

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

Fax 0172-2864110 Phone No-0172-2864120

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Tejinder Singh, Advocate,
Village Bholapur,
P.O. Ramgarh, Chandigarh Road,
Ludhiana. (141123) M: 9041004313

...Appellant

V/s.

Public Information Officer,
O/o The State Transport Commissioner, Punjab
Sector -17, Chandigarh.

Public Information Officer,
O/o The Secretary, Regional Transport Authority,
Mini Secretariat, Patiala.

Public Information Officer,
O/o The Secretary, Regional Transport Authority,
S.A.S Nagar (Mohali).

First Appellate Authority,
O/o The State Transport Commissioner, Punjab
Sector -17, Chandigarh.

...Respondents

Appeal Case No. 2316 of 2019

{Heard through Video Conference CISCO WEBEX MEETINGS Software}

Present : The Appellant, Sh. Tejinder Singh is absent.
Sh. Simran, PIO –cum ATO from O/o RTA, S.A.S Nagar (Mohali) along
with
Sh. Piara Singh, PIO is present from the O/o STC, Punjab, Chandigarh
is present.

ORDER:

This order may be read with the reference of the previous order dated 14.07.2020 vide which final opportunity was given to the concerned PIO O/o STC, Punjab, Chandigarh, also to the PIO O/o The Secretary, RTA, Patiala and to PIO O/o The Secretary RTA, S.A.S Nagar (Mohali) for appearing in person for clarifying the facts of this case and supply the information to the Appellant.

In today's hearing, the PIO of O/o RTA, S.A.S Nagar (Mohali), Sh. Simran states that the enquiry (relating to point number 02 of the RTI request) is still going on by their Secretary and further requests for 15 to 20 days of time to submit the same (i.e. enquiry report) to the Commission as well as to the Appellant.

On the other hand, Sh. Piara Singh, PIO of O/o STC, Punjab, Chandigarh states that they had nothing to do with this case as they had already transferred the RTI under section 6(3) vide email dated 09.01.2020 to the Secretary of the O/o RTA, Mohali as well as to the Secretary of O/o RTA, Patiala and he further states that he has not received any intimation from PIO O/o The Secretary, RTA, Patiala, relating to this case or about the enquiry.

The Appellant, Sh. Tejinder Singh is absent today.



After going through the case file, it has been observed that an email dated 21.09.2020 has been received in the Commission from the PIO O/o The Secretary, RTA, Patiala vide which a letter number 493 dated 21.09.2020 has been attached in which it is written that :-

“It will be in fitness of the things to write letter to the Secretary, RTA Patiala by the STC, Punjab instead of putting the matter on PIO O/o Secretary, RTA, Patiala as has been done earlier. Moreover, the decision on the enquiry report of Secretary, RTA, Patiala is supposed to be taken by the STC, Punjab.....”

After going through the above received email / letter number 493; the PIO of O/o RTA, Patiala i.e. Sh. Sham Lal is directed to look into this as it is his responsibility to collect the information from his Secretary (after enquiry) as he is representing this case in the Commission from the Secretary, RTA, Patiala and he is the PIO of the same.

On the previous hearings, it was clearly discussed in the order dated 08.01.2020 that the proper procedure was not followed by the Respondent party i.e. PIO O/o STC, Punjab, Chandigarh as there is delay in transferring the RTI to the respective RTA's. It has also been seen in the file that the RTI Application of the Appellant is dated 17.04.2019 but it has been transferred under section 6(3) to the respective RTA's i.e. PIO O/o RTA, Mohali and PIO O/o RTA, Patiala vide letter dated 09.01.2020, which is taken on record. It has also been seen that last opportunity was given to PIO O/o The State Transport Commissioner, Punjab, Chandigarh to supply the information after collecting the same from the departments but now they cannot absolve themselves from this responsibility of collecting the information from the respective PIO's of the RTA's (i.e. Patiala and Mohali).

In view of above, PIO O/o The State Transport Commissioner, Punjab, Chandigarh is directed to look into this matter and direct both the respective PIO's (i.e. of RTA Mohali and of RTA Patiala) to supply the information to the Appellant along with a copy to the Commission or PIO O/o STC, Punjab, Chandigarh is directed to supply the information after collecting the same from both the PIO's, before the next date of hearing.

