

**PUNJAB STATE INFORMATION COMMISSION  
RED CROSS BUILDING, NEAR ROSE GARDEN,  
SECTOR 16, CHANDIGARH.**



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**Helpline No.0172-2864116 (10.00 AM to 04.00 PM on working days)**

Shri. Bakshish Singh,  
# 88, New Jawahar Nagar,  
Jalandhar.

.....Appellant

Versus

**Public Information Officer**

O/o Executive Officer,  
Improvement Trust,  
Ludhiana.

**First Appellate Authority**

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

.....Respondents

**AC No.1257 of 2020**

**Present:** (i) Shri. Bakshish Singh, the appellant.  
(ii) Shri Harmit Singh, APIO O/o E.O, Improvement Trust,  
Ludhiana 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 15.02.2021 passed on the previous hearing.

2. The case has been heard today through Cisco Webex. The appellant has attended the hearing through Cisco Webex whereas he was advised to come present personally before the Commission for today's hearing. The appellant states that as per directions of the Bench, he had visited the head office of the PIO at Chandigarh on 15.03.2021 but no official record has been shown to him.

Cont..P-2

3. Shri Harmit Singh, APIO comes present to attend the hearing personally before the Bench along the original official records but the appellant is absent. He further states that complete official records have been shown to the appellant in the Head office at Chandigarh by Shri Harpal Singh and has provided the complete information to him.

4. Post deliberations, the respondent are again directed to bring the entire original records relating to the instant appeal case before the Bench on the next hearing. The PIO o/o E.O, Improvement Trust, Ludhiana is also directed to file an affidavit on non judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.1257/2020 has been provided to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be filed before the Bench on the next hearing.

5. The Appellant is again advised to come present in person on the next date of hearing at Chandigarh, failing which the case will be decided in absentia.

5. **To come up for hearing on 07.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of order be given to the concerned parties.

Sd/-

**Chandigarh  
22.03.2021**

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

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Shri. Bakshish Singh,  
# 88, New Jawahar Nagar,  
Jalandhar.

.....Appellant

Versus

**Public Information Officer**

O/o Executive Officer,  
Improvement Trust,  
Ludhiana.

**First Appellate Authority**

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

....Respondents

**AC No.1218 of 2020**

**Present:** (i) Shri. Bakshish Singh, the appellant.  
(ii) Shri Harmit Singh, APIO O/o E.O, Improvement Trust,  
Ludhiana 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 15.02.2021 passed on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant has attended the hearing through Cisco Webex whereas he was advised to present personally before the Commission for today's hearing. The appellant states that as per directions of the Bench, he had visited the head office of the PIO at Chandigarh on 15.03.2021 but no official record has been shown to him.

Cont..P-2

3. Shri Harmit Singh, APIO comes present to attend the hearing personally before the Bench along the original official records but the appellant is absent. He further states that complete official records have been shown to the appellant in the Head office at Chandigarh by Sh. Harpal Singh and has provided the complete information to him.

4. Post deliberations, the respondent is again directed to bring the entire original records relating to the instant appeal case before the Bench on the next hearing. The PIO o/o E.O, Improvement Trust, Ludhiana is also directed to file an affidavit on non judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.1218/2020 has been provided to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be filed before the Bench on the next hearing.

5. The appellant is again advised to come present in person on the next date of hearing at Chandigarh, failing which the case will be decided in absentia.

6. **To come up for hearing on 07.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of order be given to the concerned parties.

Sd/-

**Chandigarh  
22.03.2021**

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

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**Helpline NO.0172-2864100 (10.00 AM to 04.00 PM) working days**

Sh. Ravinder Walia,  
Kothi No.279, Phase-6,  
Mohali.



.....Appellant

Versus

**Public Information Officer**

O/o Estate Officer,  
GLADA, Ludhiana.

**Public Information Officer**

O/o Secretary to Govt. of Punjab,  
Department of Housing &  
Urban Development,  
Punjab Civil Secretariat-2,  
Sector-9, Chandigarh.

**First Appellate Authority-cum-,**

Estate Officer,  
GLADA, Ludhiana.

...Respondents

**AC No. 3849 of 2020**

**Present:     None of the parties.**

**ORDER:**

1.                The RTI application is dated 03.09.2020 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 01.10.2020 and the second appeal was filed in the Commission on 04.12.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2.                Notice of hearing was issued to the parties for 22.03.2021 through Cisco Webex by the Commission.

Cont...P-2

3. The appellant is absent for today's hearing. Intimation has been received from him in the Commission by email mentioning therein that he has to attend the Court of Addl. Session Judge at Panipat and has requested for hearing on 01<sup>st</sup> June, 2021.

