

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 FINAL ORDER

Sudhir Sharma (Advocate),
S/o Sh. Karam Chand Sharma,
Opposite Triveni Palace,
Patiala Road, Nabha – 147 201,
Patiala.

Versus

Public Information officer,
o/o Executive Officer,
Municipal Council,
Nabha-147201,
Patiala.

Complaint Case No. 117 of 2021 (Video Conference Proceedings)

PRESENT:

Sudhir Sharma (Complainant) 84376-88808
Ramesh Kumar, Sanitary Inspector (for the Respondent) 98765-07750

ORDER:

(To be read in continuity with earlier orders on 30.6.2021 and 1.12.2021)

1. The complainant, **Sudhir Sharma**, filed this RTI application dated **24.10.2020** and sought information **regarding vehicles owned by MC Nabha, expenditure on repairs and maintenance of vehicles etc.,** from the PIO o/o **Executive Officer, Municipal Council, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **18.1.2021**. The case was last heard on **1.12.2021**.
2. Both parties are present. At the last hearing on 1.12.2021, a Show Cause Notice was issued to the respondent PIO. He has neither appeared in person and nor he has made any written submission by way a reply to said Show Cause Notice.
3. Under the circumstances, this Commission deems it fit to impose penalty of Rs. 10,000/- on the PIO-cum-EO, Sukhdeep Singh Kamboj, the above penalty is to be deducted from his salary in two monthly installments.

Order: Keeping all the facts of the case in mind, this is a fit case to invoke Section 20 of RTI Act and impose a penalty on the respondent PIO Section 20(1), which reads as under:

“Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub Section (1) of Section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or

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Complaint Case No. 117 of 2021 (Video Conference Proceedings)

destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of 250/- Rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed Twenty Five Thousand Rupees;

Provided that the Central Public Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him;

Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Information Officer, as the case may be.”

The onus and responsibility lie on the PIO to ensure the transmission of the complete information to the appellant. The **PIO-cum-EO, Sukhdeep Singh Kamboj**, is hereby held guilty for not providing the information on time as prescribed under Section 7, which is within 30 days of the receipt of the request and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of Rupees Ten Thousand (Rs. 10,000/-) is hereby imposed upon the **PIO-cum-EO, Sukhdeep Singh Kamboj**, which be deducted from his salary and deposited in the Punjab Government Treasury under head “**0070-Other Administrative Services-60-other Services-800-Other Receipts-86-Fees Under the Right to Information Act.**” The **PIO-cum-EO, Sukhdeep Singh Kamboj**, is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan at the next hearing of this appeal case. Copies of this Order be sent to the parties through registered post.

4. The respondent PIO is further directed to supply all the information sought in this RTI application within 10 days of receipt of this Order.

5. There is no further cause for action and this Complaint Case is herewith **CLOSED**. Case file be sent to the Registry Branch to follow up on compliance of this Order.

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

Chandigarh
17.5.2022

Cc: Deputy Registrar, Punjab State Information Commission, along with case file.

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FINAL ORDER

Ram Parkash,
S/o Sh. Behli Ram,
632, Ravi Dass Nagar, Factory Area,
Patiala.

Versus

Public Information officer,
o/o Municipal Corporation,
Patiala

Complaint Case No. 134 of 2021 (Video Conference Proceedings)

PRESENT:

Ram Parkash (Complainant)
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 30.6.2021 and 1.12.2021)

1. The complainant, **Ram Parkash**, filed this RTI application dated **18.11.2019** and sought information regarding the status of his medical bills, from the PIO o/o **Municipal Corporation, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **25.1.2021**. The case was last heard on **1.12.2021**.

2. The respondent PIO is absent without intimation. As directed at the last hearing, the PIO-cum-DCFA, has submitted a list of all PIOs since 18.11.2019. Also in a letter to the complainant vide No. 482 Dated 22.12.2021, the PIO-cum-DCFA, has informed the complainant regarding the status of the medical bills cited in the RTI application. An examination of the case file shows that the complainant was also earlier apprised about the status of his bills vide Letter No. 146 Dated 16.6.2021.

3. In view of the above, the Commission is of the view that this RTI application was in fact addressed by the respondent PIO more than once. There is no further cause for the Commission's intervention. This Complaint Case is herewith **CLOSED**.

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

Chandigarh
17.5.2022

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FINAL ORDER

Dr. Sat Paul Sharma,
S/o Sh. Inder Raj Sharma,
Flat No. 203/1, Block-2,
Housefed Complex,
Banur, S.A.S Nagar,
Mohali.

Versus

Public Information Officer,
o/o Municipal Corporation,
Patiala.

