

Michael Univith Bhatoe
S/o Sh. Jarnail Singh,
Balmiki Mustafabad,
Amritsar – 1, Amritsar(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The District Mid Day Meal Society
O/o The District Education Officer (Elem.),
Amritsar(Punjab)

First Appellate Authority,
O/o The District Education Officer (Elem.),
Amritsar(Punjab)

...Respondents

Appeal Case No. 4311 of 2021

Present : Sh. Michael Univith Bhatoe, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 14.07.2021. First appeal is dated 28.07.2021. Second appeal has been received in the Commission on 22.09.2021.

On the last date of hearing, held on 20.12.2021 ;

- i) The appellant stated that no information was given to him by the respondent PIO.
- ii) Neither the respondent PIO nor any of his representative was present. He had also not sent any intimation regarding his non-availability, moreover, the requisite information was also not been supplied by the respondent PIO and for making delay in supplying the required information to the information-seeker, a penalty of Rs. 10,000/- (Rupees Ten Thousand Only) was imposed upon the concerned Public Information Officer of office of District Mid Day Meal Society office of District Education Officer (Elem.), Amritsar.
- iii) Last opportunity was given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request, through registered post or e-mail with a copy to the Commission .
- iv) An opportunity was given to the appellant to confirm whether he received the information and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

The appellant, Sh. Michael Univith Bhatoe, who appeared in person in today's hearing, states that no information has been given to him by the respondent PIO till date.

Neither the respondent PIO nor any of his representative is present in today's hearing. He has also not sent any intimation regarding his non-availability, moreover, the requisite information has also not been supplied by the respondent PIO and also not sent any document, showing that penalty (which was imposed vide orders dated 20.12.2021), is deposited or not.

Contd...2/-

Hence, a Bailable Warrant in the name of Public Information Officer of office of District Mid Day Meal Society office of District Education Officer (Elem.), Amritsar, be issued through Commissioner of Police, Amritsar to present him before the Commission on the fixed dated i. e. on 13th July, 2022 at 11:00 A.M.

Last and final opportunity is given to the respondent PIO concerned to supply the remaining information, to him by registered post by the next date of hearing with a copy to the Commission.

A copy of this order be sent to the Commissioner of Police, Amritsar through registered post to ensure the compliance of the above said order

The case is adjourned to 13th July, 2022 (Wednesday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date :21st March, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. '1589136034'

BAILABLE WARRANT FOR PERSONAL APPEARANCE

**BEFORE SHRI SANJIV GARG, STATE INFORMATION
COMMISSIONER, PUNJAB AT CHANDIGARH**

IN THE CASE TITLED AS :

Michael Univith Bhatoe
S/o Sh. Jarnail Singh,
Balmiki Mustafabad,
Amritsar – 1, Amritsar(Punjab)Appellant

V/s

Public Information Officer,
O/o The District Mid Day Meal Society
O/o The District Education Officer (Elem.),
Amritsar(Punjab)

First Appellate Authority,
O/o The District Education Officer (Elem.),
Amritsar(Punjab) ...Respondents

Appeal Case No. 4311 of 2021

Next Date of hearing ; 13th July, 2022 (Wednesday) at 11:00 A. M.

To

(Regd. Post) The Commissioner of Police,
Amritsar (Punjab)

Subject : Issuance of BAILABLE WARRANT for personal appearance
of

As Public Information Officer of office of District Mid Day Meal Society office of District Education Officer (Elem.), Amritsar has failed to comply with the orders passed by the Commission to appear before the State Information Commission, despite the issuance of several opportunities in the above mentioned Appeal case. Therefore, you are hereby directed to serve the Bailable Warrant upon Public Information Officer of office of District Mid Day Meal Society office of District Education Officer (Elem.), Amritsar to present him before the Bench of the undersigned on 13th July, 2022 (Wednesday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Date :21st March, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Raj Kumar
Jindal Road, Jakhal Mandi,
Tehsil – Tohana, Distt. - Fetehabad(Haryana)

