

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

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APPEAL CASE NO. 1258 OF 2019

Shri Rakesh Sharma (9888401973)
S/o Shri Bhupinder Sharma
#182/12, Man Bazar, Kattra Parja,
Inside Hathi Gate,
AMRITSAR.

...Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Local Govt. Punjab,
Municipal Bhawan,
Sector 34-A, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Local Govt. Punjab,
Municipal Bhawan,
Sector 34-A, Chandigarh.

...Respondents

PRESENT: Sh. Rakesh Sharma, Appellant, in person.
Shri Harjit Singh, Superintendent-cum-PIO, and Shri Balwinder Kumar on behalf of
the Respondents.

ORDER:

The Appellant states that the sought for information has not been provided to him by
the Respondent – PIO till date.

2. Shri Harjit Singh, Superintendent-cum-PIO appears in the court personally and
submits the demanded information which he hands it over to the appellant.

3. The appellant after going through the provided information expresses his satisfaction
and requests the court to file the case.

4. Keeping the above in view, no more action in this appeal case is required and hence,
the appeal case is closed and disposed off.

5. Copies of the order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 1332 OF 2019

Shri Jasbir Singh,(9888296107),
Village: Bholapur Jhabewal,
P.O.: Ramgarh, Chandigarh Road,
District: LUDHIANA.

...Appellant

Versus

Public Information Officer,
O/o Sub-Divisional Magistrate,
NABHA, District: Patiala.

First Appellate Authority,
O/o Sub-Divisional Magistrate,
NABHA, District: Patiala.

...Respondents

PRESENT: None on behalf of the Appellant.
Ms. Raj Bala, Superintendent on behalf of the Respondents.

ORDER: The appellant is absent for today's hearing.

2. Ms. Raj Bala, Superintendent submits a copy of information in the court for Commission's perusal and record. She further states that the sought for information has already been sent to the appellant by registered post vide their letter No.133-134, dated 19.12.20 (Post office receipt enclosed).

3. In view of the above, the Appellant is advised to point out the deficiencies in writing to the Respondent – PIO within 10 days under intimation to the Commission and the Respondent – PIO is directed to remove the same, after receiving the discrepancies from the Appellant, before the next date of hearing.

4. The case is adjourned to **14.11.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 117 OF 2019

Advocate Tejinder Singh,
Village: Bholapur, PO: Ramgarh,
Chandigarh Road, Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Additional Chief Secretary to Govt. Punjab,
Deptt. Of Local Govt.,
Municipal Bhawan, Sector 35, Chandigarh.

Public Information Officer,
O/o Commissioner,
Municipal Corporation, Ludhiana.

First Appellate Authority,
O/o Additional Chief Secretary to Govt. Punjab,
Deptt. Of Local Govt.,
Municipal Bhawan, Sector 35, Chandigarh.

...Respondents

PRESENT: None on behalf of the Appellant.
Sh. Satish Bali, APIO is present on behalf of Respondents.

ORDER: The Appellant is absent today.

2. Sh. Satish Bali, APIO appears in the court personally and states that the sought for information has been supplied to the appellant vide their letter No.26/ATP/HQ/RTI-D dated 30.07.2019. The letter is taken on record.

3. The appellant puts his signature as a token of having received the demanded information on the above said letter and further states that he is satisfied with it.

4. Keeping the above in view, no more action in this appeal case is required and hence, **the appeal case is closed and disposed off.**

5. Copies of the order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 4215 OF 2018

Shri Tejinder Singh,
Village: Bholapur, PO: Ramgarh,
Chandigarh Road, Ludhiana- 141123

...Appellant

Versus

Public Information Officer,
O/o Municipal Council,
Kotkapura, District Faridkot.

First Appellate Authority,
O/o Regional Deputy Director,
Local Government, Ferozepur.

...Respondents

PRESENT: None on behalf of both the parties.

ORDER:

This order may be read with reference to the previous order dated 31.07.2019.