4. Neither the PIO nor his representative is present for today's hearing. A written reply has been received from the APIO O/o GLADA, Ludhiana in the Commission vide letter dated 15.02.2021 mentioning therein that the information asked for relates to the PIO, O/o Secretary, Housing and Urban Development, Punjab. The appellant has already been intimated in this regard vide their office vide letter dated 28.10.2020. As such, the PIO, O/o Secretary, Housing and Urban Development, Punjab is impleaded as Respondent No.2. He is directed to supply information to the appellant before the next hearing. The concerned PIOs are directed to come present before the Bench on the next hearing.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 01.06.2021 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

Sd/-

**Chandigarh  
22.03.2021**

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

**Copy to (By Regd.Post)**

**Public Information Officer**  
O/o Secretary to Govt. of Punjab,  
Department of Housing &  
Urban Development,  
Punjab Civil Secretariat-2,  
Sector-9, Chandigarh.

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Shri Karamjeet Singh, S/o Sh. Maghar Singh,  
# 1169, Khanna Nagar, Road Bye Pass,  
Lehra Gaga, Distt: Sangrur.

.....Appellant

Versus

**Public Information Officer**

O/o Chairman-cum-Managing Director,  
PSPCL, Head Office, The Mall, Patiala.

**First Appellate Authority,**

O/o Chief Engineer, HRD,  
PSPCL, The Mall, Patiala

.....Respondents

**AC No.4066 of 2020**

**Present:** (i) Shri Karamjeet Singh, the appellant.  
(ii) None on behalf of the PIO.

**ORDER**

1. The RTI application is dated 31.01.2020 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 24.02.2020 and the second appeal was filed in the Commission on 10.12.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.03.2021 through Cisco Webex by the Commission.

3. The case was scheduled to be heard today through Cisco Webex. However, due to technical glitch in connectivity through Cisco Webex, the hearing could not be held through Cisco Webex. Accordingly, Shri Karamjeet Singh, appellant is contacted on mobile phone. He states that, no information has been supplied to him by the respondent, till today.

Cont..P-2

4. Neither the PIO has come present to attend the hearing nor he has deputed any of his representatives to attend the hearing on behalf nor any intimation has been given to this effect. This indifferent attitude of the PIO is viewed adversely.

5. The Public Information Officer O/o Chairman-cum-Managing Director, PSPCL, Patiala is issued show cause notice to explain his absence and as to why action should not be taken against him for not complying with the directions of Bench and also as to why penalty should not be imposed in the instant case for not supplying complete information to the appellant. The PIO 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 Bench directs the PIO to call the appellant to his office and allow him access to the relevant official records. The appellant, on inspection of the records, will identify the information required by him and the PIO will supply information as identified by the appellant, before the next hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of order be given to the concerned parties.

Sd/-

**Chandigarh  
22.03.2021**

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





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Shri Harjeet Singh,  
S/o Shri Balbir Singh  
C/o Creative Builder,  
#133-Urban Estate,  
Ram Tirath Road,  
Amritsar-143105

.....Appellant

Versus

**Public Information Officer**

O/o Deputy Commissioner,  
Amritsar.

**Public Information Officer**

O/o District Development &  
Panchayat Officer,  
Sri Muktsar Sahib.

**Public Information Officer-cum-**

Executive Engineer,  
Public Works Deptt. (B&R),  
Sri Muktsar Sahib.

**Public Information Officer-cum-**

Public Works Deptt., Panchayati Raj,  
Sri Muktsar Sahib.

**Public Information Officer-cum-**

Executive Engineer  
Punjab Mandi Board,  
Sri Muktsar Sahib.

...Respondents

**CC No. 978 of 2020**

**Present:**

- (i) Appellant- absent.
- (ii) Shri Joginder Singh, Superintendent, O/o D.C. Sri Muktsar Sahib.  
on behalf of PIO.

**ORDER:**

**(Heard through Cisco Webex)**

1. The RTI application is dated 21.09.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 07.12.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

Cont..P- 2

2. Notice of hearing was issued to the parties for 22.03.2021 by the Commission through Cisco Webex. Shri Harjeet Singh, complainant is absent for today's hearing without any intimation.

3. Shri Joginder Singh, Superintendent O/o D.C. Sri Muktsar Sahib comes present to attend the hearing through Cisco Webex. He states that the RTI application of the complainant was transferred under Section 6(3) of the RTI Act to the District Development & Panchayat Officer vide letter dated 05.11.2020.