Complaint Case No. 124 & Appeal Case Nos. 412 & 999 & 2031 & 2822 of 2021 (Video Conference Proceedings)

PRESENT:
(Complainant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier orders on **9.9.2021, 17.9.2021, 22.10.2021, and 15.12.2021**)

1. **Dr. Sat Paul Sharma**, filed these RTI applications **16.10.2019, 28.10.2020, 27.11.2020, 27.1.2021, 18.10.2019** and sought information **as enumerated in them**, from the PIO o/o **Municipal Corporation, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission. The case was last heard on **15.12.2021**.

2. Both parties are absent. As directed at the last hearing on 15.12.2021, the respondent PIO has submitted a pointwise reply to the RTI application pertaining to the titled cases as well as copy of the **COMPLETE FILE** pertaining to the subject matter of said RTI applications as under:

- 1] Copy of agreement between Ankit Narang and Municipal Corporation, Patiala.
- 2] Work order from duly field in.
- 3] Copy of acceptance letter.
- 4] Letter No. 431 Dated 30.10.2018 to Ankit Narang from SE, MC, Patiala.
- 5] Copy of terms/conditions of work.
- 6] Copy of notification Dated 24.12.2001.
- 7] Copy of lowest quotation.
- 8] Report of Superintendent Engineer.
- 9] Documents submitted by all bidders.
- 10] Notice for postponement of tenders.
- 11] Advertisement for tenders.

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Complaint Case No. 124 & Appeal Case Nos. 412 & 999 & 2031 & 2822 of 2021 (Video Conference Proceedings)

4. The information submitted by the respondent PIO is satisfactory and adequately addresses the titled appeals. The information be placed in the case file and can be collected by the complainant at his convenience after seeking an appointment on telephone.

5. There is no further cause for action and these Cases are herewith **CLOSED**.

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

Chandigarh
17.5.2022

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FINAL ORDER

Navdeep Gupta,
S/o Ved Parkash Gupta,
4, Nimrit Vilia, Mansahia Colony,
Patiala.

Versus

Public Information officer,
o/o Superintendent Engineer,
Engineering Branch, Municipal Corporation,
Patiala.

Public Information officer,
o/o Municipal Corporation,
Patiala.

First Appellate Authority-cum-
o/o Commissioner, Municipal Corporation,
Patiala.

Appeal Case No. 531 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Amitoj Sharma, SDO (for the Respondent) 85588-12125

ORDER:

*(To be read in continuity with earlier orders on **30.6.2021 and 1.12.2021**)*

1. The RTI application is dated **7.9.2020** vide which the appellant has sought information **regarding recarpeting of roads etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.11.2020** and Second Appeal was filed in the Commission on **21.1.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.12.2021**.

2. The appellant is absent. The respondent PIO represented by Amitoj Sharma, SDO, has submitted a copy of reply sent to the appellant vide Letter No. 12,13, SE(C) Dated 20.4.2022, with a pointwise reply to the RTI application.

3. The Commission has examined the said reply and is of the view that this RTI application adequately addresses the queries raised in this RTI application.

4. There is no further cause for action and this Appeal Case is herewith **CLOSED**.

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

Chandigarh
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FINAL ORDER

Sukrit Sharda,

S/o Sh. Jatinder Sharda,
50/186, Old Shahpur Road,
Pathankot-145001

Versus

Public Information Officer,

o/o Executive Engineer, Punjab Mandi Board,
Patiala-147001

First Appellate Authority,

o/o Chief Engineer (North), Punjab Mandi Board,
Punjab Mandi Bhawan, Sector-65 A,
S.A.S Nagar (Mohali)-160062

Appeal Case No. 2048 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Amrit Pal Singh, SDO (for the Respondent) 98766-48084

ORDER:

(To be read in continuity with earlier orders on 22.10.2021 and 1.12.2021)

1. The RTI application is dated **3.2.2021** vide which the appellant has sought information **by way of attested copies of the cashbook, bills/vouchers entered in MBs and payments sanctioned from 1.4.2020 to 31.1.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.3.2021** and Second Appeal was filed in the Commission on **27.4.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.12.2021**.

2. At the last hearing on 1.12.2021, the respondent PIO was directed to submit an estimate of volume involved in the information sought by the appellant. The respondent PIO, represented by Amrit Pal Singh, SDO, had made an oral submission stating that the office of the XEN, Punjab Mandi Board, Patiala, is responsible for Four sub-divisions and the volume of the information requested would run into several thousand pages. The respondent has also submitted copy of letter written to the appellant vide No. 8858-60 Dated 13.12.2021, wherein he was invited to inspect the record and request copies of specific documents. There has been no reply from the appellant.