....Appellant

V/s

(Regd. Post) Public Information Officer,
O/o The Tehsildar,
Lehragaga, Distt. – Sangrur (Punjab)

First Appellate Authority,
O/o The Sub-Divisional Magistrate
Lehragaga, Distt. – Sangrur (Punjab)

...Respondents

Appeal Case No. 1160 of 2020

Present : Sh. Raj Kumar , the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.
On the last date of hearing, held on 20.12.2021 ;

- i) The appellant, Sh. Raj Kumar, stated that he visited the office of the respondent but no information was supplied to him by the respondent PIO.
- ii) Ms. Veena Rani, Tehsildar, Lehragaga, stated that the appellant visited the office of the respondent, inspected the record and the required fee was demanded from the appellant, which he refused to pay the same.
- iii) After examining the documents placed in the case-file, it was found that the respondent PIO did not demand the required fee within the stipulated time as per rules of Punjab Right to Information Rules, hence, the respondent PIO was directed to supply the certified copies of the required information to the appellant 'free of cost'.
- iv) An opportunity was also given to the appellant to confirm whether he received the information and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

Neither the respondent PIO nor any of his representative is present.

The appellant, Sh. Raj Kumar, who appeared in person in today's hearing, states that incomplete information has been given to him by the respondent PIO as information regarding "Registry and Inteqal" of Chuddal Kalan Village in Guru Nanak Nagar of Tehsil Lehragaga, has not been given to him till date.

Nevertheless, the concerned parties i. e. the appellant and the concerned PIO of office of Tehsildar, Lehragaga are directed to remain present during the proceedings of the instant appeal-case on the next date fixed in the office of State Information Commission, Punjab so that facts of this case could be cleared or the case would be decided on merits.

The case is adjourned to 13th July, 2022 (Wednesday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date :21st March, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. '1589136034'

Nirmal Singh(Retd. Naib Tehsildar),
H. No. 1100, Sector 69,
S.A.S. Nagar (Mohali) (Punjab)

....Appellant

V/s

- (Regd. Post)
- Encl : RTI request
- i) Public Information Officer,
O/o The Tehsildar,
Khadoor Sahib,
Distt. - Tarn Taran(Punjab)
 - ii) Public Information Officer,
O/o The Deputy Commissioner,
Amritsar (Punjab)
 - iii) Public Information Officer,
O/o The District Revenue Officer,
Amritsar (Punjab)

First Appellate Authority,
O/o The Sub Divisional Magistrate,
Khadoor Sahib,
Distt. - Tarn Taran(Punjab)

...Respondents

Appeal Case No. 1078 of 2020

Present : Sh. J. S. Thind, Advocate, on behalf of the appellant.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.
The RTI request is dated 06.06.2019. First appeal is dated 06.08.2019. Second

appeal has been received in the Commission on 17.03.2020.

On the last date of hearing, held on 20.12.2021 ;

- i) Sh. J. S. Thind, Advocate (representative of the appellant) could not make himself audible during the proceedings of the instant appeal case .
- ii) Neither the respondent PIO nor any representative of office of Tehsildar, Khadoor Sahib was present.
- iii) An opportunity was given to both the parties (appellant and PIO office of Tehsildar, Khadoor Sahib) to represent this case in person or through their representative on the date fixed to clear the facts of this case.

Sh. J. S. Thind, Advocate, who appeared on behalf of the appellant, Sh. Nirmal Singh, in today's hearing, states that information at point no. 06 is still pending.

Neither the respondent PIO nor any representative of office of Tehsildar, Khadoor Sahib is present in today's hearing. He has also not sent any intimation regarding his non-availability. The Commission took a serious view of this casual approach of the respondent PIO.

In view of the above, a fresh show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Tehsildar, Khadoor Sahib, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant under the provisions of the RTI Act, 2005.

Contd...2/-

He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed in the of State Information Commission, Punjab, Chandigarh, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. A copy of this order be sent to him through registered post.

The concerned parties i. e. the appellant and the concerned PIO/PIOs are directed to remain present with the information (already/would be supplied in the instant appeal-case) during the proceedings of the instant appeal-case on the next date of hearing fixed in the office of State Information Commission, Punjab so that facts of this case could be cleared.

