

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.
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Smt. Paramjit Kaur,
R/o Ward No.24,Amal Street,
Malerkotla Road, Khanna,
District Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Nagar Council,
Khanna, Distt. Ludhiana.

First Appellate Authority
O/o Deputy Director,
Local Govt. Department,
Ludhiana.

....Respondents

AC No.1136 of 2020

Present: (i) Smt. Paramjit Kaur, appellant
(ii) None on behalf of the PIO.

ORDER:

(Heard through Video Conferencing/On Mobile Phone)

1. This order may be read with reference to the order dated 26.08.2020 passed by this Bench on the previous date of hearing
2. The case has been heard today through V.C. at DC Office, Ludhiana. Smt. Paramjit Kaur, appellant comes present for the hearing. She states that the information asked for has not been supplied to her so far.
3. The PIO has not come present to attend the hearing nor any representative has been deputed to attend the hearing through V.C. As such, Shri Raghbir Singh, Sanitary Inspector, Municipal Council, Khanna who attended the previous hearing on behalf of the PIO, is contacted on mobile phone. He does not give any satisfactory reply regarding non-supply of information to the appellant.
4. On perusal of the case file, the Bench observes that RTI application is dated 15.01.2018 and First Appeal was filed on 21.02.2018 and the supply of information to the appellant is still pending. The Bench also takes serious note of the absence of the PIO as also the inordinate delay in supply of information to the appellant.
5. The PIO O/o Executive Officer, Municipal Council, Khanna, District Ludhiana is issued show cause notice to explain his absence for the hearing and also to explain as to why action should not be taken against him for not complying with the directions of Commission and also as to why penalty should not be

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AC No.1136/2020

imposed in the instant case for not supplying the information to the appellant and causing inordinate delay in supplying the information. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

7. The PIO is directed to supply complete information to the appellant before the next hearing as also to ensure to come in person to attend the hearing through V.C. on the next date.

8. With the above direction, the matter is adjourned. **To come up for hearing on 24.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.10.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Smt. Paramjit Kaur,
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.....Appellant

Versus

Public Information Officer

O/o Nagar Council,
Khanna, Distt. Ludhiana.

First Appellate Authority

O/o Deputy Director,
Local Govt. Department,
Ludhiana.

....Respondents

AC No.1138 of 2020

Present: (i) Smt. Paramjit Kaur, appellant
(ii) None on behalf of the PIO.

ORDER:

(Heard through Video Conferencing/On Mobile Phone)

1. This order may be read with reference to the order dated 26.08.2020 passed by this Bench on the previous date of hearing
2. The case has been heard today through V.C. at DC Office, Ludhiana. Smt. Paramjit Kaur, appellant comes present for the hearing. She states that the information asked for has not been supplied to her so far.
3. The PIO has not come present to attend the hearing nor has any representative been deputed to attend the hearing through V.C. As such, Shri Raghbir Singh, Sanitary Inspector, Municipal Council, Khanna who attended the previous hearing on behalf of the PIO, is contacted on mobile phone. He states that information has been provided to the appellant by e.mail and that the same could not be given by hand due to his ill health. He assures that the same will be given to the appellant on 22.10.2020.
4. On perusal of the case file, the Bench observes that RTI application is dated 15.01.2018 and First Appeal was filed on 21.02.2018 and the supply of information to the appellant has been delayed beyond acceptable limit. The Bench also takes serious note of the absence of the PIO as also the inordinate delay in supply of information to the appellant.
5. The PIO O/o Executive Officer, Municipal Council, Khanna, District Ludhiana is issued show cause notice to explain his absence for the hearing and also to explain as to why action should not be taken against him for not complying with the directions of Commission and also as to why penalty should not be



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AC No.1138/2020

imposed in the instant case for not supplying the information to the appellant and causing inordinate delay in supplying the information. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

7. The PIO is directed to supply complete information to the appellant before the next hearing as also to ensure to come in person to attend the hearing through V.C. on the next date.

8. With the above direction, the matter is adjourned. **To come up for hearing on 24.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.10.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Shri Ram Avtar
S/o Shri Ram Sagar
R/o H.No.1998/A, Main Barota Road,
Mohalla Guru Gobind Singh Nagar,
New Shimlapuri, New Sai
Public School, Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.2232 of 2020

Present: (i) Shri Ram Avtar, appellant
(ii) None on behalf of the PIO.

ORDER:
(Heard through Video Conferencing)

1. The RTI application is dated 11.12.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 26.02.2020 and the second appeal was filed in the Commission on 20.08.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.10.2020 by the Commission through V.C. in D.C. Office, Ludhiana. Accordingly, the case has been heard today through V.C. The appellant comes present to attend the hearing. He states that he has not been supplied any information.

3. Neither the PIO has come present to attend the hearing nor any representative has been deputed to attend the hearing through V.C. on his behalf.

4. The Bench, on perusing the case file, observes that RTI Application is dated 11.12.2019 and First Appeal is dated 27.02.2020, but the information has not been provided to the appellant so far. The Bench views the absence of the PIO as also the non-supply of information to the appellant adversely.