4. The perusal of the case files shows that the said RTI application has further been transferred by the PIO O/o District Development & Panchayat Officer, Sri Muktsar Sahib to the PIO-cum-Executive Engineer, PWD, B&R), PIO-cum-Executive Engineer Panchayati Raj, Sri Muktsar Sahib and PIO-cum-Executive Engineer, Punjab Mandi Board, Sri Muktsar Sahib. The PIO O/o District Development & Panchayat Officer, Sri Muktsar Sahib, PIO-cum-Executive Engineer, PWD, B&R), PIO-cum-Executive Engineer Panchayati Raj, Sri Muktsar Sahib and PIO-cum-Executive Engineer, Punjab Mandi Board, Sri Muktsar Sahib are impleaded as Respondents No.2,3,4 & 5 respectively.

5. On perusal of the case file, the Bench observes that a letter dated 10.03.2021 is available in the case file vide which the Executive Engineer, Construction Division, B&R Branch, Sri Muktsar Sahib has informed that the reply to the appellant has been sent vide letter dated 26.02.2021 stating therein that the information relating to their office is nil. The PIOs of O/o Executive Engineer Panchayati Raj, Sri Muktsar Sahib and Executive Engineer, Punjab Mandi Board, Sri Muktsar Sahib have not come present to attend the hearing through Cisco Webex.

6. The appellant is contacted on mobile phone. He states that he has not received in any information from any of the PIOs.

Cont..P-3

7. Post deliberations, the Bench directs the PIO-cum-Executive Engineer, PWD, B&R), PIO-cum-Executive Engineer Panchayati Raj, Sri Muktsar Sahib and PIO-cum-Executive Engineer, Punjab Mandi Board, Sri Muktsar Sahib to supply the requisite information to the appellant. In case the said information is not available, then the appellant be informed in writing. They are also directed to file an affidavit duly signed by the PIO and attested by the Notary Public to the effect that the information sought by the appellant in CC No.978 of 2020 is not available in their official records. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavits be brought along on the next hearing along with the relevant official records and produced before the Bench.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.06.2021 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

Sd/-

**Chandigarh  
22.03.2021**

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

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Sh. Darshan Singh Mehmi,  
S/o Sh. Sukhram Singh,  
R/o 4576, MIG, Super Flats,  
Sector:70, Mohali.

.....Appellant

Versus

**Public Information Officer**

O/o Chief Administrator,  
GLADA, Ludhiana.

**First Appellate Authority,**

O/o Chief Administrator,  
GLADA, Ludhiana.

...Respondents

**AC No.4000 of 2020**

**Present:** (i) Shri Darshan Singh Mehmi, the appellant.  
(ii) None on behalf of the PIO.

**ORDER**

**(Heard through Cisco Webex)**

1. The RTI application is dated 01.08.2020 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 06.10.2020 and the second appeal was filed in the Commission on 10.12.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.03.2021 through Cisco Webex by the Commission.

3. The appellant states that only partial information has been received. He further states that on point nos. 1 to 3 information has been received but on point nos. 4 to 8 information is still awaited.

Cont..P-2

4. Neither the PIO has come present to attend the hearing nor he has deputed any of his representatives to attend the hearing on behalf nor has any intimation been given to this effect. This indifferent attitude of the PIO is viewed adversely.

4. The Public Information Officer O/o Chief Administrator, GLADA, Ludhiana is issued show cause notice to explain his absence and as to why action should not be taken against him for not complying with the directions of Bench and also as to why penalty should not be imposed in the instant case for not supplying complete information to the appellant. The PIO 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.

5. 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 proceedings against him ex-parte.

6. The Bench directs the PIO to provide the remaining information on point nos. 4 to 8 of the RTI application of the appellant, before the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of order be given to the concerned parties.

Sd/-

**Chandigarh  
22.03.2021**

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

CC: PIO O/o Chief Administrator, GLADA, Ludhiana (Regd. Post)

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Shri Gurdev Singh  
S/o Shri Gurbachan Singh  
# 2163, Tibbi Sahib Road,  
Gaushala Street, Sri Muktsar Sahib.

.....Appellant

Versus

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

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

....Respondents

**AC No.3312 of 2020**

**Present:** (i) Shri Gurdev Singh, the appellant.  
(ii) Shri Jyoti Raman Aggarwal, Superintendent O/o Director, State Transport, Punjab, Chandigarh.