The case is adjourned to 13th July, 2022 (Wednesday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date :21st March, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. '1589136034'

Harsharandip Singh,
173/9, Adarsh Nagar,
Dharamkot,
Distt. – Moga - 142042(Punjab)

.... Complainant

V/s

Public Information Officer,
O/o The Director,
Technical Education and
Industrial Training, Punjab,
Sector 36-A, Chandigarh

...Respondents

Complaint Case No. 100 of 2020

Present : Sh. Harsharandip Singh, the complainant in person.
Sh. Sanjeev Kumar, Senior Assistant, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 24.09.2018. The complaint has been received in the Commission on 23.01.2020.

On the last date of hearing, held on 20.12.2021 ;

- i) Sh. Sanjeev Kumar, Senior Assistant, stated that available information of 219 pages was sent to the complainant on 16.10.2021 through registered post.
- ii) The complainant stated that incomplete information was given to him by the respondent PIO.
- iii) The complainant was advised to visit the office of the respondent PIO to inspect the relevant official record on 16.12.2021 at 12:00 noon to identify the required information.
- iv) An opportunity was given to the respondent PIO concerned to facilitate the complainant to inspect the relevant official record during his visit to the office 16.12.2021 at 12:00 noon so that the remaining information could be identified by him and also to supply the required information to the complainant after inspection.
- v) An opportunity was given to the complainant to confirm whether he received the information and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

The complainant, Sh. Harsharandip Singh, who appeared in today's hearing, states that incomplete information has been given to him by the respondent PIO as only list has been provided to him but no enclosure is attached with it and through a letter dated 04.03.2022, he has pointed out deficiencies in three points and a copy of the same also been sent to the Commission, which has been received in the Commission vide Diary No. 4747 dated 08.03.2022. It is taken on record.

Sh. Sanjeev Kumar, Senior Assistant, who appeared on behalf of the respondent PIO in today's hearing, states that available information was supplied to the complainant and through letter dated 04.03.2022, the appellant is demanding copy of Appointment letter, Joining report and Medical fitness.

Another opportunity is given to the respondent PIO to supply the information, after removing the deficiencies, which have been pointed out by the appellant letter dated 04.03.2022 except copy of medical fitness certificate as it is not demanded through RTI request to the appellant with a copy to the Commission by the next date of hearing.

An opportunity is also given to the appellant to confirm whether he received the information or not.

The case is adjourned to 11th May, 2022 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date :21st March, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. '1589136034'

Subash Chander,
Street No. 02,
New Luxmi Nagar,
Kapurthala(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Municipal Corporation,
Kapurthala (Punjab)

First Appellate Authority,
O/o The Executive Officer,
Municipal Corporation,
Kapurthala (Punjab)

...Respondents

Appeal Case No. 564 of 2020

Present : None on behalf of the appellant.
Ms. Varinder Kaur, Building Inspector, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 13.08.2019. First appeal is dated 14.11.2019. Second appeal has been received in the Commission on 30.01.2020.

On the last date of hearing, held on 20.12.2021 ;

- i) Sh. Baljinder Singh, Assistant Town Planner, stated that the appellant was called on 13.10.2021 to appear for hearing before the Executive Officer and the requisite information was supplied to the appellant.
- ii) Sh. Pawan Kalia, Advocate (representative of the appellant), stated that incomplete information was given to the appellant by the respondent PIO as information at point no. 03 is still pending to be supplied by the respondent PIO.
- iii) The appellant was advised to visit the office of the respondent PIO to inspect the relevant official record on 16.12.2021 at 12:00 noon to identify the remaining information.
- iv) An opportunity was given to the respondent PIO concerned to facilitate the appellant to inspect the relevant official record during his visit to the office and supply the required information to the appellant, which would be identified by him after inspection 'on the spot'.
- v) An opportunity was given to the appellant to confirm whether he received the information or not.

