

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864111, Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com),  
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## REGISTERED SHOW CAUSE NOTICE

**Tejinder Singh,**  
Civil Court, Tehsil Complex,  
Backside Sanjh Kender,  
Phillaur – 144 410

**Versus**

**Public Information Officer,**  
o/o Sub Divisional Magistrate,  
Dharamkot, Moga.  
**First Appellate Authority,**  
Sub Divisional Magistrate,  
Dharamkot, Moga.

### Appeal Case No. 4605 of 2021 (Video Conference Proceedings)

PRESENT:

Tejinder Singh (Appellant) 90410-04313

Harmandeep Singh, Data Entry Operator (for the Respondent) 98552-54617

ORDER:

(To be read in continuity with earlier orders on **21.4.2022** and **5.8.2022**)

1. The RTI application is dated **27.4.2021** vide which the appellant has sought information **regarding the registrating authority**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.6.2021** and Second Appeal was filed in the Commission on **8.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.8.2022**.

2. Both parties are present. At the last hearing on 5.8.2022, the respondent PIO represented at that hearing by Sh. Harmandeep Singh, Data Entry Operator, was directed to submit a fresh reply to point no. 1 of the RTI application along with the duly attested copies of the available record. The respondent PIO, once again represented by Harmandeep Singh, Data Entry Operator, today states that a reply vide Letter No. 85 Dated 1.9.2022, was sent to the appellant. The appellant Sh. Tejinder Singh, however, says that he has not received any reply or information since the last hearing. Notably, the reply/information, purportedly sent by the respondent PIO, has also not been received in this Commission.

3. The conduct of the PIO is in violation of RTI Act, 2005 and tantamount to a denial of the requested information despite the Orders of this Commission. The Commission deems it fit to issue this Show Cause Notice to the respondent PIO-cum-Superintendent, Smt. Manjeet Kaur.

4. The respondent **PIO-cum-Superintendent, Smt. Manjeet Kaur**, 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 **27.4.2021**.

Contd....2

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## **Appeal Case No. 4605 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. The respondent PIO is further directed to submit a reply the Show Cause Notice within 10 days of receipt of this Order and also directed to submit a copy of the reply purportedly sent to the appellant vide Letter No. 85 Dated 1.9.2022, along with duly attested copies of the information, to the Commission. The aforesaid reply and information is also to be resent to the appellant by registered post.

6. **Next hearing on 8.12.2022 at 11.30 am via Video Conference Facility.** (The appellant will attend the hearing at DC office, Ludhiana and the respondent PIO will attend the hearing at DC Office, Moga).

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

Chandigarh  
20.10.2022

**Cc:** Sub Divisional Magistrate, Dharamkot, Moga, for information and further necessary action.

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**Major Singh,**  
S/o Sh. Narain Singh,  
Takhtupura, Tehsil Nihal Singh Wala,  
Moga.

**Versus**

**Public Information Officer,**  
o/o Tehsildar, Nihal Singh Wala,  
Moga.

## **Complainant Case No. 505 of 2022 (Video Conference Proceedings)**

PRESENT:

Major Singh (Complainant) 88472-61855  
(Respondent) Absent

ORDER:

1. The complainant, **Major Singh**, filed this RTI application dated **8.7.2022** and sought information **regarding Mutation No. 6352**, from the PIO o/o **Tehsildar, Nihal Singh Wala, Moga**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **9.8.2022**. Notice was issued to the parties for first hearing in the Commission on **20.10.2022**.

2. The respondent PIO is absent without intimation but has submitted a reply to this Commission's Notice of Hearing vide Letter No. 188 Dated 13.10.2022, wherein it is stated that the record requested by the complainant is neither available in the office of concerned patwari nor in the office of Deputy Commissioner and that Higher Authorities have been informed so that action can be initiated as per law.

3. The respondent's reply is clearly not satisfactory and does not accord the deserved seriousness to the purported loss of appellant's *intkal* / mutation from the records. The complainant has meanwhile, stated that he has been pursuing the matter without any success for more than decade at great time and expense.

4. In view of the above, the respondent PIO is hereby directed to be present in person at the next hearing of this Appeal Case, along with all the record pertaining to *intkal*/mutation number 6352 including the correspondence with higher authority regarding the purported loss of said record.

5. **Next hearing on 8.12.2022 at 11.30 am.** (The appellant will attend the hearing at DC Office, Moga and the respondent PIO will attend the hearing at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh).

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

Chandigarh  
20.10.2022

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## REGISTERED SHOW CAUSE NOTICE

**Suresh Sood,**  
S/o Sh. Dev Dutt Sood,  
# 329-330, Street Sood, Mohalla Sodha,  
District Moga.

**Versus**

**Public Information Officer,**  
o/o Commissioner,  
Municipal Corporation,  
District Moga.  
**First Appellate Authority,**  
o/o Commissioner,  
Municipal Corporation,  
District Moga.

