Sharma**, filed this RTI application dated **17.6.2021** and sought information **regarding the “cut breach” of Ghuman Distributory and Maur Distributory**, from the PIO o/o **XEN, IB Canal Division, Jawaharke, Mansa**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **1.10.2021**. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. The complainant is absent but has informed the Commission of his inability to attend this hearing. The respondent PIO, represented by Atinder Pal Singh, APIO-cum-SDO, has submitted vide Letter No. 1468 Dated 9.3.2022 that the requested information was sent to the complainant vide Letter No. 4595 Dated 23.9.2021. As per his contention all the information has been provided barring that requested at point no. 2, which sought an MB that is missing from the record.

3. The respondent PIO-cum-XEN, Mansa Division, IB, Jawaharke, District Mansa, Jagmeet Singh, is herewith directed to submit a duly notarized affidavit giving the status of the MB cited in the RTI application alongwith the explanation for the delay in addressing said RTI application. Separately, the PIO is to initiate action as per State Government Rules regarding the missing record/MB under intimation to this Commission.

4. **Next hearing on 9.6.2022 at 11.00 am via Video Conference Facility at DC Office, Mansa.**

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

Chandigarh
17.3.2022

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Jalour Singh,

S/o Late Ralla Singh,

R/o Sant Singh, Sachik Road, Near D.M. Blossom School,

Ward No.6, Kartar Nagar, Moga.

Versus

Public Information officer,

o/o Superintendent Engineer,

Water Drainage Division,

Ferozepur.

Complaint Case No. 1188 of 2021 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

(Respondent) Absent

ORDER:

1. The complainant, **Jalour Singh**, filed this RTI application dated **19.4.2021** and sought information **regarding Letter No. 280-81/2RTI/Er Dated 19.2.2021**, from the PIO o/o **SE, Water Drainage Division, Ferozepur**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **5.10.2021**. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. Both parties are absent. This case is adjourned to its next hearing.

3. **Next hearing on 22.6.2022 at 11.00 am via Video Conference Facility at DC Office, Ferozepur.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

17.3.2022

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Nitin kumar Garg,
C/o Police Public Dairy,
15 A, Shastri Nagar, Model Town,
Ludhiana.

Versus

Public Information officer,
o/o District Forest Officer,
Pathankot.
First Appellate Authority,
Conservator of Forests,
North Circle,
Hoshiarpur.

Appeal Case No. 3548 of 2021 (Video Conference Proceedings)

PRESENT:

Nitin Kumar Garg (Appellant) 78143-22100

Sanjeev Sharma, APIO-cum-Superintendent (for the Respondent) 96464-50579

ORDER:

1. The RTI application is dated **15.4.2021** vide which the appellant has sought **information regarding DMF Funds**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.5.2021**, and Second Appeal was filed in the Commission on **5.8.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. Both parties are present. The respondent PIO, in a reply to the Commission, has submitted that the appellant was given partial information pertaining to point no. 1 vide Letter No. 151 Dated 30.4.2021, wherein he was also invited to inspect the record pertaining to point no. 2 (bill/vouchers) since said record is voluminous and scattered. The appellant has however, not yet inspected any record.

3. After deliberations at this hearing, the appellant is advised to inspect the record. He has agreed to fix a mutually acceptable date and time with the respondent PIO-cum-Superintendent, Sanjeev Kumar Sharma, to inspect the record.

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

Contd....2

PUNJAB STATE INFORMATION COMMISSION

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Appeal Case No. 3548 of 2021 (Video Conference Proceedings)

5. **Next hearing on 20.7.2022 at 11.00 am via Video Conference Facility at DC Office, Pathankot.**

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

Chandigarh
17.3.2022

PUNJAB STATE INFORMATION COMMISSION

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Ratanjot Singh,
S/o Sh. Jog Raj,
R/o Ward No.4,
Village Bishlera, PO Mehatpur,
District Una, Himachal Pardesh.

Versus

Public Information officer,
o/o Executive Engineer,
Mechanical Drainage Construction Division,
Canal Colony, Ferozepur.
First Appellate Authority,
Chief Engineer (Drainage),
Department of Irrigation, Punjab,
Chandigarh.