Ms. Varinder Kaur, Building Inspector, who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information has already been supplied to the appellant.

Contd...2/-

The appellant, Sh. Subash Chander, through a letter dated 18.03.2022, which has been received in the Commission through an e-mail, has intimated the Commission that incomplete information has been given to him by the respondent PIO and also intimated that he is unable to attend today's hearing and requested for an adjournment in this case. It is taken on record.

Both the parties i. e. the appellant and the respondent PIO are directed to be present with the information (already/would be supplied in the instant appeal-case) during the proceedings of the instant appeal-case on the next date of hearing fixed before the bench of the undersigned so that facts of this case could be cleared or the case would be decided on merits.

The case is adjourned to 10th May, 2022 (Tuesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date :21st March, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. '1589136034'



Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road,
Mandi Mullanpur,
Distt. – Ludhiana -141101(Punjab)

....Appellant

V/s

- i) Public Information Officer,
O/o The Director,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh
- ii) Public Information Officer,
O/o Senior Town Planner
O/o Local Government, Punjab,
(Town Planning Wing),
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh
- iii) Public Information Officer,
O/o Superintendent,
O/o The Director,
Deptt. of Local Government,
Establishment Branch,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Director,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 853 of 2021

Present : Sh. Rakesh Kumar Gupta, Advocate , the appellant in person.
i) Sh. Munish Garg, Senior Assistant(General Branch) ;
ii) Sh. Aman Kumar, Senior Assistant (Establishment Branch);
iii) Sh. Harpal Singh, Senior Assistant (Trust Services Cell); on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 09.03.2020. First appeal is dated 18.03.2020. Second appeal has been received in the Commission on 22.02.2021.

On the last date of hearing, held on 20.12.2021 ;

- i) The appellant stated that no information was given to him by the respondent PIO till date.
- ii) Ms. Kanwaljit Kaur, Senior Town Planer-cum-PIO(Town Planning Wing), who appeared with Sh. Rajeev Kumar, Building Inspector, stated that as the information demanded through RTI request relates with Establishment Branch, hence, a letter vide no. 4436 dated 17.12.2021 was again sent to office of Establishment Branch of Local Government, Punjab as reminder in continuation with letter no. 1394 dated 09.06.2020 (through which the RTI request of the appellant was transferred under Section 6(3) of the RTI Act).

- iii) As a copy order dated 27.10.2021 was also sent in the name of Public Information Officer of office of Superintendent, Establishment Branch with the directions to supply the certified copies of the required information to the appellant as per queries (whatever query/queries relate with their office) raised by him through RTI request, with a copy to the Commission and also to represent this case in person on the date fixed to clear the facts of this case but neither the respondent PIO office of Superintendent, Establishment was present in today's hearing nor sent any intimation regarding his/her non-availability, hence, a show cause notice under Section 20 (1) of the RTI Act was issued to Public Information Officer-cum-Superintendent of Establishment Branch of Department of Local Government, under the provisions of the RTI Act, 2005.
- iv) Last opportunity was given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries (whatever query/queries relate with their office) raised by him through RTI request, through registered post or e-mail with a copy to the Commission.
- v) An opportunity was given to the appellant to confirm whether he received the information and also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

Sh. Aman Kumar, Senior Assistant (Establishment Branch), who appeared in today's hearing, states that the requisite information (whatever query/queries relate with the branch) has already been supplied to the appellant vide letter no. 8509 dated 04.03.2022 and a reply has also been sent to the Commission vide letter no. 8510 dated 04.03.2022, which has been received in the Commission vide Diary No. 4472 dated 04.03.2022. It is taken on record.

Sh. Harpal Singh, Senior Assistant (Trust Services Cell), who appeared in today's hearing, states that a reply (whatever query/queries relate with the branch) has already been given to the appellant vide letter no. 9514 dated 16.03.2022 and a reply has also been sent to the Commission vide letter no. 9515 dated 16.03.2022, which has been received in the Commission vide Diary No. 5595 dated 17.03.2022. It is taken on record.

