

Sh. Tahaf Bains, S/o Sh.Dipender Singh,  
# 1562, Sector-18-D, Chandigarh.

.....Appellant

Versus

**Public Information Officer,**  
O/o Sub Registrar, Jalalabad,  
Distt.Fazilka..

**First Appellate Authority,**  
O/o SDM, Jalalabad,  
Distt. FAzilka.

..Respondent

**Appeal Case No. 3838 of 2018**

**Present:       None for the   Appellant**  
**Sh.D.P.Panday Tehsildar   Jalalabad for the Respondent**

**Order:**

This order be read in continuation to the earlier order.

The case was last heard on **07.07.2020** through video conferencing at DAC Fazilka, the respondent present pleaded that the information available in the record has been provided to the appellant. The appellant was not satisfied. The Commission received observations of the appellant which were taken on the file of the Commission.

Hearing both the parties, the PIO was directed to bring entire record to the Commission at the next date of hearing. A copy of the observations was attached with the order for the PIO. The appellant was directed to appear personally on the next date of hearing to plead his case.

**Hearing dated 22.09.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent has asked for some more time to provide the remaining information. The appellant is absent.

The case is adjourned. To come up for further hearing on **10.11.2020 at 11.00 AM.**

**Chandigarh**  
**Dated: 22.09.2020**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to PIO-Deputy Commissioner,**  
**Fazilka.**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: - [psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh Mukhtiar Singh, S/o Sh Hukam Singh,  
R/o Basti Kamer Wala, Tehil jalalabad,  
Distt Fazilka.

... Complainant

Versus

**Public Information Officer,**  
O/o ADC, (D),  
Fazilka.

...Respondent

**Complaint Case No. 523 of 2019**

**PRESENT: Sh.Mukhtiar Singh as the Complainant**  
**Sh.Vipal Kumar, IT Manager, MGNREGA for the Respondent**

**ORDER:**

The case was first heard on 21.10.2019. Both the parties were absent. Having gone through the record, the Commission observed that despite deposit of requisite fee by the complainant, the PIO did not provide the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to** file reply on an affidavit. The PIO was again directed to provide the information within 10 days and send a compliance report to the Commission.

The case was again heard on **08.01.2020**. The complainant claimed that the PIO has not provided the information. The respondent was absent on 2<sup>nd</sup> consecutive hearing nor has sent any reply to the show cause notice. The PIO was given one last opportunity to provide the information to the complainant and appear before the Commission on the next date of hearing alongwith written reply to the show cause notice on an affidavit.

On the date of hearing on **10.06.2020**, the respondent present from the office of ADC(D) pleaded that since the information relates to BDPO Jalalabad, the RTI application was transferred to them. The respondent further informed that the some of the information has been provided to the complainant by the concerned panchayat secretary.

The PIO-BDPO was absent nor had sent any reply to the show cause notice. The PIO-BDPO-Jalalabad was given one last opportunity to appear before the Commission on the next date of hearing alongwith the reply to the show cause notice on an affidavit.

The PIO-ADC(D) was directed to clarify-

- Who was the PIO-BDPO when the RTI application was filed;
- Who was the PIO-BDPO when the show cause notice was issued

**Hearing dated 22.09.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. The appellant claims that the PIO has not provided the information. The BDPO Jalalabad is absent nor has sent any reply to the show cause notice.

The respondent present from MGNREGA informed that due to death of a relative of Panchayat Secretary, the Panchayat Secretary has not appeared.

### **Complaint Case No. 523 of 2019**

The Commission observes that the appellant to collect the information had to suffer undue inconvenience, thus I find it to be a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO-BDPO Jalalabad is directed to pay an amount of **Rs.3000/-** via demand draft drawn through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant. The PIO-BDPO is also directed to provide the information to the complainant within 10 days and appear personally on the next date of hearing.

The case is adjourned. To come up for further hearing on **10.11.2020** at **11.00 AM** **through video** conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated 22.09.2020**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to PIO-Block Development and Panchayat Officer**  
**(BDPO), Jalalabad(Pb)**



Sh Prem Singh, S/o Sh Jaspal sikh,  
VPO Amar Pura, Tehsil Abohar,  
Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o SDM, Abohar,  
Distt Fazilka.