Previously, last opportunity was given to the Public Information Officer office of Secretary, Regional Transport Authority, Patiala as well as to the Public Information Officer office of Secretary, Regional Transport Authority, S.A.S Nagar (Mohali) and both were directed to represent the case in person or through his representative on the next date of hearing to clear the facts of this case, **but today none came present from the O/o Secretary, RTA, Patiala and Sh. Simran, PIO O/o Secretary, RTA, S.A.S Nagar (Mohali) request for some time.**



Commission takes a serious view of the casual approach against both the PIO's i.e. Sh. Sham Lal, PIO O/o The Secretary, RTA, Patiala and Sh. Simran, PIO O/o The Secretary, RTA, S.A.S Nagar (Mohali) for delay in supplying the information to the Appellant and for non compliance of the previous orders.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to the 'concerned' PIO's i.e. PIO O/o The Secretary, Regional Transport Authority, Patiala and PIO O/o The Secretary, Regional Transport Authority, S.A.S, Nagar (Mohali); as to why penalty be not imposed upon him /them for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

In addition, the PIO's (i.e. both) are also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing.

Both the concerned PIO's are directed to supply requisite information to the Appellant, by registered post or through email along with a copy to the Commission by the next date of hearing, **failing which a strict action would be taken against the both.**

Both the concerned PIO's i.e. O/o The Secretary, RTA, Patiala and O/o The Secretary, RTA, S.A.S Nagar (Mohali) concerned are also directed to be present in person along with the postal receipt or along with a copy of email, through which information would be sent to the Appellant, on the next date of hearing

The Appellant is advised to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to '15.12.2020 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 15.12.2020, which is going to be heard through Video Conference Software/ Application Cisco Webex Meetings.

Copies of the orders be sent to the parties.

Dated: 22.09.2020

Sd/-
(Sanjiv Garg)
State Information Commissioner
Punjab

Show Cause:

{Regd. Post} Public Information Officer,
O/o The Secretary,
Regional Transport Authority, Patiala.

Show Cause:

{Regd. Post} Public Information Officer,
O/o The Secretary,
Regional Transport Authority, S.A.S Nagar. (Mohali)

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Tejinder Singh, Advocate,
Village Bholapur,
P.O. Ramgarh, Chandigarh Road,
Ludhiana. (141123) M: 9041004313

...Appellant

V/s.

Public Information Officer,
O/o The State Transport Commissioner, Punjab
Sector -17, Chandigarh.

First Appellate Authority,
O/o The State Transport Commissioner, Punjab
Sector -17, Chandigarh.

...Respondents

Appeal Case No. 2652 of 2019

{Heard through Video Conference CISCO WEBEX MEETINGS Software}

Present : The Appellant, Sh. Tejinder Singh is absent.
Sh. Piara Singh, PIO from O/o STC, Punjab, Chandigarh is present.

ORDER:

This order may be read with the reference of the previous order dated 14.07.2020

In today's hearing, the PIO, Sh. Piara Singh states that the information has already been supplied to the Appellant. He further mentions about the previous hearing dated 14.07.2020, in which it has already been discussed. Also, he further mentions about an email dated 18.09.2020 vide which the information has been sent to the Appellant as well as the Commission, which is taken on record.

The Appellant, Sh. Tejinder Singh is absent in today's hearing but an email dated 22.09.2020 has been received in the Commission vide which he has requested for an adjournment as he would not be able to attend the today's hearing.

After going through the case file, it has been observed that on dated 18.09.2020 several documents has been sent to the Commission as well as to the Appellant vide email. The PIO concerned is directed to be present in person or through any of his representative on the next date of hearing.

The Appellant is advised to go through the requisite information and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, along with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to '15.12.2020 at 11:00 A.M.' through Video Conference Software/ Application Cisco Webex Meetings Software.

Copies of the orders be sent to the parties.

Dated: 22.09.2020

Sd/-
(Sanjiv Garg)
State Information Commissioner
Punjab

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Tejinder Singh, Advocate,
Village Bholapur,
P.O. Ramgarh, Chandigarh Road,
Ludhiana. (141123) **M: 9041004313**

...Appellant

V/s.

Public Information Officer,
O/o The Principal Secretary to the Govt. of Punjab,
Department of Transport, Punjab,
Mini Secretariat, Sector-9, Chandigarh.

First Appellate Authority,
O/o The Principal Secretary to the Govt. of Punjab,
Department of Transport, Punjab,
Mini Secretariat, Sector-9, Chandigarh.

...Respondents

Appeal Case No. 2653 of 2019

{Heard through Video Conference CISCO WEBEX MEETINGS Software}

Present : The Appellant, Sh. Tejinder Singh is absent.
Sh. Piara Singh, PIO from O/o STC, Punjab, Chandigarh is present.