**ORDER:**

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 28.12.2020 passed on the previous hearing.
2. Shri Gurdev Singh, appellant comes present to attend the hearing through Cisco Webex. He states that neither the PIO has called him up for inspection the record nor has provided complete information so far.
3. Shri Jyoti Raman Aggarwal, Superintendent O/o Director, State Transport, Punjab, Chandigarh comes present to attend the hearing through Cisco Webex and states that the information cannot be supplied to the appellant as the matter is sub-judice in the Hon'ble Punjab and Haryana High Court.
4. On the previous hearing, the PIO was directed to call the appellant to the office to identify information and to provide the same to the appellant and also to file an

Cont..P-2

affidavit. The PIO has done has failed to comply with the directions. The PIO has not come present in person to attend the hearing and is being represented by the APIO, which shows the casual approach of the PIO in dealing with the RTI applications and towards the orders of Commission. **The PIO O/o Director, State Transport, Punjab** is issued show cause notice to explain his absence and to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for non-supply of information to the appellant. 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.

5. 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.

6. The PIO is again directed to call the appellant to his office, before the next hearing, on any working day by tying up with him. The appellant will inspect the official records and identify the information he needs. The PIO will provide information to the appellant so identified by him.

7. The respondent is further directed to bring the entire original records relating to the instant appeal case before the Bench on the next hearing. The PIO o/o Director, State Transport, Punjab is also directed to file an affidavit on non judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.3312/2020 has been provided to

Cont..P-2



the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be filed before the Bench on the next hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of order be given to the concerned parties.

Sd/-

**Chandigarh  
22.03.2021**

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

(Regd. Post)

CC: PIO O/o Director, State Transport, Punjab (By Name)

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Shri Raj Kumar, Advocate  
R/o H.No.89, Sector-31,  
Gurugram-122001.

.....Appellant

Versus

**Public Information Officer**

O/o State Transport Commissioner,  
Punjab, Secto-17, Chandigarh.

**First Appellate Authority**

O/o State Transport Commissioner,  
Punjab, Secto-17, Chandigarh.

....Respondents

**AC No.3215 of 2020**

**Present:**

- (i) Shri Raj Kumar, the appellant.
- (ii) Shri Gurbax Singh, APIO, O/o S.T.C. Punjab, in person before the Bench on behalf of the PIO.

**ORDER:**

**(Heard through Cisco Webex)**

1. This order may be read with reference to the order dated 28.12.2020 passed on the previous hearing.
2. Shri Raj Kumar, appellant comes present to attend the hearing through Cisco Webex. He states that the PIO has not provided the information and has also not shared details of Website and Link from which the information can be accessed. The appellant further states that the office of State Transport Commissioner, Punjab is the nodal authority who is responsible for providing the entire information. As such, the PIO O/o S.T.C., Punjab be directed to provide him the information as per his RTI application even if it involves the collection of information from different SMDs-cum-Registering & Licensing Authorities in the State, as all the said offices are under the administrative control of State Transport Commissioner, Punjab.

Cont..P-2

3. Shri Gurbax Singh, APIO O/o S.T.C. Punjab, Chandigarh comes present to attend the hearing in person before the Bench. He states that information which was available in the official records of the department has been supplied. The details about the Website and Link from which additional information related to the appeal case can be accessed will be given to the appellant today itself.

4. The matter was discussed at length with the appellant and the APIO. The APIO is now directed to coordinate and provide the entire information to the appellant before the next hearing.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of order be given to the concerned parties.

**Chandigarh  
22.03.2021**

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

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Smt. Amarjit Kaur,  
W/o ShriMukhtiar Singh,  
H.No.208, Guru Nanak Colony,  
Sangrur.

.....Appellant

Versus

**Public Information Officer**

O/o Pepsu Road Transport Corporation,  
Head Office, Patiala.

**First Appellate Authority**

O/o Chairman,  
Pepsu Road Transport Corporation,  
Head Office, Patiala.

**Public Information Officer**

O/o General Manager,  
Pepsu Road Transport Corporation,  
Sangrur.

....Respondents

**AC No.3440 of 2020**

**Present:**

- (i) Appellant- absent
- (ii) Shri Hakam Singh, Senior Assistant, O/o G.M. PRTC, Sangrur on behalf of the PIO, in person before the Bench.

**ORDER:**

1. This order may be read with reference to the order dated 28.12.2020 passed during the previous hearing.
2. The appellant has not come present to attend the hearing through Cisco Webex.
3. **Shri. Hakam Singh, Senior Assistant, O/o G.M. PRTC, Sangrur** comes present in person before the Bench to attend the hearing and states that information which related with their department has been supplied to the appellant. He also filed an affidavit to this effect.

Cont..P-2

4. The appellant was contacted on mobile phone. She states that she has not received information to her satisfaction neither from the PRTC Depot, Sangrur nor PRTC, Head Office, Patiala.