Appeal Case No. 3605 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

1. The RTI application is dated **21.1.2021** vide which the appellant has sought **information regarding his own service record**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **26.2.2021**, and Second Appeal was filed in the Commission on **10.8.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. Both parties are absent without intimation. The respondent PIO has submitted a copy of reply vide Letter No. 40 Dated 4.1.2022, which was sent to the appellant along with the requested information. The appellant is requested to examine the said information and list deficiencies if any to the respondent PIO as well as this Commission.

3. **Next hearing on 22.6.2022 at 11.00 am via Video Conference Facility at DC Office, Ferozepur.**

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

Chandigarh
17.3.2022

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Mohinder Singh,
S/o Sh. Nand Singh,
Inside Kasuri Gate, Ferozepur.

Versus

Public Information officer,
o/o Divisional Forest Officer,
Ferozepur.
First Appellate Authority,
Conservator of Forests,
Ferozepur Circle, Ferozepur.

Appeal Case No. 5234 of 2021 (Video Conference Proceedings)

PRESENT:

Mohinder Singh (Appellant) 98720-12104

Gurpreet Singh, Superintendent (for the Respondent) 94781-59677

ORDER:

1. The RTI application is dated **17.6.2021** vide which the appellant has sought **information regarding the felling of trees in Hussainiwala Beat during 2000 - 2003 etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **24.8.2021**, and Second Appeal was filed in the Commission on **18.11.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. Both parties are present. The respondent PIO, represented by Gurpreet Singh, Superintendent, has in a reply to the appellant vide Letter No. 3693 Dated 21.9.2021, cited a Supreme Court Order to deny the requested information under Section 8(1) of the RTI Act 2005 as 3rd party information. However, a perusal of the RTI application makes it clear that none of the information requested is qualifies for exemption as third party information. The respondent has meanwhile also pleaded that the requested record is very old and has not been traceable in his office.

3. Under the circumstances, the Commission directs the respondent PIO to submit a pointwise reply to all 5 points of the RTI application. The said reply must be by way of duly notarized affidavit signed by the respondent PIO. The original affidavit must be handed over to the appellant and a copy must be sent to this Commission.

4. **Next hearing on 22.6.2022 at 11.00 am via Video Conference Facility at DC Office, Ferozepur.**

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

Chandigarh
17.3.2022

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REGISTERED SHOW CAUSE NOTICE

Deepak Sharma,
S/o Ved Parkash Sharma,
H.No.180, Municipal Colony, Dhaki Road,
Tehsil & Distt. Pathankot.

Versus

Public Information officer,
o/o Executive Engineer (C),
Punjab Mandi Board, Pathankot.

Complaint Case No. 1209 of 2021 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Rohan Kumar, SDO (for the Respondent) 80541-46828

ORDER:

1. The complainant, **Deepak Sharma**, filed this RTI application dated **29.1.2021** and sought information regarding the upgradation of link road between Madhopur Defense Road to Tharia under the Pradhan Mantri Gram Sadak Yojna (PMGSY), from the PIO o/o **Executive Engineer (C), Punjab Mandi Board, Pathankot**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **8.10.2021**. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. The complainant is absent. An examination of the case file shows that after this RTI application submitted on 29.1.2021, the respondent PIO raised a demand vide his Letter No. 290 Dated 10.2.2021, for an additional fees/cost of Rs. 2,157/- for supply of information. The complainant deposited the said fees/cost vide DD No. 002661 Dated 18.2.2021. The said DD was encashed by the PIO, however, the information was not supplied. It is only now, vide the respondent's Letter No. 365 Dated 14.3.2022, whereby the complainant is purported to have been handed the requested information by way of 719 pages.

3. The Commission take an extremely serious view of the respondent PIO's conduct which is in violation of RTI Act, 2005. The Commission deems it fit to issue a Show Cause Notice to the PIO-cum-XEN (C) Punjab Mandi Board, Pathankot, Rajesh Kumar Sharma.

4. The respondent **PIO-cum-XEN (C) Punjab Mandi Board, Pathankot, Rajesh Kumar Sharma** 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 **29.1.2021**.

Contd....2

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Complaint Case No. 1209 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.

5. Next hearing on 20.7.2022 at 11.00 am via Video Conference Facility at DC Office, Pathankot.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

17.3.2022

Cc: Superintendent Engineer (C), Regional Mandi Board, New Sabzi Mandi, Maksooda, Jalandhar, for information and further necessary action.