ORDER:

This order may be read with the reference of the previous order dated 14.07.2020

In today's hearing, the PIO, Sh. Piara Singh states that the information has already been supplied to the Appellant. He further mentions about the previous hearing dated 14.07.2020, in which it has already been discussed. Also, he further mentions about an email dated 18.09.2020 vide which the information has been sent to the Appellant as well as the Commission, which is taken on record.

The Appellant, Sh. Tejinder Singh is absent in today's hearing but an email dated 22.09.2020 has been received in the Commission vide which he has requested for an adjournment as he would not be able to attend the today's hearing.

After going through the case file, it has been observed that the information which has been sent to the Commission as well as to the Appellant vide email dated 18.09.2020 is same in both the cases i.e. AC: 2653 of 2019 (present case) and in another case i.e. AC: 2652 of 2019, also heard today, which is unacceptable as the subject matter of both the cases (i.e. RTI's) are different. On asking the same to Sh. Piara Singh, to which he states that he does not know about this, as he had same RTI's applications in his both the case files and further assures that he would visit the office of the Commission today and collect the copy of the RTI Application, so that the information could be supplied to the Appellant as soon as possible.

After going through the above mentioned email i.e. 18.09.2020, it has been observed that the information which has been sent through email pertains to AC: 2652 of 2019 not with this present case i.e. AC: 2653 of 2019, though it has been sent in both the cases.

Commission takes a serious view of the casual approach of the Respondent/ PIO and the PIO is directed to supply requisite information to the Appellant, by registered post or



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through email along with a copy to the Commission by the next date of hearing, failing which a strict action would be taken against the PIO. The PIO concerned is also directed to be present in person along with the postal receipt or along with a copy of email, through which information would be sent to the Appellant, on the next date of hearing.

The Appellant is advised to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to '15.12.2020 at 11:00 A.M.' through Video Conference Software/ Application Cisco Webex Meetings Software.

Copies of the orders be sent to the parties.

Dated: 22.09.2020

Sd/-
(Sanjiv Garg)
State Information Commissioner
Punjab

Note: After the hearing was over, the PIO, Sh. Piara Singh visited the office of the State Information Commission, Sector-16, Chandigarh and collected the RTI Application on dated 22.09.2020 relating to this case i.e. AC: 2653 of 2019 by hand.

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Sh. Tejinder Singh, Advocate,
Village Bholapur,
P.O. Ramgarh, Chandigarh Road,
Ludhiana. (141123) M: 9041004313

...Appellant

V/s.

Public Information Officer,
O/o The Hon'ble Minister,
Department of Health, Punjab,
Punjab Civil Secretariat, Chandigarh (Punjab)

...Respondents

Complaint Case No. 04 of 2019

{Heard through Video Conference CISCO WEBEX MEETINGS Software}

Present : The Complainant, Sh. Tejinder Singh is absent.
None is present on behalf of Respondent/ PIO.

ORDER:

This order may be read with the reference of the previous order dated 14.07.2020.

In today's hearing, the Complainant, Sh. Tejinder Singh is absent but an email dated 22.09.2020 has been received in the Commission vide which he has requested for an adjournment as he would not be able to attend the today's hearing.

On the other hand, nobody is present from the Respondent/ PIO but during the phone conversation with the Statistical Assistant, Sh. Sukhdev Singh, on dated 21.09.2020 i.e. yesterday, he orally stated that he would not be able to attend the tomorrow's hearing relating to this case as he and his whole family is under quarantine situation and the concerned file relating to this case is in the office. On the phone, he further states that the message had already been conveyed to his office as well to Ms. Kamlesh Kumari, Superintendent –cum- PIO, who is going to attend tomorrow's hearing.

But today, nobody came present from the Respondent/ PIO.

After going through the case file, it has been observed on the previous hearing dated 14.07.2020 a letter has been received in the Commission vide diary number 8025 dated 13.07.2020 vide which the Statistical Assistant, Sh. Sukhdev Singh (from O/o The Food and Drug Administration, Punjab) requests for an adjournment as he would not be able to attend the hearing dated 14.07.2020, which was taken on record.

In view of above, this clarifies that this case is going to be represented by PIO O/o The Food and Drug Administration, Punjab and also in the last order dated 14.07.2020, an opportunity was given to the Respondent/ PIO to appear in person or through any of his representative along with the postal receipt or along with a copy of an email, through which the information would be sent to the Complainant, on the next date of hearing, **but they failed to do so.**

Complaint Case No. 04 of 2019

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Commission takes a serious view of the casual approach of the Respondent/ PIO.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to the 'concerned' PIO O/o Food and Drug Administration, Punjab as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing.