### Appeal Case No. 217 of 2022 (Video Conference Proceedings)

PRESENT:

Suresh Sood (Appellant) 94171-27482  
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on **21.4.2022** and **5.8.2022**)

1. The RTI application is dated **30.9.2021** vide which the appellant has sought information **regarding stores/places for keeping the files etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **1.11.2021** and Second Appeal was filed in the Commission on **30.12.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.8.2022**.
2. The respondent PIO is absent for the second successive hearing without any intimation. This RTI application was submitted on 30.9.2021, whereafter, as per the appellant, he has only received partial information by way of a reply by the Sanitary Department of MC, Moga.
3. In view of the above, the Commission deems it fit to issue this Show Cause Notice to the PIO, office of Commissioner, MC, Moga.
4. The respondent **PIO, office of Commissioner, MC, Moga**, 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 **5.8.2022**.

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## **Appeal Case No. 217 of 2022 (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 8.12.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

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

Chandigarh  
20.10.2022

**Cc:** Commissioner, MC, Moga, for information and further necessary action.

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**Gurmej Lal,**  
# 1331-5, Street No. 5,  
Near Vishwakarma Bhawan, Down Canal Road,  
Shimlapuri, Ludhiana.

**Versus**

**Public Information Officer,**  
o/o Commissioner, Municipal Corporation,  
District Moga.

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

## **Appeal Case No. 5069 of 2021 (Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

Dilip Soni, Building Inspector (for the Respondent) 98883-78693

ORDER:

(To be read in continuity with earlier orders on **21.4.2022** and **5.8.2022**)

1. The RTI application is dated **9.7.2021** vide which the appellant has sought information **regarding illegal buildings in MC, Moga etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **14.8.2021** and Second Appeal was filed in the Commission on **9.11.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.8.2022**.

2. The appellant is absent without intimation for the second successive hearing. The respondent PIO represented by Sh. Dalip Soni, Building Inspector, states that a reply was sent to the appellant vide Letter Dated 14.9.2021, wherein he was informed that the record requested by him is voluminous and he was accordingly invited to inspect the concerned record in the office of MC, Moga. The appellant however, has made no subsequent communication with the respondent PIO.

3. The Commission directs the respondent PIO to rearrange the inspection of the concerned record for the appellant at 11.00 AM on 15.11.2022. Both parties are to intimate the Commission after said inspection.

**4. Next hearing on 8.12.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

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

Chandigarh  
20.10.2022

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**Ajay Maurya,**

S/o Sh. Ayodhya Parshad Maurya,  
Kabja Factory Road, Near Deep  
Karyana Store Wali Gali, Khanna,  
Distt. Ludhiana.

Versus

**Public Information Officer,**

o/o EO, MC, Khanna,  
Distt. Ludhiana.

**First Appellate Authority,**

Additional Deputy Commissioner (UD),  
Ludhiana.

## **Appeal Case No. 3531 of 2022 (Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

Amarjeet Singh, Junior Engineer (for the Respondent) 94634-76839

ORDER:

1. The RTI application is dated **25.5.2022** vide which the appellant has sought information **regarding gardeners (mali) in MC, Khanna**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **13.6.2022** and Second Appeal was filed in the Commission on **2.8.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **20.10.2022**.

2. The appellant is absent without intimation. The respondent PIO had sent a reply vide Letter No. 72-53 Dated 9.6.2022 with a pointwise reply to the RTI application. The appellant was evidently not satisfied with said reply and filed a First Appeal and this Second Appeal to the Commission.

3. The respondent PIO, represented by Sh. Amarjeet Singh, JE, states that the information sought by the appellant pertains to outsourced employees and requests that the appellant be asked to visit the office of MC Khanna, so that all the requested information can be supplied to him.

4. After deliberations at this hearing, the Commission directs the respondent PIO to arrange for an inspection of the record by the appellant in his office at 11.00 AM on 15.11.2022.

5. **Next hearing on 30.11.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh  
20.10.2022

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**Tejinder Singh, Advocate,**  
Civil Court, Tehsil Complex,  
Backside Sanjh Kender, Phillaur,  
Distt. Jalandhar.

## **Versus**

**Public Information Officer,**  
O/o Divisional Fire Officer,  
Municipal Corporation, Ludhiana.

**First Appellate Authority,**  
Commissioner, Municipal Corporation,  
Ludhiana.

## **Appeal Case No. 3036 of 2022 (Video Conference Proceedings)**

### **PRESENT:**

Tejinder Singh (Appellant) 90410-04313  
Kartar Singh, Fire Station Officer (for the Respondent) 90412-04071  
Ricky Walia, Clerk (for the Respondent)

### **ORDER:**

1. The RTI application is dated **28.12.2021** vide which the appellant has sought information **regarding fire safety/NOCs issued to the hospitals**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.2.2022** and Second Appeal was filed in the Commission on **27.6.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **20.10.2022**.