**First Appellate Authority,**  
O/o SDM, Abohar,  
Fazilka.

...Respondent

**Appeal Case No. 1167 of 2019**

**PRESENT:**    **Sh.Prem Singh as the Appellant**  
                  **Sh.J.S.Brar, Tehsildar Abohar and Ms.Shruti O/o State Election**  
                  **Commission, for the Respondent**

**ORDER:**

The case was first heard on 31.07.2019. The respondent submitted a letter signed by the PIO-cum-SDM-Abohar dated 26.07.2019 stating that since the record regarding nomination form was taken from the returning officer of the concerned block, after taking necessary action, the record files had been deposited in sealed cover with the ADC(Development), Fazilka. The respondent further pleaded that since the information relates to the District Development and Panchayat Officer-cum-Returning Officer, Abohar, the RTI application had been transferred to them vide letter dated 16.01.2019 and the reply was sent to the appellant.

The appellant was absent and vide email sought adjournment. The PIO-DDPO-cum-Returning Officer, Abohar was impleaded in the case and directed to provide the information to the appellant.

The case was again heard on 19.12.2019. Both the parties were absent. The case was adjourned.

The case was again heard on **13.01.2020**. The respondent present pleaded that since as per order of the Deputy Commissioner, the record stands sealed and it can only be opened with the order of the Court or the State Election Commission, Punjab. The PIO-State Election Commission, Punjab is impleaded and directed to take note of the Deputy Commissioner, Fazilka and file a suitable reply to the Commission. A Copy of reply/note of DC, Fazilka was enclosed with the order for State Election Commission.

The case was last heard on **10.6.2020**. The respondent present from the office of Election Commission pleaded that they have already sent a copy of rule 39(2) to the concerned DC-cum-District Election Officer and ADC vide letter dated 05.02.2020 with the direction to provide the information to the appellant as per rules. A copy of the same was submitted to the Commission.

The respondent present from the office of DDPO pleaded that the record has been deposited with BDPO office Fazilka. The appellant claimed that he had filed RTI application on 29.12.2018 and the last date of nomination was 31.12.2018. He claimed that when the information was sought, the documents were in the custody of SDM-Abohar who was responsible for conducting the election.

The Commission observed that even though it was a case where the information was easily accessible by the public authority, however, when the appellant had filed the application, the information was held by SDM-Abohar. The Commission directed that this information be provided by following due procedure. The PIO-SDM Abohar was directed to procure it even it is in the custody of the BDPO and provide to the appellant.

**Hearing dated 22.09.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present informed that after completion of Panchayat election process, the record is deposited with ADC(D) and the information is in the custody of ADC(D). The respondent present from the office of Election Commission informed that they have already submitted copy of rule/procedure to be followed for supply of information.

The PIO-ADC(D) is directed to provide the information to the appellant by following due procedure.

To come up for further hearing on **10.11.2020** at **11.00 AM** through video conference facility available in the office of Deputy Commissioner, **Fazilka**. **PIO-State** Election Commission to appear at Chandigarh.

**Chandigarh**  
**Dated:22.09.2020**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to :1. PIO-State Election Commission,Punjab**  
**SCO-49,Sector 17-E, Chandigarh.**

**2. ADC(Development) Fazilka**



Sh Ajay Kumar, S/o Lt Sh Ram Rakha,  
H No-A-1346, Street No-1, Radha Swami Colony,  
Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o DC,  
Fazilka.

**First Appellate Authority,**  
O/o DC,  
Fazilka.

...Respondent

**Appeal Case No. 3560 of 2019**

**PRESENT: Sh.Ajay Kumar as the Appellant**  
**Sh.Des Raj, DEO(Primary) Fazilka for the Respondent**

**ORDER:** The case was first heard on 22.01.2020. The respondent present pleaded that since the information relates to the District Education Officer, they have already transferred the RTI application to them under section 6(3) vide letter dated 10.06.2019. The respondent from Education department was absent and vide email has sought exemption on the plea that the dealing assistant is on leave due to illness.

Having gone through the file, the Commission observed that there has been an enormous delay of 7 months in sending the reply and directed the PIO-District Education Officer(Primary) Fazilka to appear personally on the next date of hearing and explain the reasons for delay in attending to the RTI application. The appellant was absent and vide email has sought exemption.

The case was last heard on **10.06.2020** through video conferencing at DAC, Fazilka. The respondent present pleaded that the information has been provided to the appellant by hand on 10.01.2020. The appellant was absent nor had pointed out any discrepancies.

Since there has been an enormous delay of 7 months in attending to the RTI application, and the PIO-District Education Officer(Primary) as per earlier direction did not appear appear personally nor filed any reasons for delay in attending to the RTI application, the PIO- District Education Officer(Primary) Fazilka was issued a **show cause under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit as well as** appear before the Commission along with the written replies.

**Hearing dated 22.09.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. As per respondent, the information has been provided. The appellant is not satisfied.