3. The Commission also notes that the appellant is absent for Third successive hearing of this Appeal Case. Furthermore, he has made no submission since the filing of Second Appeal on 27.4.2021. In view of the appellant's continuing absence, the Commission deems it fit to **Dispose of and CLOSE** this Appeal Case.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

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FINAL ORDER

Raj Singh,
S/o Late Sh. Ishar Singh,
Village Todarwal, PO Babarpur Police Station,
Bhadson, Tehsil-Nabha,
Patiala – 147 201

Versus

Public Information Officer,
o/o Senior Superintendent of Police,
Patiala.
First Appellate Authority,
o/o Inspector General of Police, Patiala Range,
Patiala.

Appeal Case No. 2686 of 2021 (Video Conference Proceedings)

PRESENT:

Raj Singh (Appellant) 98142-41257
ASI, Hakam Singh (for the Respondent) 62399-82833

ORDER:

(To be read in continuity with earlier orders on 1.12.2021)

1. The RTI application is dated **21.6.2021** vide which the appellant has sought information as under:

- 1] CCTV footage between 2:00 pm and 5:00 pm on 31.5.2021 at the office of DSP Nabha.
- 2] CCTV footage 2:00 pm to 5:00 pm on 31.5.2021 at the office of SHO PS Sadar Nabha.
- 3] CCTV footage 11:00 am to 2:00 am, 31.5.2021 to 1.6.2021 at PS Kotwali Nabha.

as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.6.2021** and Second Appeal was filed in the Commission on **25.6.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.12.2021**.

2. Both parties are present. As directed at the last hearing on 1.12.2021, the respondent PIO-cum-SSP, Patiala, has submitted separate affidavits from the SHO, PS Sadar Nabha, PS Kotwali Nabha, and DSP Nabha, giving the status of CCTV footage requested in this RTI application. The original affidavits handed over to the appellant along with the covering letter address to the Commission.

3. In view of the above, there is no further cause for action and this Appeal Case is herewith **CLOSED**.

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

Chandigarh
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FINAL ORDER

Bhinder Kaur,
W/o Sh. Raj Singh,
Village Todarwal, PO Babarpur Police Station,
Bhadson, Tehsil-Nabha, District Patiala – 147 201

Versus

Public Information Officer,
o/o Senior Superintendent of Police,
Patiala.
First Appellate Authority,
o/o Inspector General of Police, Patiala Range,
Patiala.

Appeal Case No. 2687 of 2021 (Video Conference Proceedings)

PRESENT:

Raj Singh (for the Appellant) 98142-41257
ASI, Hakam Singh (for the Respondent) 62399-82833

ORDER:

(To be read in continuity with earlier orders on 1.12.2021)

1. The RTI application is dated **21.6.2021** vide which the appellant has sought information as under:

- 1] CCTV footage between 2:00 pm and 5:00 pm on 31.5.2021 at the office of DSP Nabha.
- 2] CCTV footage 2:00 pm to 5:00 pm on 31.5.2021 at the office of SHO PS Sadar Nabha.
- 3] CCTV footage 11:00 am to 2:00 am, 31.5.2021 to 1.6.2021 at PS Kotwali Nabha.

as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.6.2021** and Second Appeal was filed in the Commission on **25.6.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.12.2021**.

2. Both parties are present. As directed by the Commission at the last hearing on 1.12.2021, the respondent PIO has submitted reply vide Letter No. 620 Dated 18.3.2022 along with an affidavit submitted by DSP, Nabha. The SHO, PS Sadar Nabha and SHO, PS Kotwali Nabha, have not submitted affidavits.

3. The respondent PIO is herewith directed to submit separate affidavits from both SHO, PS Sadar Nabha and SHO, PS Kotwali Nabha. The original affidavits are to be handed over to the appellant and a copy of the same to be submitted to this Commission.

4. There is no further cause for action and this Appeal Case is herewith **CLOSED**.

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

Chandigarh
17.5.2022

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FINAL ORDER

Harmanjit Singh Deol,
S/o Sh. Pargat Singh,
16-E, Model Town,
Patiala-147001

Versus

Public Information officer,
o/o Station House Officer,
Police Station Bhadson, District Patiala.
Public Information Officer,
o/o Senior Superintendent of Police,
Patiala.
First Appellate Authority,
o/o Inspector General of Police,
Patiala Range, Patiala.

Appeal Case No. 1050 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

ASI, Hakam Singh (for the Respondent) 62399-82833

ASI, Parwinder Singh (for the Respondent) 79731-05559

ORDER:

*(To be read in continuity with earlier orders on **30.6.2021**)*

1. The RTI application is dated **29.9.2020** vide which the appellant has sought information **regarding posting details of police personnel attached with ilaka magistrate from Police Station Bhadson,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **6.11.2020** and Second Appeal was filed in the Commission on **23.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **30.6.2021**.