5. The PIO O/o Commissioner, Municipal Corporation, Ludhiana is issued show cause notice to explain his absence for the hearing and also to explain as to why action should not be taken against him for



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AC No.2232/2020

not supplying the information to the appellant and causing inordinate delay in supplying the information. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

7. The PIO is directed to supply complete information to the appellant before the next hearing as also to ensure to come in person to attend the hearing through V.C. on the next date.

8. With the above direction, the matter is adjourned. **To come up for hearing on 24.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.10.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Shri Sanjeev Kumar (Mohni)
Press Reporter, Punjab Kesri,
Jagbani, # 539/4A, Street No.1,
New Vishnupuri Road,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Principal Secretary,
Transport Department, Punjab,
Chandigarh.

First Appellate Authority-cum-

O/o Principal Secretary,
Transport Department, Punjab,
Chandigarh.

....Respondents

AC No.2294 of 2020

Present: (i) **Shri Sanjeev Kumar, Appellant**
(ii) **Shri Darshan Singh, Senior Assistant & Sh.Kuldeep Singh, Senior Assistant**
O/o Director, State Transport, Pb,, Chandigarh, in person before the Bench.

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 30.10.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 17.01.2020 and the second appeal was filed in the Commission on 25.08.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 21.10.2020 by the Commission through Video Conferencing at D.C. Office, Ludhiana. The appellant Shri Sanjeev Kumar has come present to attend the hearing through V.C. He states that he had sought information vide his RTI application of October, 2019 and had filed First Appeal in January, 2020, but still the information has not been supplied to him.
3. Shri Darshan Singh, Senior Assistant O/o Director, State Transport, Punjab attends the hearing before the Bench in person. He states that the information has been sought from the office of Principal Secretary, Transport Department, Punjab.
4. The Bench directs the PIO to supply complete information to the appellant before the next hearing, failing which penal consequences shall follow. The PIO O/o Principal Secretary, Transport Department, Punjab is also directed to come present for the next hearing.

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AC No.2294/2020

5. The PIO O/o Director, State Transport, Punjab is also directed to file an affidavit before the next hearing duly signed by the PIO and attested by the Notary Public to the effect that the requisite information as available in the official records in AC No.2294 of 2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is correct and authentic. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.11.2020 at 11.30 AM through V.C. in the office of D.C. Ludhiana.** Copies of order be sent to the concerned parties.

**Chandigarh
21.10.2020**

Sd/-
**(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Shri Sanjeev Kumar (Mohni)
Press Reporter, Punjab Kesri,
Jagbani, # 539/4A, Street No.1,
New Vishnupuri Road,
Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Director, State Transport
Department, Punjab,
Sector-17, Chandigarh.

First Appellate Authority-cum-
O/o Director, State Transport
Department, Punjab,
Sector-17, Chandigarh.

....Respondents

AC No.2298 of 2020

Present: (i) **Shri Sanjeev Kumar, Appellant**
(ii) **Shri Darshan Singh, Senior Assistant & Sh.Kuldeep Singh, Senior Assistant**
O/o Director, State Transport, Pb,, Chandigarh, in person before the Bench.

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 30.10.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 17.01.2020 and the second appeal was filed in the Commission on 25.08.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 21.10.2020 by the Commission through Video Conferencing at D.C. Office, Ludhiana. The appellant Shri Sanjeev Kumar has come present to attend the hearing through V.C. He states that he had deposited Rs.3100/- with the PIO O/o Director State Transport, Punjab for the information to be supplied, but he has received only 129 pages, whereas as per fee deposited, 1550 pages should have been provided. This amount has been sent through bank draft based on demand of amount made by the PIO.
3. Shri Darshan Singh, Senior Assistant O/o Director, State Transport, Punjab attends the hearing before the Bench in person before the Bench. He states that the information has been supplied to the appellant vide letter dated 13.10.2020.

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AC No.2298/2020

4. On the asking of the Bench, the appellant informs that he has sought information regarding the names of Technical Experts involved in the purchase of new buses and justification for release of 90% payment instead of 50% as per terms of agreement. He alleges some corrupt practices therein and effort by the Department to conceal the information

5. The Bench directs the PIO to call the appellant to his office on any working day by tying up with him and allow him access to the relevant official records. The appellant, after inspection of records, will identify the information as per his RTI application and the PIO will supply the complete information to the appellant before the next hearing, failing which penal consequences shall follow. The PIO is also directed to refund the fee of Rs.3100/- deposited by the appellant and to supply the information free of cost.

6. The PIO O/o Director, State Transport, Punjab is also directed to file an affidavit before next hearing duly signed by the PIO and attested by the Notary Public to the effect that the requisite information as available in the official records in AC No.2298 of 2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is correct and authentic. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.11.2020 at 11.30 AM through V.C. in the office of D.C. Ludhiana.** Copies of order be sent to the concerned parties.

**Chandigarh
21.10.2020**

Sd/-
**(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