Having gone through the RTI application and hearing both the parties, the following is concluded:

- |           |   |  |
|-----------|---|--|
| - Point-1 | - | As per respondent, the approval was granted to the Committee once only and the reply has been provided to the appellant. |
| - Point-2 | - | Information provided   |
| - Point-3 | - | As per respondent, no advertisement was published and information has been provided.                                     |
| - Point-4 | - | As per respondent, no govt employee is working and the information has been provided                                     |

**Appeal Case No. 3560 of 2019**

The PIO is directed to provide all the points on an affidavit.

The respondent has submitted reply to the show cause notice which has been taken on the file of the Commission. The decision on the show cause will be taken on the next date of hearing.

The case is adjourned. To come up for further hearing on **10.11.2020** at **11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

Sd/-

**Chandigarh**  
**Dated 22.09.2020**

**(Khushwant Singh)**  
**State Information Commissioner**

**CC to PIO-District Education Officer(Primary),**  
**Fazilka.**



Sh. Vipandeep Verma, S/o Sh.KrishanLal,  
VPO KoharianWali, Tehsil &Distt.Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o District & Session Judge,  
Fazilka.

**First Appellate Authority,**  
O/o District & Session Judge,  
Fazilka.

...Respondent

**Appeal Case No. 3458 of 2019**

**PRESENT: Sh.Prem Singh for the Appellant**  
**Sh.Ramjan Khan, Chief Administrative Officer for the Respondent**

**ORDER:**

The appellant through RTI application dated 18.06.2019 has sought information regarding total number of candidates applied for the post of peon in response to advertisement published by District and Session Judge Fazilka – SC/ST/OBC category merit list and other information concerning the office of District and Session Judge, Fazilka. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 26.07.2019.

The case was first heard on 07.01.2020. Both the parties were absent. In the appeal, the appellant had informed that the PIO has denied the information citing section 8(1) of the RTI Act. However, it is not on record.

Having gone through the RTI application, the Commission was of the considered view that this information cannot be held back or denied as the disclosure does not violate any of the provisions of Section 8 which highlights the exemption from disclosure of information. The information was ordered to be provided on all the points.

The case was last heard on **10.06.2020** through video conferencing at DAC Fazilka. The appellant stated that the PIO has not provided the complete information. The respondent was absent and sent his reply dated 21.12.2019 received in the Commission on 09.01.2020 which was taken on the file of the Commission.

The case was adjourned. The PIO was directed to ensure his presence on the next date of hearing.

**Hearing dated 22.09.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. As per respondent, the information has been provided. As per appellant, the information is incomplete.



**Appeal Case No. 3458 of 2019**

Having gone through the RTI application, reply of the PIO and hearing both the parties, the following is concluded:

Point-1	As per appellant, the PIO has provided only number of candidates applied but has not supplied the list of candidates	The PIO to provide total list via hard copy or through email
Point-2	As per appellant, the PIO has denied the information	PIO to provide merit list
Point-3	As per respondent, information stands provided	Appellant has not received. The PIO to provide the selection criteria
Point-4	As per respondent, information has been provided	<p>Appellant is not satisfied and stated that the respondent has provided only number of candidates selected but not provided their qualification and name of firm/organization from which the selected candidates obtained experience.</p> <p>The Commission observes that since the advertisement asked for the work experience as part of the selection criteria, the same cannot be denied by the PIO. Work experience certificates are an integral part of the process to get a job and are open to public scrutiny, hence they be provided.</p>

To come up for further hearing on **10.11.2020** at **11.00 AM** through video conference facility available in the office of **Deputy Commissioner, Fazilka**.

**Chandigarh**  
**Dated 22.09.2020**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: - [psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh. Mohan Lal, S/o Sh Raj Kumar,  
175, Military Hospital, Cantt.Abohar,  
Distt.Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o EO, Nagar Council,  
Abohar, Distt.Fazilka.

**First Appellate Authority,**  
Deputy Director,  
Local Govt, Ferozepur.

...Respondent

**Appeal Case No. 1970 of 2019**

**PRESENT: Sh.MohanLal as the Appellant**  
**Sh.Ramesh Kumar, Clerk O/o EO-MC Abohaar for the Respondent**

**ORDER:**

The case was first heard on 21.10.2019. Both the parties were absent. The case was adjourned.

The case was again heard on **23.12.2019**. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated the PIO has only sent a reply vide letter dated 17.10.2019 stating that the NC Abohar has not awarded any contract for parking.

The Commission observed that the PIO's reply was absolutely ambiguous and PIO was trying to use delaying tactics. The PIO was directed to relook at the RTI application and provide point-wise information to the appellant. The information to be provided within 15 days of the receipt of the order.