2. Both parties are present. The respondent PIO, represented by Sh. Kartar Singh, Fire Station Officer and Ricky Walia, Clerk, have submitted copy of pointwise reply sent to the appellant vide Letter No. 763 Dated 21.9.2022, wherein the appellant was invited to inspect the record with respect to point no. 1 and 3 of the RTI application while he has been informed that no action has been taken by the department as sought in point no. 2 and 4 of the RTI application.

3. After deliberations at this hearing, the Commission directs the respondent PIO to arrange for the appellant to inspect the record at 11.00 am on 31.10.2022, following which up to 100 pages requested by the appellant are to be provided free of cost after due attestation. Any additional copies to be paid for by the appellant at the normal rate of photocopying. Alternatively, the appellant has offered to carry a pen-drive and if the record sought by him is available in electronic format, this is to be provided to him on the pen-drive at no extra cost.

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



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## **Appeal Case No. 3036 of 2022 (Video Conference Proceedings)**

5. **Next hearing on 8.12.2022 at 11.30 am via Video Conference Facility at DC office, Ludhiana.**

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

Chandigarh  
20.10.2022

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**Pawan Kumar Mittal,**  
# 3277/5, Tara Chand Street,  
Factory Area, District Patiala.

Versus

**Public Information Officer,**  
o/o District Manager, Punjab State Warehousing Corporation (PSWC),  
District Ludhiana.

**First Appellate Authority,**  
o/o Punjab State Warehousing Corporation (PSWC),  
Head Office, SCO-74-75, Sector-17 B, Chandigarh.

**M/s Ganeshey Overseas Limited (Third Party)**  
SCO 38, First Floor, Sector-26, Chandigarh.

## **Appeal Case No. 3731 of 2021 (Video Conference Proceedings)**

PRESENT:

Pawan Kumar Mittal (Appellant) 96465-00186

Mohinder Pal Singh, PIO-cum-District Manager Warehousing Corporation (Respondent) 98761-43244

ORDER:

(To be read in continuity with earlier orders on **6.7.2022 and 14.9.2022**)

1. The RTI application is dated **18.9.2020** vide which the appellant has sought information **regarding Ganeshey Overseas Limited in Four points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.4.2021** and Second Appeal was filed in the Commission on **18.8.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **14.9.2022**.

2. Both parties are present. The respondent PIO-cum-District Manager Warehousing Corporation, Sh. Mohinder Pal Singh, has submitted a copy of letter received from the stated 3<sup>rd</sup> party M/s Ganeshey Overseas Limited, wherein they have once again refused the disclosure of the information as third party information.

3. The Commission, in its Order of 14.9.2022, had granted the stated third party an opportunity to make a written submission or to be heard in person at today's hearing. Said third party has neither made any written submission nor opted to attend today's Hearing. The Commission grants all parties a final opportunity to be heard in person at the next Hearing on 21.11.2022, in the Commission at Chandigarh.

4. The PIO, Sh. Mohinder Pal Singh, is meanwhile, directed to bring a written pointwise reply to the RTI application along with duly certified copies of the requested information as submitted to the Commission via email on 14.9.2022, to the next hearing.

**5. Next hearing on 21.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

**Sd/-**  
**(ASIT JOLLY)**  
State Information Commissioner, Punjab.  
Chandigarh  
20.10.2022

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**Rakesh Kumar Gupta**, Advocate,  
S/o Late Sh. Deen Dayal,  
Chamber No.362, Lawyers Chamber Complex,  
Judicial Courts, Ludhiana.

**Versus**

**Public Information Officer**,  
o/o Station House Officer,  
Police Station, Civil Lines, Patiala.

**Public Information Officer**,  
o/o PSOC, Police Station, Civil Lines, Patiala.

**First Appellate Authority**,  
o/o Commissioner of Police,  
Patiala.

## **Appeal Case No. 458 of 2021 (Video Conference Proceedings)**

PRESENT:

Rakesh Kumar Gupta (Appellant) 98153-31570  
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on **17.9.2021, 20.4.2022, 6.7.2022, and 14.9.2022**)

1. The RTI application is dated **17.9.2020** vide which the appellant has sought information **regarding FIR No. 106**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.10.20** and Second Appeal was filed in the Commission on **12.1.21** under Section 19 of the Right to Information Act, 2005. The case was last heard on **14.9.2022**.

2. The respondent PIO is absent. After discussion with the appellant at today's hearing, it appeared that the information submitted to the Commission along with reply to the Show Cause Notice issued, is more comprehensive than that which has been supplied to the appellant. The appellant is requested to have said information collected from the Commission and he is given one more opportunity to examine the same for any deficiency. The next date be assigned only if/after the appellant intimates the Commission.

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

Chandigarh  
20.10.2022