2. Today both the parties are absent.
3. One more opportunity is given to the Respondent PIO O/o the Executive Officer, Nagar Council, Kotkapura, Distt. Faridkot to be present in the court personally on the next date of hearing to file an Affidavit duly attested by the Notary in reply to the **SHOW CAUSE NOTICE** issued to him vide order dated 31.07.2019 along with a copy of demanded information, duly attested, failing which proceedings as per RTI 2005 shall be initiated against him.
4. The appellant is also directed to be present in the court on the next date of hearing to follow up his case.
5. The case is adjourned to **24.10.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO.2051 OF 2019

Shri Manjit Singh,
S/o Shri Sohan Singh,
388/3, Mohalla Dhandolian
Street, Bahera Road,
PATIALA.

Appellant

Public Information Officer,
O/o The Deputy Commissioner,
PATIALA.

First Appellate Authority,
O/o The Deputy Commissioner,
PATIALA.

Respondent

Present : Shri Manjit Singh, appellant, in person.
Shri Surjit Singh, Clerk, Shri Ajeet, ASI, on behalf of the respondents.

ORDER

The representatives of the respondents bring the sought for information in the court which he hands it over to the appellant.

2. The appellant while going through the supplied information, states that the information in respect of his RTI application point No.2 has not been provided.
3. The representatives of the respondents state that the above information falls under Section 8 of the RTI Act 2005, so the same cannot be made available to the appellant.
4. The case is adjourned and to come up on **14.11.2019 at 11.30AM.**
5. Copy of order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO.2052 OF 2019

Shri Manjit Singh,
S/o Shri Sohan Singh,
388/3, Mohalla Dhandolian
Street, Bahera Road,
PATIALA.

Appellant

Public Information Officer,
O/o The Deputy Commissioner,
PATIALA.

First Appellate Authority,
O/o The Deputy Commissioner,
PATIALA.

Respondent

Present : Shri Manjit Singh, appellant, in person.
Ms. Neeto Rani, Clerk, Shri Surjit Singh, Clerk, Shri Ajeet, ASI, on behalf of
the respondents.

ORDER

The representatives of the respondents bring the sought for information in the court which he hands it over to the appellant.

2. The appellant while going through the supplied information, states that the information in respect of his RTI application point No.2 has not been provided.

3. The representatives of the respondents state that the above information falls under Section 8 of the RTI Act 2005, so the same cannot be made available to the appellant.

4. The case is adjourned and to come up on **14.11.2019 at 11.30AM.**

5. Copy of order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 3548 of 2017

Shri Gurbaksh Ram,
S/o Sh. Ram Diya,
Village: Nada, PO: Naya Gaon,
Distt. SAS Nagar.

...Appellant

Versus

Public Information Officer,
O/o The Director,
Local Government, Punjab,
Sathanak Sarkar Bhawan, Sector 35-A,
Chandigarh.

Public Information Officer,
O/o Municipal Council,
Naya Gaon, District SAS Nagar.

First Appellate Authority,
O/o The Director,
Local Government, Punjab,
Sathanak Sarkar Bhawan, Sector 35-A,
Chandigarh.

...Respondents

PRESENT: Sh. Gurbaksh Ram, Appellant.
Shri Jagjit Singh, EO-cum-PIO on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 08.08.2019.

2. The appellant appears and reiterates his earlier stand that no information has been provided to him by the Respondent – PIO till date.

3. Shri Jagjit Singh, EO-cum-PIO, Nawan Graon, appears in person and submits the sought for information which he hands it over to the appellant in the court.

4. After going through the provided information, the appellant expresses his satisfaction.

5. The EO-cum-PIO also submits an affidavit duly attested by the Notary in reply to the show cause notice issued to him by the court. He states in the affidavit that he did not receive earlier notices, so he could not appear in the court and supply the demanded information to the appellant. He further states in his affidavit that he had no mala fide intention to supply the information. Therefore, he requests the Commission to drop the show cause.

6. The Commission taking a lenient view considers the request of the EO-cum-PIO and decides to drop the show cause notice but warn him to be more careful, in future, while dealing with RTI applications.

7. In view of the above, **the case is closed and disposed off.** Copies of the order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 1333 OF 2019

Shri Jasbir Singh,(9888296107),
Village: Bholapur Jhabewal,
P.O.: Ramgarh, Chandigarh Road,
District: LUDHIANA.

