



Sh. Lajpat Rai, S/o Sh.HarbasLal,
H No-B-3/287, Romana Street,
Jaito, Distt.Faridkot.

... Complainant

Versus

Public Information Officer,
O/o EO, MC,
Jaito, District Faridkot..

...Respondent

Complaint Case No. 634 of 2020

PRESENT: Sh.Lajpat Rai as the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 03.06.2020 has sought information regarding action taken against Ramesh Kumar, Prem Kumar, Davinder Kumar & others after receipt of vigilance enquiry report in vigilance case No.29/18 relating to misplacement of record and enquiry report on DDLG letter No.3714 dated 01.08.2019 – copies of enquiry report on the complaints received by the officers against clerk Davinder Kumar in Jan., Feb, March, May & June – copies of receipt books No.1082(55 to 60), 142(20-30), 144(50-60) etc. and other information as enumerated in the RTI application concerning the office of EO-MC Jaito, District Faridkot. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 09.09.2020.

The case last came up for hearing on 31.05.2021. The appellant claimed that the PIO has not provided the information.

The respondent was absent.

The RTI application of the complainant was not legible. The appellant was directed to send a legible typed copy of the RTI application for me to pursue this case further.

Hearing dated 21.09.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant has sent a legible copy of the RTI application which has been taken on the file of the Commission.

The respondent is absent on the 2nd consecutive hearing nor is represented and the order dated 31.05.2021 sent to the PIO has been returned on 02.07.2021 with the remarks of postal authority "Refused due to strike". The PIO however vide email has informed that the appellant was asked to vide letter dated 16.06.2020 to deposit a fee of Rs.1700/- which the appellant did not deposit and the information was not provided.

As per the appellant, the PIO has not mentioned the detail of the total number of pages in the letter while raising the fee which is a violation of the rules which prescribe how to raise the fee. .

Complaint Case No. 634 of 2020

Having gone through the file, the appellant's plea is correct that the PIO has arbitrarily raised the fee without giving the details of the number of pages. Moreover, there has been an enormous delay in providing the information for which the PIO is **show caused that why penalty should not be imposed under Section 20 of the RTI Act 2005 for the arbitrary raising of fees, for constant non-appearance before the Commission as well as non supplying of the information within the statutorily prescribed time as prescribed under section 7 of the RTI Act.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **24.01.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated :21.09.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
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Sh. Lajpat Rai, S/o Sh. Harbas Lal,
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Jaito, Distt. Faridkot.

... Complainant

Versus

Public Information Officer,
O/o EO, MC,
Jaito, District Faridkot

... Respondent

Complaint Case No. 635 of 2020

PRESENT: Sh. Lajpat Rai as the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 03.06.2020 has sought information on 14 points regarding Ajay Singh, clerk-resolution No.383-13.02.2018- Davinder Kumar, Ramesh Kumar relating to wrong statement - and other information as enumerated in the RTI application concerning the office of EO-MC Jaito, District Faridkot. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 09.09.2020.

The case last came up for hearing on 31.05.2021. The appellant claimed that the PIO has not provided the information.

The respondent was absent.

The RTI application of the complainant was not legible. The appellant was directed to send a legible typed copy of RTI application for me to pursue this case further.

Hearing dated 21.09.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant has sent legible copy of RTI application which has been taken on the file of the Commission.

The respondent is absent on 2nd consecutive hearing nor is represented and the order dated 31.05.2021 sent to the PIO has been returned on 02.07.2021 with the remarks of postal authority "Refused due to strike".

The PIO is directed to appear personally before the Commission on the next date of hearing along with the reasons for not attending to the RTI application as well as refusing to take notice of the Commission.

A copy of the order is being sent to the Deputy Commissioner, Faridkot with the direction to ensure that the notice of the Commission is served to the PIO and the PIO appears before the Commission on the next date of hearing.

The case is adjourned. To come up for further hearing on **24.01.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated : 21.09.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: Deputy Commissioner, Faridkot.



Sh. Lajpat Rai, S/o ShHarbas Lal,
H No-B-3/287, Romana Street,
Jaito, DisttFaridkot.

... Complainant

Versus

Public Information Officer,
O/o EO, MC,
Jaito, District Faridkot

...Respondent

Complaint Case No. 636 of 2020

PRESENT: Sh.Lajpat Rai as the Complainant
None for the Respondent

ORDER:

The complainant through the RTI application dated 27.07.2020 has sought information on 10 points regarding Ramesh Kumar, Prem Kumar, Kaushal – a copy of letter No.7/20 – letter No.26/95 dated 26.10.2018 and other information as enumerated in the RTI application concerning the office of EO-MC Jaito, District Faridkot. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 09.09.2020.

The case last came up for hearing on 31.05.2021. The appellant claimed that the PIO has not provided the information.

The respondent was absent.

The RTI application of the complainant was not legible. The appellant was directed to send a legible typed copy of RTI application for me to pursue this case further.