A copy of the RTI request be sent to the PIO through registered post along with this order.

In view of above, the Respondent/ PIO (i.e. O/o The Food and Drug Administration, Punjab) is advised to supply the requisite information to the Complainant, by registered post or through email along with a copy to the Commission, before the next date of hearing.

The Respondent/PIO concerned is also advised to appear in person along with the postal receipt or submits a copy of email, through which information would be sent to the Appellant, on the next date of hearing.

The Complainant is advised to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to '15.12.2020 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 15.12.2020, which is going to be heard through **Video Conference Software/ Application Cisco Webex Meetings.**

Copies of the orders be sent to the parties.

Dated: 22.09.2020

Sd/-
(Sanjiv Garg)
State Information Commissioner
Punjab

Show Cause:

{Regd. Post} Public Information Officer,
O/o The Food and Drug Administration, Punjab,
Near Civil Hospital, Kharar (Distt. Mohali)
{ Encl. RTI Application. }

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Manjit Singh, S/o Sh. Gurcharan Singh,

Village Maanne Majra,

Tehsil Chamkaur Sahib,

Distt. Rupnagar. M: 84274-98620

...Appellant

V/s.

Public Information Officer,

O/o The Director, State Transport, Punjab

Sector -17, Chandigarh.

First Appellate Authority,

O/o The Director, State Transport, Punjab

Sector -17, Chandigarh.

...Respondents

Appeal Case No. 307 of 2020

{Heard through Video Conference CISCO WEBEX MEETINGS Software}

Present : The Appellant, Sh. Manjit Singh is present.

Sh. Darshan Singh, Senior Assistant is present on behalf of Respondent/
PIO.

ORDER:

This case was last heard on 14.07.2020 with the directions to the Respondent/ PIO to supply the information to the Appellant, Sh. Manjit Singh before the next date of hearing.

In today's hearing, the Appellant, Sh. Manjit Singh states that partial information has been supplied to him.

On this, Sh. Darshan Singh states that the Appellant is sitting next to him and as soon as the Appellant will write the deficiencies to them and on that they will supply the information again (after removing the deficiencies) to the Appellant with 15 to 20 days.

In view of above, the Appellant is directed to point out the deficiencies in written to the Respondent/ PIO by today itself along with a copy to the Commission failing which it will be presumed that he is satisfied with the supplied information or he does not want the information anymore.

In view of above, the concerned PIO/Respondent is directed to supply requisite information (after removing the deficiencies) to the Appellant, by registered post or through email along with a copy to the Commission by the next date of hearing, failing which a strict action would be taken against the PIO. The PIO concerned is also directed to be present in person along with the postal receipt or along with a copy of email, through which information would be sent to the Appellant, on the next date of hearing.

The Appellant is advised to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to '15.12.2020 at 11:00 A.M.' through Video Conference Software/ Application Cisco Webex Meetings Software.

Copies of the orders be sent to the parties.

Dated: 22.09.2020

Sd/-
(Sanjiv Garg)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Manjit Singh, S/o Sh. Gurcharan Singh,
Village Maanne Majra,
Tehsil Chamkaur Sahib,
Distt. Rupnagar. **M: 84274-98620**

...Appellant

V/s.

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

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

...Respondents

Appeal Case No. 309 of 2020

{Heard through Video Conference CISCO WEBEX MEETINGS Software}

Present : The Appellant, Sh. Manjit Singh is present.
Sh. Darshan Singh, Senior Assistant is present on behalf of Respondent/
PIO.

ORDER:

This case was last heard on 14.07.2020 with the directions to the Respondent/ PIO to supply the information to the Appellant, Sh. Manjit Singh before the next date of hearing.

In today's hearing, the Appellant, Sh. Manjit Singh states that partial information has been supplied to him.

On this, Sh. Darshan Singh states that the Appellant is sitting next to him and as soon as the Appellant will write the deficiencies to them and on that they will supply the information again (after removing the deficiencies) to the Appellant with 15 to 20 days.

In view of above, the Appellant is directed to point out the deficiencies in written to the Respondent/ PIO by today itself along with a copy to the Commission failing which it will be presumed that he is satisfied with the supplied information or he does not want the information anymore.