...Appellant

Versus

Public Information Officer,
O/o Sub-Divisional Magistrate,
Samana, District: Patiala.

First Appellate Authority,
O/o Sub-Divisional Magistrate,
Samana, District: Patiala.

...Respondents

PRESENT: None on behalf of the Appellant.
Shri Harish Kumar, Junior Assistant, on behalf of the Respondents.

ORDER: The appellant is absent for today's hearing.

2. Shri Harish Kumar, Junior Assistant submits a reply from SDM Samana for perusal of the Commission and the appellant. The representative of the Respondents is directed to supply the sought for information to the appellant by registered post under intimation to the Commission within 10 days.

3. The Appellant is advised to point out the deficiencies in writing to the Respondent – PIO within 10 days under intimation to the Commission and the Respondent – PIO is directed to remove the same, after receiving the discrepancies from the Appellant, before the next date of hearing.

4. The case is adjourned to **14.11.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 1337 OF 2019

Shri Jasbir Singh,(9888296107),
Village: Bholapur Jhabewal,
P.O.: Ramgarh, Chandigarh Road,
District: LUDHIANA.

...Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Ludhiana.

First Appellate Authority,
O/o Deputy Commissioner,
Ludhiana.

...Respondents

PRESENT: None on behalf of the Appellant.
Shri Tarun Kumar, Clerk, on behalf of the Respondents.

ORDER: The appellant is absent for today's hearing.

2. Shri Tarun Kumar, Clerk Appears in the court on behalf of the Respondents and states that the sought for information has already been supplied to the appellant. However, the representative of the Respondents is directed to again send the demanded information by registered post within 10 days under intimation to the Commission.

3. The Appellant is advised to point out the deficiencies in writing to the Respondent – PIO within 10 days under intimation to the Commission and the Respondent – PIO is directed to remove the same, after receiving the discrepancies from the Appellant, before the next date of hearing.

4. The case is adjourned to **14.11.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 29 OF 2019

And

COMPLAINT CASE NO. 30 OF 2019

Sh. Rakesh Sharma
S/o Sh. Bhupinder Sharma,
House No. 182/12, Main Bazar,
Katra Parza, Inside Hathi Gate,
Amritsar.

...Complainant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Amritsar.

Public Information Officer,
O/o Commissioner,
Municipal Corporation,
Amritsar.

...Respondents

PRESENT: Sh. Rakesh Sharma, Complainant, in person.
None on behalf of the Respondents.

ORDER:

This order may be read with the previous order dated 31.07.2019.

2. Information sought by the Complainant from the O/o the Commissioner, MC, Amritsar and O/o the Principal Secretary, Local Governmento.30 of 2019 are clubbed together.
3. The Complainant reiterates his earlier stand that no information has been provided to him by the Respondent – PIO till date.
3. The Respondent – PIO is absent for today's hearing. He is directed to be present on the next date of hearing.
4. Last and final opportunity is given to Shri Anil Arora, Superintendent-cum-PIO, O/o the Commissioner, MC, Amritsar, to appear personally on the next date of hearing to file an affidavit in reply to the show cause notice issued to him in the order dated 08.07.2019 by Ld. SIC, Dr. Pawan Kumar Singla. In case of non-appearance, proceedings as per RTI 2005, shall be initiated against him.
5. The case is adjourned to **14.11.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
19.09.2019

Copy be sent by **Registered Post** to :-

Shri Anil Arora,
Superintendent-cum-PIO,
Minicipal Corporation,

Sd/-
(Hem Inder Singh)
State Information Commissioner

AMRITSAR.

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 178 OF 2019

Shri Hardeep Singh
S/o Sh. Harnam Singh,
Mandi Hazoor Singh,
Tehsil & Distt. Fazilka.

...Appellant

Versus

(REGD) **Public Information Officer**

O/O Block Development &
Panchayat Officer,
Fazilka.

First Appellate Authority,
O/O District Development &
Panchayat Officer,
Fazilka.

...Respondents

PRESENT: Sh. Hardeep Singh, Appellant.
None is present on behalf of the Respondent – PIO.