Hearing dated 21.09.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant has sent a legible copy of the RTI application which has been taken on the file of the Commission.

The respondent is absent on the 2nd consecutive hearing nor is represented and the order dated 31.05.2021 sent to the PIO has been returned on 02.07.2021 with the remarks of postal authority "Refused due to strike". The PIO however vide email has informed that the appellant was asked to vide letter dated 16.06.2020 to deposit a fee of Rs.5400/- which the appellant did not deposit and the information was not provided.

As per the appellant, the PIO has not mentioned the detail of total number of pages in the letter while raising fee which is a violation of the RTI Act.

Having gone through the file, the appellant's plea is correct that the PIO has arbitrarily raised the fee without giving the details of the number of pages. Moreover, there has been an enormous delay in providing the information for which the PIO is **show caused that why penalty should not be imposed under Section 20 of the RTI Act 2005 for the arbitrary raising of fees, for constant non-appearance before the Commission as well as non supplying of the information within the statutorily prescribed time as prescribed under section 7 of the RTI Act.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **24.01.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated :21.09.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



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... Complainant

Versus

Public Information Officer,
O/o EO, MC,
Jaito, District Faridkot

...Respondent

Complaint Case No. 637 of 2020

PRESENT: Sh.Lajpat Rai as the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 27.07.2020 has sought information on 16 points regarding transfer of property in register 1979-80, 1985 wherein the property transferred on 21.03.2002 in the name of Surinder Kumar, Sunderpal, Mahinderpal and other information as enumerated in the RTI application concerning the office of EO-MC Jaito, District Faridkot. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 09.09.2020.

The case last came up for hearing on 31.05.2021. The appellant claimed that the PIO has not provided the information.

The respondent was absent.

The RTI application of the complainant was not legible. The appellant was directed to send a legible typed copy of RTI application for me to pursue this case further.

Hearing dated 21.09.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant has sent legible copy of RTI application which has been taken on the file of the Commission.

The respondent is absent on 2nd consecutive hearing nor is represented and the order dated 31.05.2021 sent to the PIO has been returned on 02.07.2021 with the remarks of postal authority "Refused due to strike".

The PIO is directed to appear personally before the Commission on the next date of hearing alongwith the reasons for not attending to the RTI application as well as refusing to accept the notice of the Commission.

A copy of the order is being sent to the Deputy Commissioner, Faridkot with the direction to ensure that the order of the Commission is served to the PIO and the PIO appears before the Commission on the next date of hearing.

The case is adjourned. To come up for further hearing on **24.01.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Sd/-

Chandigarh
Dated :21.09.2021

(Khushwant Singh)
State Information Commissioner

CC to: Deputy Commissioner, Faridkot.



Sh. Lajpat Rai, S/o Sh.Harbas Lal,
H No-B-3/287, Romana Street,
Jaito, Distt.Faridkot.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Faridkot.

First Appellate Authority,
O/o SSP,
Faridkot.

...Respondent

Appeal Case No. 2563 of 2020

PRESENT: Sh.Lajpat Rai as the Complainant
Sh.Rajesh Kumar, Inspector(SHO Jaito) &Sh.Ramesh Kumar, ASI-Incharge
RTI Branch O/o SSP Faridkot for the Respondent

ORDER:

The appellant through RTI application dated 14.12.2019 has sought information on 05 points regarding date of joining of ASI Daljit Singh and place of different postings along with service book – action taken report on the complaints filed before IG Ferozepur against ASI Daljit Singh and other information as enumerated in the RTI application concerning the office of SSP Faridkot. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 14.02.2020 which took no decision on the appeal.

The case last came up for hearing on 31.05.2021. The respondent present pleaded that the information has already been provided to the appellant vide letter dated 19.03.2020 and 12.02.2021.

As per appellant, the information was incomplete. Having gone through the RTI application and hearing both the parties, the following was concluded:

Point-1	As per respondent, the information has been provided	As per appellant, the posting/duty record of the ASI not provided	PIO to provide posting/duty record of the ASI. Service record not to be provided
Point-2	As per respondent, available information has been provided	As per appellant, enquiry report received. Copies of application not provided	PIO to provide copies of applications
Point-3 & 4	As per respondent enquiry is pending and information cannot be provided	-	Merely stating that the enquiry is pending is not the correct way to deny the information. The PIO is directed to justify the usage of exemptions in section 8 and give it in writing that why disclosure of information will hamper the investigation. process and pass a speaking order.

Appeal Case No. 2563 of 2020

Point-5	As per respondent, the information has been provided	As per appellant, the information is incomplete	PIO to sort out the discrepancies as per the RTI application.
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Hearing dated 21.09.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per respondents, the information has been supplied to the appellant vide letter dated 12.02.2021 and remaining information (62 pages) vide letter dated 10.06.2021.

The appellant is not satisfied and informed that the PIO has not supplied the complete information as per order of the Commission.

The respondent has brought the information and assured to remove the discrepancies and provide complete information.