In view of above, the concerned PIO/Respondent is directed to supply requisite information (after removing the deficiencies) to the Appellant, by registered post or through email along with a copy to the Commission by the next date of hearing, failing which a strict action would be taken against the PIO. The PIO concerned is also directed to be present in person along with the postal receipt or along with a copy of email, through which information would be sent to the Appellant, on the next date of hearing.

The Appellant is advised to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to '15.12.2020 at 11:00 A.M.' through Video Conference Software/ Application Cisco Webex Meetings Software.

Copies of the orders be sent to the parties.

Dated: 22.09.2020

Sd/-
(Sanjiv Garg)
State Information Commissioner
Punjab

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Manjit Singh, S/o Sh. Gurcharan Singh,

Village Maanne Majra,

Tehsil Chamkaur Sahib,

Distt. Rupnagar. M: 84274-98620

...Complainant

V/s.

Public Information Officer,

O/o The State Transport Commissioner, Punjab

Sector -17, Chandigarh.

...Respondents

Complaint Case No. 638 of 2019

{Heard through Video Conference CISCO WEBEX MEETINGS Software}

Present : The Appellant, Sh. Manjit Singh is present.
Sh. Piara Singh, PIO is present.

ORDER:

This case was last heard on 14.07.2020 with the directions to the Respondent/ PIO to supply the information to the Complainant, Sh. Manjit Singh before the next date of hearing.

In today's hearing, the Complainant, Sh. Manjit Singh states that partial information has been supplied to him and he further states that total 165 pages has been received by him.

On this, Sh. Piara Singh states that the information has been supplied to the Complainant and if there are deficiencies in the same then the Complainant will write the deficiencies to them and on that they will supply the information again (after removing the deficiencies) to the Complainant with 15 to 20 days.

In view of above, the Complainant is directed to point out the deficiencies in written to the Respondent/ PIO by today itself along with a copy to the Commission failing which it will be presumed that he is satisfied with the supplied information or he does not wants the information anymore.

In view of above, the concerned PIO/Respondent is advised to supply requisite information (after removing the deficiencies) to the Complainant, by registered post or through email along with a copy to the Commission by the next date of hearing, failing which a strict action would be taken against the PIO. The PIO concerned is also advised to be present in person along with the postal receipt or along with a copy of email, through which information would be sent to the Appellant, on the next date of hearing.

The Complainant is advised to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to '15.12.2020 at 11:00 A.M.' through Video Conference Software/ Application Cisco Webex Meetings Software.

Copies of the orders be sent to the parties.

Dated: 22.09.2020

**Sd/-
(Sanjiv Garg)
State Information Commissioner
Punjab**

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Manjit Singh, S/o Sh. Gurcharan Singh,

Village Maanne Majra,

Tehsil Chamkaur Sahib,

Distt. Rupnagar. M: 84274-98620

...Complainant

V/s.

Public Information Officer,

O/o The Director, State Transport, Punjab

Sector -17, Chandigarh.

...Respondents

Complainant Case No. 74 of 2020

{Heard through Video Conference CISCO WEBEX MEETINGS Software}

Present : The Appellant, Sh. Manjit Singh is present.
Sh. Darshan Singh, Senior Assistant is present on behalf of Respondent/
PIO.

ORDER:

This case was last heard on 14.07.2020 with the directions to the Respondent/ PIO to supply the information to the Appellant, Sh. Manjit Singh before the next date of hearing.

In today's hearing, the Complainant, Sh. Manjit Singh states that partial information has been supplied to him.

On this, Sh. Darshan Singh states that the Complainant is sitting next to him and as soon as the Complainant will write the deficiencies to them and on that they will supply the information again (after removing the deficiencies) to the Complainant with 15 to 20 days.

In view of above, the Complainant is directed to point out the deficiencies in written to the Respondent/ PIO by today itself along with a copy to the Commission failing which it will be presumed that he is satisfied with the supplied information or he does not want the information anymore.

In view of above, the concerned PIO/Respondent is advised to supply requisite information (after removing the deficiencies) to the Complainant, by registered post or through email along with a copy to the Commission by the next date of hearing, failing which a strict action would be taken against the PIO. The PIO concerned is also advised to be present in person along with the postal receipt or along with a copy of email, through which information would be sent to the Appellant, on the next date of hearing.

The Complainant is advised to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to '15.12.2020 at 11:00 A.M.' through Video Conference Software/ Application Cisco Webex Meetings Software.

Copies of the orders be sent to the parties.