5. After going through the affidavit, the Bench observes that this affidavit is neither signed by the PIO nor attested by the Notary Public. The same is not acceptable. Both the PIOs are directed to be personally present on the next date of hearing along the original records relating to the instant Appeal Case. Both the PIOs are also directed to file afresh affidavit on non judicial stamp paper to the effect that whatever information is available in the official records in AC No.3440 of 2020 has been provided to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original copy of 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 07.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of order be given to the concerned parties.

**Chandigarh  
22.03.2021**

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

**PUNJAB STATE INFORMATION COMMISSION  
RED CROSS BUILDING, NEAR ROSE GARDEN,  
SECTOR 16, CHANDIGARH.**

**Ph: 0172-2864116, Email: - [psic26@punjabmail.gov.in](mailto:psic26@punjabmail.gov.in)**

**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**

**Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)**



Er. Arun Garg S/o Shri Sham Lal  
H.No.40-41, Central Town  
Village Dad, PO Lalton Kalan,  
District Ludhiana.

.....Appellant

Versus

**Public Information Officer**  
O/o District Magistrate-cum-  
Deputy Commissioner,  
Ludhiana.

**First Appellate Authority-cum-**  
O/o Addl. Deputy Commissioner,  
Ludhiana.

....Respondents

**AC No.1313 of 2019**

**Present:** (i) **Appellant – absent.**  
(ii) **Shri Paramjot Singh, Junior Assistant O/o Deputy  
Commissioner, Ludhiana on behalf of PIO.**

**ORDER**

**(Heard through Video Conferencing)**

1. This appeal case has been transferred from the Bench of Hon'ble State Information Commissioner Ms. Preety Chawla to this Bench vide office order dated 17.11.2020. Accordingly, the notice for the initial hearing by the Bench of Lt Gen Ajae Kuamr Sharma, SIC was issued to the parties for 10.02.2021. This is the second hearing after 10.02.2021 in the instant appeal case by this Bench.

2. The case was scheduled to be heard today through Cisco Webex. The appellant Er. Arun Garg has not come present to attend the hearing through Cisco Webex.

3. On the previous hearing, Shri Paramjot Singh, Junior Assistant O/o Deputy Commissioner, Ludhiana attended the hearing through V.C. in DC Office, Ludhiana. He had stated that the appellant vide his RTI application dated 03.12.2018 had sought information regarding the action taken on his application dated 22.11.2013 with regard to reimbursement of medical expenditure incurred while he was confined to Jail. It was further stated by him that official record was searched to trace out the application, but the application dated 22.11.2013 could not be traced out. Thereafter when appeal case came up for hearing in the Court of Hon'ble State Information Commissioner, Ms. Preety Chawla, on the request of PIO, directions were issued

Cont..P-2

to the appellant to make available the copy of said application, but the same was not provided by the appellant and report to this effect was filed before the Hon'ble State Information Commissioner. The representative of the PIO had further stated that affidavit dated 04.11.2019 and another affidavit dated 12.10.2020 were filed before Hon'ble State Information Commissioner with regard to the non-availability of application of the appellant in the official records.

4. Shri Paramjot Singh, representative of the O/o Deputy Commissioner, Ludhiana comes present before the Bench for today's hearing along with the entire official documents available in the Deputy Commissioner's office related to the instant appeal case. The Bench examines the documents in detail and is convinced about the correctness of version put forth by the representative of the PIO as also the genuineness of the affidavit available in the case file.

5. The appellant is contacted on mobile phone. He is apprised of the entire version of the representative of the PIO, as stated above. He is also informed that his application dates back to the year 2013 and that, as per version of the representative of the PIO, they could not trace out his application in the official records and accordingly, the PIO had filed affidavit before the Bench of Smt. Preety Chawla, Hon'ble State Information Commissioner.

6. The appellant is aware of the stance of PIO and states that he now wants that an enquiry be ordered into the loss of his application and action be taken against the staff responsible for the lapse. He quoted judgment of Hon'ble High Court in support of his claim. The Bench, post hearing, dwelt on the case and was of the opinion that ordering an enquiry and action thereafter was in the domain of executive and not the State Information Commission.

7. The Bench observes that the version of the appellant is not tenable as it is not in the jurisdiction of the Commission to order any enquiry in any appeal case. Anyhow, the Bench affords another opportunity to the appellant to appear before the Bench and give him a personal hearing. As such, he is advised to come in person before the Bench on the next hearing. The PIO



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**AC No.1313/2019**

is also directed to appear before the Bench in person along with all the relevant official records on the next hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of order be sent to the concerned parties.

**Chandigarh  
22.03.2021**

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