

# 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),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



## REGISTERED

**Shambu Nath Sood,**  
S/o Bal Krishan Sood,  
# 515, Rama Street, (Near Arya Girls School),  
Arya School Road, Moga.

Versus

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

## Appeal Case No. 3832 of 2020 (Video Conference Proceedings)

DATE OF HEARING: 20.5.2022

PRESENT:

(Appellant) Absent  
Lalit Kumar, Clerk (for the Respondent) 98145-42222

ORDER:

*(To be read in continuity with earlier orders on 26.3.2021 and 12.10.2021)*

1. The RTI application is dated **26.6.2020** vide which the appellant has sought information **regarding the file / proceedings vide which private contractors were given contracts for advertisement in public places etc. in Four points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.8.2020** and Second Appeal was filed in the Commission on **4.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.10.2021**.

2. The appellant is absent but has informed the Commission via email on 19.5.2022 that he has only received information pertaining to point No. 2 of the RTI application and the rest has been withheld. The appellant in fact made very serious allegations against the PIO and others as under:

“1) During the hearing of 2<sup>nd</sup> appeal this Hon’ble Commission directed the PIO to supply the required information within 15 days vide order dated 26.3.2021.

2) Instead of providing the information, the PIO with the connivance of the contractor pressurized me to withdraw the RTI application.

3) Sir, when I refused to withdraw my application, I was brutally attacked with sharp edged weapons on 25.6.2021. My bones were broken and deep and serious injuries were inflicted on me. I was hospitalized for several days only because I sought some information under the RTI Act.

4) After about one week of the attack, the concerned PIO sent only a part of the information related with para no.2 of my RTI application which I received on 5.7.2021. Sir, I have already informed all this to the Hon’ble Commission vide my letter dated 21.7.2021.

Contd. ...2

# 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),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



## Appeal Case No. 3832 of 2020 (Video Conference Proceedings)

- 5) *Hon'ble sir, the most pailful is that despite the Hon'ble Commission's Show Cause Notice to the concerned PIO vide order dated 12.10.2021 the PIO is adamant not to supply the information.*  
6) *Sir, my sorrows do not end here. These people started threatening me to withdraw the appeal. Consequently, I had to close my shop and I left the country."*

3. The appellant Sh. Shambhu Nath Sood was contacted via email dated 20.5.2022 and requested to share details by way of any DDR / FIR registered in the above mentioned instance along with a copy of his complaint to the police, at the earliest.

4. Responding vide an email dated 23.5.2022, the appellant states that he is presently with family members abroad. He states that he will return to India in early July and arrange to submit copies of the documents requested by the Commission. In the meantime, both emails submitted by the appellant be taken on record on the Case File.

5. At the last hearing on 12.10.2021, the respondent PIO was issued Show Cause Notice for failing to provide the information within stipulated period and malafidely denying the same to the appellant.

6. In view of the above, the Commission deems it fit to impose a penalty of Rs. 5000/- to the respondent PIO to be deducted from his salary.

**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 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-Draftsman, Damanpreet Singh**, 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.

Contd. ...3

# 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),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



## **Appeal Case No. 3832 of 2020 (Video Conference Proceedings)**

A penalty of Rupees Five Thousand (Rs. 5000/-) is hereby imposed upon the **PIO-cum-Draftsman, Damanpreet Singh**, 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-Draftsman, Damanpreet Singh**, 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.

7. The respondent PIO is further directed to submit a fresh, pointwise reply to all the points listed in this RTI application alongwith duly attested copies of all the information, to the Commission. Both proof of compliance regarding the penalty as well as the information must be submitted to this Commission within 21 days of receipt of this Order failing which the Commission will be constrained to initiate further action.