Dated: 22.09.2020

Sd/-
(Sanjiv Garg)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Ravi Kant , S/o Sansari Lal,
R/o Krishana Bazzar, Ward Number 04,
Dhariwal.

...Appellant

V/s.

Public Information Officer,
O/o The Executive Officer,
Municipal Council, Dhariwal.

First Appellate Authority,
O/o The Deputy Director,
Local Government Department,
Amritsar.

...Respondents

Appeal Case No. 18 of 2020

{Heard through Video Conference CISCO WEBEX MEETINGS Software}

Present : The Appellant, Sh. Ravi Kant is present.
Advocate, Sh. Vishvajit Bedi is present on behalf of the Respondent/ PIO..

ORDER:

This order may be read with the reference of the previous order dated 14.07.2020.

In today's hearing, the Appellant, Sh. Ravi Kant states that as per the directions in the previous order he visited the concerned office on 28.07.2020 for collecting the specific record after inspection but the Respondent denied the same and the inspection could not took place.

On this, the representative of the Respondent/ PIO, Advocate, Sh. Vishvajit Bedi states that the PIO has been changed, so due to some reasons the inspection could not take place and he further assures that the Appellant could now visit at their office and the concerned person will help them in the inspection and will give the record.

After discussing with both the parties, the Appellant is directed to visit the concerned office on **22.10.2020 at 11:00 A.M.** for inspection of records and collect the specific records i.e. upto 400 pages after identifying the records as per his RTI Application. **The PIO, Sh. Arun Kumar and other concerned officials are directed to be present there on the said date and time to facilitate the Appellant for inspection of records and to supply the specific record (upto 400 pages) after inspection.** If the Appellant doesn't visit for inspection at the above said date and time then it will be presumed that the Appellant is satisfied and he doesn't require the information anymore and the case will be decided on merits.

Commission takes a very serious view of the casual approach of the PIO, as the information relating to the concerned RTI is still pending.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to the 'concerned' PIO O/o The Executive Officer, Municipal Council, Dhariwal,



as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing.

This case is adjourned to '15.12.2020 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 15.12.2020, which is going to be heard through Video Conference Software/ Application Cisco Webex Meetings.

Copies of the orders be sent to the parties.

Dated: 22.09.2020

Show Cause:

**{Regd. Post} Public Information Officer,
O/o The Executive Officer,
Municipal Council,
Dhariwal.**

Sd/-
(Sanjiv Garg)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

Fax 0172-2864110 Phone No-0172-2864120

Email: psic31@punjabmail.gov.in Visit us - www.infocommpunjab.com

Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Ravi Kant , S/o Sansari Lal,
R/o Krishana Bazzar, Ward Number 04,
Dhariwal.

...Appellant

V/s.

Public Information Officer,
O/o The Executive Officer,
Municipal Council, Dhariwal.

First Appellate Authority,
O/o The Deputy Director,
Local Government Department,
Amritsar.

...Respondents

Appeal Case No. 4417 of 2019

{Heard through Video Conference CISCO WEBEX MEETINGS Software}

Present : The Appellant, Sh. Ravi Kant is present.
Advocate, Sh. Vishvajit Bedi is present on behalf of the Respondent/ PIO..

ORDER:

This order may be read with the reference of the previous order dated 14.07.2020.

In today's hearing, the Appellant, Sh. Ravi Kant states that as per the directions in the previous order he visited the concerned office on 28.07.2020 for collecting the specific record after inspection but the Respondent denied the same and the inspection could not take place.

On this, the representative of the Respondent/ PIO, Advocate, Sh. Vishvajit Bedi states that the PIO has been changed, so due to some reasons the inspection could not take place and he further assures that the Appellant could now visit at their office and the concerned person will help them in the inspection and will give the record.

After discussing with both the parties, the Appellant is directed to visit the concerned office on **22.10.2020 at 11:00 A.M.** for inspection of records and collect the specific records i.e. upto 400 pages after identifying the records as per his RTI Application. **The PIO, Sh. Arun Kumar and other concerned officials are directed to be present there on the said date and time to facilitate the Appellant for inspection of records and to supply the specific record (upto 400 pages) after inspection.** If the Appellant doesn't visit for inspection at the above said date and time then it will be presumed that the Appellant is satisfied and he doesn't require the information anymore and the case will be decided on merits.

Commission takes a very serious view of the casual approach of the PIO, as the information relating to the concerned RTI is still pending.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to the 'concerned' PIO O/o The Executive Officer, Municipal Council, Dhariwal,



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