Sh. Munish Garg, Senior Assistant (General Branch), who appeared in today's hearing, states that the requisite information (whatever query/queries relate with the branch) has already been supplied to the appellant.

The appellant, Sh. Rakesh Kumar Gupta, Advocate, who appeared in today's hearing, states that incomplete information has been given to him by the respondent PIO till date.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 8745 dated 10.03.2022 signed by PIO-cum-Superintendent (Municipal Services Cell), which has been received in the Commission vide Diary No. 5269 dated 14.03.2022. It is taken on record.

The appellant, Sh. Rakesh Kumar Gupta, Advocate, who appeared in today's hearing, states that incomplete information has been given to him by the respondent PIO till date.

Nevertheless, last opportunity is given to the respondent PIOs of the concerned branch to supply the certified copies of the remaining information (whatever query/queries relate with their office) to the appellant within fifteen days from today with a copy to the Commission, by the next date of hearing

An opportunity is also given to the appellant to confirm whether he has received the information or not.

The concerned parties i. e. the appellant and PIOs of PIOs of the concerned Branches are directed to remain present during the proceedings of the instant appeal-case on the next date of hearing fixed in the office of State Information Commission, Punjab so that facts of this case could be cleared.

Ms. Tarsem Kaur, Public Information Officer-cum-Superintendent of Establishment Branch (to whom show-cause notice was issued vide orders dated 20.12.2021) is directed to appear in person during the proceedings of the instant appeal-case on the next date fixed before the bench of the undersigned so that facts of this case could be cleared. A copy of this order be sent to him through registered post.

The case is adjourned to 13th July, 2022 (Wednesday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date :21st March, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

CC :

(Regd. Post)

Ms. Tarsem Kaur,
Public Information Officer-
-cum-Superintendent,
O/o The Director,
Deptt. of Local Government,
(Establishment Branch),
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

Parmod Kumar S/o Sh. Late Sh. Hem Raj,
H. No. 2650, Ward – 12,
Near Dussehrha Ground,
Kharar, Distt. - Mohali(Punjab)

.... Complainant

V/s

Public Information Officer,
O/o The Labour Commissioner, Punjab,
Labour Bhawan, Model Welfare Centre,
Phase -10, Sector 64,
S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Complaint Case No. 424 of 2020

Present : Sh. Parmod Kumar , the complainant in person.
Sh. Harpreet Singh, Labour Conciliation Officer-cum-PIO, in person.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.
The RTI request is dated 24.12.2019. The complaint has been received in the
Commission on 07.07.2020.

On the last date of hearing, held on 22.12.2021 ;

- i) The complainant, Sh. Parmod Kumar, stated that incomplete information was supplied to him by the respondent PIO as he received information only at point no. 01 and 2 of the RTI request and information at point no. 03, 04 and 05, is still pending.
- ii) Sh. Harpreet Singh, Labour Conciliation Officer-cum-PIO, stated that the related case-file (regarding which the information is demanded at point no. 03, 04 and 05), is not traceable in the official record.
- iii) An opportunity was given to the respondent-PIO concerned to send a reply in the shape of an affidavit to the appellant through registered post for remaining queries at point no. 03, 04 and 05 of the RTI request .

Sh. Harpreet Singh, Labour Conciliation Officer-cum-PIO, who appeared in person, in today's hearing, states that in compliance to the order dated 22.12.2021, a reply in an affidavit alongwith a copy of DDR has been sent to the complainant vide letter no. 18572 dated 17.03.2022 through registered post and a copy of the same has also been sent to the Commission through an e-mail. It, alongwith annexure, is taken on record.

The complainant, Sh. Parmod Kumar, who appeared in person in today's hearing, states that he has not received original affidavit, only copy of the same has been received.

Nevertheless, both the parties i. e. the appellant and the respondent PIO or their representatives are directed to remain present in the office of State Information Commission, Punjab before the bench of the undersigned so that the original affidavit (as mentioned above) could be handed over to the complainant during the proceedings of the instant appeal-case on the next date fixed.

The case is adjourned to 13th July, 2022 (Wednesday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date :21st March, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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