ORDER:

This order may be read with reference to the previous order dated 22.08.2019.

2. The Appellant reiterates his earlier stand that no information has been provided to him by the Respondent – PIO till date.

3. The respondent-PIO Shri Partap Singh, BDPO, Fazilka is absent for the **6th time consecutively**. The respondent-PIO neither has bothered to file an affidavit duly attested by the Notary in reply to the Show Cause Notice issued to him vide order dated 03.06.2019 nor has supplied the demanded information to Appellant.

4. The facts narrated above clearly reveal that there is **a delay of about 11 months** not supplying the information to the appellant, which is definitely on a high side and cannot be given a go by. Besides, the respondent BDPO, Fazilka, seems totally unmindful and indifferent to the orders issued by the Commission on a number of occasions and openly defied them. Thus, the Commission draws the inference that the PIO, without any reasonable cause, has refused to furnish the information to the appellant and has malafidly denied him the same and thus, has rendered himself liable for punishment as provided under the RTI Act, 2005. Though he was given a number of opportunities to explain his position in connection with the Show Cause Notice issued to him under Section 20(1) of the Act *ibid*, he failed to come out with a satisfactory reply. In these circumstances, **Shri Partap Singh, BDPO, Fazilka** is held guilty of default on the above score. The facts of this case also prove beyond any doubt that the respondent PIO concerned does not deserve any kind of leniency. Hence, in exercise of the powers conferred by Section 20(1) of the RTI

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-2-

Act, 2005, a **penalty to the tune of Rs. 10,000/- (Rupees Ten thousand only)** is imposed upon Shri Partap Singh, BDPO, Fazilka to be deducted from his salary which is to be deposited in the State Treasury under the relevant head. An attested copy of the receipted challan is also directed to be present before the Commission on the next date of hearing.

5. After going through the facts available on the record and in view of the request of the appellant for **awarding him a suitable compensation**, it is true that no information has been supplied to the appellant after 11 months. During this period, he has attended **5 (five)** hearings in the Commission while travelling from **Fazilka to Sector-16, Chandigarh and back**. In view of the loss and detriment suffered by him during this long period in obtaining the information in the instant case, I find full justification in awarding him a suitable compensation. Therefore, in exercise of the powers conferred by Section 19(8)(b) of the RTI Act, 2005, a **compensation of Rs.4000/- (Rupees Four Thousand only)** is awarded to **Shri Hardeep Singh**, appellant, to be paid by the Public Authority i.e. through Bank Draft, within 30 days and confirmation to this effect will be furnished to the Commission.

6. The case is adjourned to **22.10.2019 at 12:30 PM**. Copies of the order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 179 OF 2019

Shri Hardeep Singh
S/o Sh. Harnam Singh,
Mandi Hazoor Singh,
Tehsil & Distt. Fazilka.

...Appellant

Versus

Public Information Officer

O/O Block Development & Panchayat Officer,
Fazilka.

First Appellate Authority,

O/O District Development & Panchayat Officer,
Fazilka.

...Respondents

PRESENT: Sh. Hardeep Singh, Appellant.
None is present on behalf of the Respondent – PIO.

ORDER:

This order may be read with reference to the previous order dated 22.08.2019.

2. The Appellant reiterates his earlier stand that no information has been provided to him by the Respondent – PIO till date.

3. The respondent-PIO Shri Partap Singh, BDPO, Fazilka is absent for the **6th time consecutively**. The respondent-PIO neither has bothered to file an affidavit duly attested by the Notary in reply to the Show Cause Notice issued to him vide order dated 03.06.2019 nor has supplied the demanded information to Appellant.

4. The respondent-PIO Shri Partap Singh, BDPO, Fazilka is given one more opportunity to submit an affidavit duly attested by the Notary in reply to the show cause notice issued to him vide order dated 03.06.2019 along with a copy of complete, legible and duly attested information in the court personally on the next date of hearing failing which proceedings as per RTI Act 2005 shall be initiated against him.

5. The case is adjourned to **22.10.2019 at 12:30 PM**. Copies of the order be sent to the parties.

Chandigarh
19.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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