8. 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

9. **Next hearing on 29.7.2022 at 11.00 am via Video Conference Facility at DC Office, Moga.**

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

30.5.2022

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

# 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),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



**Shambu Nath Sood,**  
S/o Bal Krishan Sood,  
# 515, Rama Street, (Near Arya Girls School),  
Arya School Road, Moga.

Versus

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

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

**Third Party,**  
o/o R.K.S. Sen. Secondary Public School,  
Anand Nagar, Shivala Soodan,  
Main Bazar, Moga – 142 001

## **Appeal Case No. 4337 of 2021 (Video Conference Proceedings)**

DATE OF HEARING: 20.5.2022

PRESENT:

(Appellant) Absent

Harwinder Singh, Head Draftsman (for the Respondent) 98148-47495

ORDER:

1. The RTI application is dated **1.4.2021** vide which the appellant has sought information **regarding a temple property that has been allegedly usurped**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.5.2021** and Second Appeal was filed in the Commission on **23.9.201** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **20.5.2022**.

2. The appellant is absent but has emailed a written submission vide his email dated 19.5.2022. The respondent PIO, in a reply to this Commission's Notice of Hearing, stated that the requested information was denied as third party information. He stated that third party has refused disclosure of said information. However, the appellant had argued that the information pertains to serious allegations of corruption and must be made public in the "larger public interest".

3. In view of the arguments from both sides, the Commission directs the respondent PIO to submit a pointwise reply to the RTI application along with duly attested copies of all the requested information. This must be submitted to the Commission in a Sealed Cover before the next Hearing.

Contd....2

# 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),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



## **Appeal Case No. 4337 of 2021 (Video Conference Proceedings)**

4. The respondent PIO is also directed to inform the said "third party" about the date and time of the next Hearing. The third party i.e. R.K.S Sen. Secondary Public School, Anand Nagar, Shivala Soodan, Main Bazar, Moga-142001, through the Vice President Shivala Trust is also to be notified to afford them an opportunity to present their case either through written submission or being heard in person at the next hearing.

5. 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**

6. **Next hearing on 29.7.2022 at 11.00 am via Video Conference Facility at DC Office, Moga.**

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

Chandigarh  
Monday, May 30, 2022

# 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),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



**Rahul Gupta,**  
S/o Dharampal,  
# 170, Street No. 6, Mohalla Hargobindpura,  
Jagraon, Ludhiana.

Versus

**Public Information Officer,**  
o/o Deputy Commissioner,  
Moga.  
**First Appellate Authority,**  
o/o Deputy Commissioner,  
Moga.

## **Appeal Case No. 3833 of 2020 (Video Conference Proceedings)**

DATE OF HEARING: 20.2.2022

PRESENT:

Baljeet Singh Gill (for the Appellant) 84278-00076  
(Respondent) Absent

ORDER:

*(To be read in continuity with earlier orders on 26.3.2021 and 12.10.2021)*

1. The RTI application is dated **31.8.2020** vide which the appellant has sought information **regarding the MNREGA Scheme in Village Kokri Kalan from 2013 to 2018**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.10.2020** and Second Appeal was filed in the Commission on **4.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.10.2021**.

2. The respondent PIO is absent without intimation. The appellant states that the information handed over at the last hearing is incomplete. Although, he has not listed the deficiencies in the information. However, the appellant is requested to list deficiencies in writing to the respondent PIO with a copy to this Commission.

3. **Next hearing on 29.7.2022 at 11.00 am via Video Conference Facility at DC Office, Moga.**

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

Chandigarh  
Monday, May 30, 2022

# 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),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



## REGISTERED SHOW CAUSE NOTICE

**Rupinder Singh,**  
S/o Aman Singh,  
Guru Kripa Niwas, New Apex Colony,  
Dusanjh Road, Moga.

Versus

**Public Information Officer,**  
o/o Deputy Commissioner,  
Moga.  
**First Appellate Authority,**  
o/o Deputy Commissioner,  
Moga.

### Appeal Case No. 411 of 2021 (Video Conference Proceedings)

DATE OF HEARING: 20.2.2022

PRESENT:

Suresh Sood (for the Appellant) 99880-39081

Parveen Kumar, Superintendent (for the Respondent) 98150-70592

ORDER:

*(To be read in continuity with earlier orders on **26.3.2021 and 12.10.2021**)*

1. The RTI application is dated **9.3.2020** vide which the appellant has sought information **regarding Royal Gun House**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.9.2020** and Second Appeal was filed in the Commission on **11.1.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.10.2021**.