2. The appellant is absent without intimation for the second successive hearing without intimation. The respondent PIO, in a reply to the Show Cause Notice issued by this Commission vide a written submission received vide Diary No, 6354 Dated 29.3.2022, states that the requested information was sent to the appellant vide Letter No. 1706/5-A/Bhadson Dated 3.7.2021. A copy of the same has also been submitted to this Commission. There has been meanwhile no communication from the appellant. This Compels the Commission to conclude that he is satisfied with the information supplied.

3. There is no further cause for action and this Appeal Case is herewith **CLOSED**.

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

Chandigarh
17.5.2022

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FINAL ORDER

Harmanjit Singh Deol,
S/o Sh. Pargat Singh,
16-E, Model Town,
Patiala-147001

Versus

Public Information officer,
o/o Station House Officer,
Police Station Bhadson, Patiala.
Public Information Officer,
o/o Senior Superintendent of Police,
Patiala.
First Appellate Authority,
o/o Inspector General of Police,
Patiala Range, Patiala.

Appeal Case No. 1055 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

ASI, Hakam Singh (for the Respondent) 62399-82833

ASI, Parwinder Singh (for the Respondent) 79731-05559

ORDER:

*(To be read in continuity with earlier orders on **30.6.2021** and **1.12.2021**)*

1. The RTI application is dated **29.9.2020** vide which the appellant has sought information **regarding leave details of PHG Jatinder Pal Singh, Posted at Police Station Bhadson,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **6.11.2020** and Second Appeal was filed in the Commission on **24.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.12.2021**.

2. The appellant is absent without intimation for the second successive hearing without intimation. The respondent PIO in a reply to the Show Cause Notice issued to him by this Commission has made a detailed written submission, received by Dairy No. 6357 Dated 29.3.2022, stating that the information was supplied vide Letter No. 1705/5-A/Bhadson Dated 3.7.2021. At the last hearing on 1.12.2021, the appellant was given an opportunity to examine the information supplied to him vide Letter No. 1705/5-A/Bhadson Dated 3.7.2021. There has been no communication from the appellant. This Compels the Commission to conclude that the appellant is satisfied with the information supplied to him.

3. There is no further cause for action and this Appeal Case is herewith **CLOSED**.

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

Chandigarh
17.5.2022

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FINAL ORDER

Harmanjit Singh Deol,
S/o Pargat Singh Deol,
16-E, Model Town,
Patiala-147001

Versus

Public Information Officer

o/o District Attorney
Patiala.

Public Information officer,

o/o Deputy Commissioner,
Patiala.

First Appellate Authority-cum-

o/o Additional Deputy Commissioner,
Mini Secretariat, Patiala.

Appeal Case No. 802 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Balwinder Singh, Deputy District Attorney (for the Respondent) 98143-35419

Harjit Singh, APIO-cum-Superintendent (for the Respondent) 94633-28586

ORDER:

*(To be read in continuity with earlier orders on **30.6.2021 and 1.12.2021**)*

1. The RTI application is dated **3.9.2020** vide which the appellant has sought information as under:

“Undersigned while presiding as Judicial Magistrate 1st Class at Nabha has decided case FIR No. 83/11.09.2013 registered at Police Station Bhadson. Office of the District Attorney, Patiala has sought permission from your office to file appeal before District (and) Sessions Judge, Patiala in FIR No. 83/11/09.2013 registered at Police Station Bhadson. In the above stated Letter No. 191 dated 28.05.2019 addressed to your office by the office of DA, Patiala, it has been mentioned that Assistant Public Prosecutor Sh. Gaurav Deewan who has conducted the trial has opined that appeal be filed in this case. Deputy District Attorney has also consented for the same. Kindly provide undersigned with a copy of the above mentioned opinions given by the Assistant Public Prosecutor as well as Deputy District Attorney along with copy of checking memo mentioned in the above stated Letter No. 191 dated 28.5.19 addressed to your office by the office of the DA, Patiala.”

First Appeal was filed with the First Appellate Authority (FAA) on **13.10.2020** and Second Appeal was filed in the Commission on **5.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.12.2021**.

2. The appellant is absent without intimation for the second successive hearing without intimation. In a reply to the Show Cause Notice issued by the Commission, the respondent PIO

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Appeal Case No. 802 of 2021 (Video Conference Proceedings)

made a detailed written submission along with the copy of the reply to the appellant vide Letter No. 2530 Dated 29.9.2020, along with the requested information. There is meanwhile no communication from the appellant, which compels the conclusion that he is satisfied with the information supplied to him.

3. There is no further cause for action and this Appeal Case is herewith **CLOSED**.

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

Chandigarh
17.5.2022