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Taranjit Singh,
33, Adarsh Nagar,
Tarehti, PO Shahpurkandi,
Pathankot.

Versus

Public Information officer,
o/o Executive Engineer,
Personnel Division, RSD,
Shahpurkandi Township,
Pathankot.

First Appellate Authority,
Superintendent Engineer,
Admn and Disposal Circle,
RSD Shahpurkandi Township,
Pathankot.

Appeal Case No. 3869 of 2021 (Video Conference Proceedings)

PRESENT:

Taranjit Singh (Appellant)

Arvind Kumar, PIO-cum-XEN (Respondent) 96460-03035

ORDER:

1. The RTI application is dated **21.4.2021** vide which the appellant has sought **information regarding his own dues etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **24.5.2021**, and Second Appeal was filed in the Commission on **27.8.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. Both parties are present. After deliberations at this hearing, the Commission directs the respondent PIO to give a pointwise reply to all 9 points of the RTI application citing each of the RTI point alongside his reply with number of pages of information supplied with respect to each point. All copies must be duly attested as per the format stipulated by the Commission. This must be sent to the appellant by registered post with a copy of the reply as well as all the information to this Commission.

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

Contd....2

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Appeal Case No. 3869 of 2021 (Video Conference Proceedings)

4. Next hearing on 20.7.2022 at 11.00 am via Video Conference Facility at DC Office, Pathankot.

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

Chandigarh
17.3.2022

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Taranjit Singh,
33, Adarsh Nagar,
Tarehti, PO Shahpurkandi,
Pathankot.

Versus

Public Information officer,
o/o Executive Engineer,
Personnel Division, RSD,
Shahpurkandi Township,
Pathankot.

First Appellate Authority,
Superintendent Engineer,
Admn and Disposal Circle,
RSD Shahpurkandi Township,
Pathankot.

Appeal Case No. 3870 of 2021 (Video Conference Proceedings)

PRESENT:

Taranjit Singh (Appellant)

Arvind Kumar, PIO-cum-XEN (Respondent) 96460-03035

ORDER:

1. The RTI application is dated **14.5.2021** vide which the appellant has sought **information regarding Sahapur kandi**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.6.2021**, and Second Appeal was filed in the Commission on **27.8.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. Both parties are present. As per the appellant, the respondent PIO has provided information in regard to point no. 2 and has repeatedly stated that the information sought at points 1, 3, 4, 5, and 6 is not available in the record.

3. The respondent PIO is advised to seek a report from all officials who are custodians of said record by way of notarized affidavits regarding the status of the requested record. Subsequent to this, the respondent PIO is also to submit a duly notarized affidavit stating the status of the record requested at points 1, 3, 4, 5, and 6 of the RTI application. Original affidavit to be given to the appellant and copy to this Commission.

4. **Next hearing on 20.7.2022 at 11.00 am via Video Conference Facility at DC Office, Pathankot.**

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

Chandigarh
17.3.2022

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Taranjit Singh,
33, Adarsh Nagar,
Tarehti, PO Shahpurkandi,
Pathankot.

Versus

Public Information officer,
o/o Executive Engineer,
Personnel Division, RSD,
Shahpurkandi Township, Pathankot.

First Appellate Authority,
Superintendent Engineer,
Admn and Disposal Circle,
RSD Shahpurkandi Township,
Pathankot.

Appeal Case No. 3871 of 2021 (Video Conference Proceedings)

PRESENT:

Taranjit Singh (Appellant)

Arvind Kumar, PIO-cum-XEN (Respondent) 96460-03035

ORDER:

1. The RTI application is dated **14.5.2021** vide which the appellant has sought **information regarding Office Order No. 600/PF dated 27.3.2020 in Six points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.6.2021**, and Second Appeal was filed in the Commission on **27.8.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **17.3.2022**.

2. Both parties are present. The appellant states that he has received most of the information pertaining to this RTI application. Only some information pertaining to points 2 and 4 is pending.

3. The respondent PIO is herewith directed to supply the pending information at the earliest.

4. **Next hearing on 20.7.2022 at 11.00 am via Video Conference Facility at DC Office, Pathankot.**

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

Chandigarh
17.3.2022