2. Both parties are present. At the last hearing on 12.10.2021, the respondent PIO was directed to arrange inspection of the record. Said inspection was conducted on 8.11.2021, where on the appellant pointed out the documents he required and these were noted by the respondent. Despite, this, the respondent has still not supplied the requested copies to the appellant.

3. Under the circumstances, the Commission deems it fit to serve the respondent PIO with this Show Cause Notice.

4. The respondent **PIO-Cum-District Revenue Officer, Navdeep Singh**, 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 **9.3.2022**.

Contd....2

# 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),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



## **Appeal Case No. 411 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 hereby granted 21 days to supply duly attested copies of the requested record alongwith covering letter. Copies of both, covering letter as well as record/information must be submitted to the commission. Any failure to comply, shall invite a penalty as per the RTI Act.

6. **Next hearing on 29.7.2022 at 11.00 am via Video Conference Facility at DC Office, Moga.**

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

Chandigarh  
Monday, May, 30, 2022

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



# 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),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



**Tejinder Singh Advocate,**

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

Versus

**Public Information Officer,**

o/o Sub Registrar,  
Dharamkot, Moga.

**First Appellate Authority,**

o/o Sub Divisional Magistrate,  
Dharamkot, Moga.

## **Appeal Case No. 3728 of 2021 (Video Conference Proceedings)**

DATE OF HEARING: 20.5.2022

PRESENT:

(Appellant) Absent

Ramesh Dhingra, Naib Tehsildar (for the Respondent) 98766-00919

ORDER:

1. The RTI application is dated **4.5.2021** vide which the appellant has sought information **regarding details of vasikas from January 2021 to 4.5.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.6.2021** and Second Appeal was filed in the Commission on **18.8.201** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **20.5.2022**.

2. The appellant is absent. The respondent PIO, represented by Ramesh Dhingra, Naib Tehsildar, has submitted a copy of the reply sent to the appellant vide letter No. 280 dated 10.1.2022, along with a pointwise reply and the requested information.

3. The appellant informed the Commission that the information supplied is deficient. He is advised to list the deficiencies in a letter to the respondent PIO with a copy to this Commission. On receiving list of deficiencies from the appellant, the respondent PIO is to submit a written reply to the listed deficiencies.

4. **Next hearing on 5.8.2022 at 11.00 am via Video Conference Facility at DC Office, Moga.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

Monday, May 30, 2022

# 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),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



**Tejinder Singh Advocate,**

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

Versus

**Public Information Officer,**

o/o Sub Registrar,  
Kot Ise Khan, Moga.

**First Appellate Authority,**

o/o Sub Divisional Magistrate,  
Moga.

## **Appeal Case No. 3749 of 2021 (Video Conference Proceedings)**

DATE OF HEARING: 20.5.2022

PRESENT:

(Appellant) Absent

Ramesh Dhingra, Naib Tehsildar (for the Respondent) 98766-00919

ORDER:

1. The RTI application is dated **4.5.2021** vide which the appellant has sought information **regarding details of vasikas from January 2021 to 4.5.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.6.2021** and Second Appeal was filed in the Commission on **19.8.201** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **20.5.2022**.

2. The appellant is absent. The respondent PIO, represented by Ramesh Dhingra, Naib Tehsildar, has submitted a copy of the reply sent to the appellant vide letter No.280 dated 10.1.2022, along with a pointwise reply and the requested information.

3. The appellant informed the Commission that the information supplied is deficient. He is advised to list the deficiencies in a letter to the respondent PIO with a copy to this Commission. On receiving list of deficiencies from the appellant, the respondent PIO is to submit a written reply to the listed deficiencies.

4. **Next hearing on 5.8.2022 at 11.00 am via Video Conference Facility at DC Office, Moga.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

Monday, May 22, 2022