The PIO is given one last opportunity to comply with the earlier order of the Commission and remove the discrepancies and provide complete information to the appellant within 15 days and send a compliance report to the Commission otherwise the Commission will be constrained to initiate proceedings against the PIO under section 20 of the RTI Act.

To come up for further hearing on **24.01.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated :21.09.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



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... Appellant

Versus

Public Information Officer,
O/o SSP,
Faridkot.

First Appellate Authority,
O/o SSP,
Faridkot.

... Respondent

Appeal Case No. 2564 of 2020

PRESENT: Sh. Lajpat Rai as the Complainant
Sh. Ramesh Kumar, ASI-Incharge RTI Branch O/o SSP Faridkot for the Respondent

ORDER:

The appellant through RTI application dated 26.05.2020 has sought information regarding case No.80 dated 30.05.2019 police station Jaito relating to cross case – enquiry report, statement of witnesses – CDs and other documents – status report on the action taken till 27.05.2020 and other information as enumerated in the RTI application concerning the office of SSP Faridkot. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 30.05.2020 which took no decision on the appeal.

The case last came up for hearing on 31.05.2021. The respondent present pleaded that the information has already been provided to the appellant vide letter dated 08.07.2020 and 12.02.2021.

As per appellant, the information was incomplete. Having gone through the RTI application and hearing both the parties, the following was concluded:

Point-1 & 2	As per respondent enquiry is pending and information cannot be provided	-	Merely stating that the enquiry is pending is not the correct way to deny the information. The PIO is directed to justify the usage of exemptions in section 8 and give it in writing that why disclosure of information will hamper the investigation process and pass a speaking order.
Point-3	As per respondent, the information has been provided	The appellant has not received the information	PIO to provide information
Point-4	As per the respondent, the information has been provided	As per respondent the information is incomplete	PIO to sort out the discrepancies as per the RTI application and provide complete information.

Hearing dated 21.09.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per respondents, the information relating to point 1 & 2 is ready and the information on point 3 & 4 has been provided to the appellant.

The appellant is not satisfied and informed that the PIO has not supplied the complete information as per order of the Commission as well as not supplied CD and photographs as asked for in point-1

The respondent informed that the CD is not available with them.

The PIO is given one last opportunity to comply with the earlier order of the Commission and remove the discrepancies and provide complete information whatever available in the record to the appellant within 15 days and send a compliance report to the Commission otherwise the Commission will be constrained to initiate proceedings against the PIO under section 20 of the RTI Act.

If the information is not available, to give in writing on an affidavit. The affidavit should be on stamp paper duly signed by PIO.

To come up for further hearing on **24.01.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated :21.09.2021

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... Appellant

Versus

Public Information Officer,
O/o SSP,
Faridkot.

First Appellate Authority,
O/o SSP,
Faridkot.

...Respondent

Appeal Case No. 2567 of 2020

PRESENT: Sh.Lajpat Rai as the Complainant
Sh.Ramesh Kumar, ASI-Incharge RTI Branch O/o SSP Faridkot for the
Respondent

ORDER:

The appellant through RTI application dated 27.09.2019 has sought information regarding action taken report on the complaints of RTI Activists Association filed against employees of MC Jaito on 04.06.2019 – enquiry report in case No.80/2019 –Sunita Devi – witness statement dated 20.06.2019 as enumerated in the RTI application concerning the office of SSP Faridkot. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 31.10.2019 which took no decision on the appeal.

The case last came up for hearing on 31.05.2021. The respondent present pleaded that the information has already been provided to the appellant vide letter dated 12.02.2021.

As per appellant, the information was incomplete. Having gone through the RTI application and hearing both the parties, the following was concluded:

Point-1	As per respondent, the information has been provided	As per appellant, the information is incomplete since the PIO has not provided the copies of applications	The PIO is directed to sort out the discrepancies
Point-2	As per respondent enquiry is pending and information cannot be provided	As per appellant, the enquiry has been completed but the PIO is not providing the information	Merely stating that the enquiry is pending is not the correct way to deny the information. The PIO is directed to justify the usage of exemptions in section 8 and give it in writing that why disclosure of information will hamper the investigation. process and pass a speaking order.

Point-3	As per respondent, the information has been provided	As per appellant, the information is incomplete	The PIO is directed to sort out the discrepancies
Point-4 & 5	As per respondent, the information(55 pages) has been provided		Provided

Hearing dated 21.09.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per respondents, complete information as per order has been provided to the appellant vide letter dated 10.06.2021.

As per appellant, the information on point-3 is incomplete.

The PIO is given one last opportunity to comply with the earlier order of the Commission and remove the discrepancies and provide complete information whatever available in the record to the appellant within 15 days and send a compliance report to the Commission otherwise the Commission will be constrained to initiate proceedings against the PIO under section 20 of the RTI Act.

If the information is not available, to give in writing on an affidavit. The affidavit should be on stamp paper duly signed by PIO.

To come up for further hearing on **24.01.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated :21.09.2021

Sd/-
(Khushwant Singh)
State Information Commissioner