The case was last heard on **17.03.2020**. The appellant claimed that the PIO has not provided the information. The respondent informed that the concerned PIO has been transferred and he had been deputed to attend the hearing.

The Commission observed that the PIO had not attended to the RTI application appropriately and even not complied with the order of the Commission. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

The First Appellate Authority-Deputy Director, Local Govt. Ferozepur was also directed to ensure compliance of this order and information to be provided within 15 days.

**Hearing dated 22.09.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. As per respondent, no contract has been given for parking to any contractor. The PIO is directed to provide appropriate reply on an affidavit.

**Appeal Case No. 1970 of 2019**

The PIO is absent nor has sent any reply to the show cause notice issued for delay in attending to the RTI application. The PIO is given one last opportunity to file reply to the show cause notice on an affidavit otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will act as per provision of section 20 of the RTI Act.

I am also marking this to the Commissioner, Municipal Corporation, Abohar to review the reply of the PIO as prima-facie it appears to be incorrect information as it is hard to believe that the parking lots in the town Abohar are functioning without any allocation or bids.

To come up for further hearing on **10.11.2020 at 11.00 AM**, through video conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated 22.09.2020**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh. Mukhtiar Singh, S/o hsFauja Singh,  
R/o Village Jandwala Bhime Shaah,  
Tehsil & Distt Fazilka.

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Sr. XEN, PSPCL,  
Zira, Distt Ferozepur.

**First Appellate Authority**  
O/o SE, PSPCL,  
Ferozepur.

.....Respondent

**Appeal Case .No. 4217 of 2019**

**PRESENT: Sh.Mukhtiar Singh as the Appellant**  
**Sh.Harmail Singh, Addl. Xen, City Division Ferozepur for the Respondent**

**ORDER:**

The case was last heard on 11.03.2020. The respondent present pleaded that the information has been provided to the appellant on 20.09.2019 and a copy of the same was submitted to the Commission. The appellant was not satisfied and pleaded that he wanted the service book pertaining to the period, he worked as work charged employee from 1984 to 1992.

The respondent informed that the service book pertaining to this period was in the custody of Xen, City Division, PSPCL Moga. However, as per appellant, the Xen, City Division Moga had sent it to PSPCL Ferozepur.

The PIO-SE, PSPCL Ferozepur and Xen, City Division, PSPCL Moga were directed to look into the matter and provide the information under whose custody this information exists.

**Hearing dated 22.09.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. As per respondent, the duplicate service book was prepared and provided to the appellant. The appellant informed that service book for the period from Jan 1982 to Sept. 1992 has not been provided. As per respondent, this record is in the custody of Addl. SE-PSPCL, City Division, Bathinda.

I am sending the RTI application of the appellant to the PIO-Addl. SE, PSPCL City Division, Bathinda to look into the matter and provide the service book to the appellant. The PIO may contact the appellant Sh. Mukhtiar Singh S/o Sh. Fauza Singh at his mobile No. 98761-55813 for any clarification.

The case is adjourned. To come up for further hearing on **10.11.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated 22.09.2020**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to :1. Xen, City Division,**  
**PSPCL Moga.**

**2. Addl. SE-PSPCL,**  
**City Division, Bathinda.**



ShAman Kumar Jain, S/o ShBhagwanDass,  
R/o H NO-2164, LakarMandi, Abohar,  
DisttFazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Tehsildar, Abohar,  
DisttFazilka.

**First Appellate Authority,**  
O/o SDM, Abohar,  
DisttFazilka.

...Respondent

**Appeal Case No. 4425 of 2019**

**PRESENT:** Sh.Aman Kumar as the Appellant  
Sh.J.S.BrarTehsildarAbohar for the Respondent

**ORDER:**

The appellant through RTI application dated 30.08.2019 has sought information regarding Rapat No.371 dated 23.10.2019, Rapat No.1051 dated 03.07.2019 and mutation No.30752 dated 06.06.2019 and other information concerning the office of TehsildarAbohar. The appellant was not satisfied with the reply of the PIO dated 24.09.2019 after which the appellant filed first appeal before the First Appellate Authority on 09.10.2019 which took no decision on the appeal.

The case was last heard on 12.03.2020. The respondent was absent. The Commission received a letter diary No.4004 on 28.02.2020 from the PIO stating that the information has been provided to the appellant vide letter dated 24.09.2019. The appellant was not satisfied and stated that he had received information only on points-1 & 2. Regarding point-3, the PIO had not provided the vasika number of the transfer deed. The PIO had also not provided the website of the department.

The PIO was directed to provide the following information to the appellant:

- Point-3 To provide vasika number and date of the transfer deed
- Point-4&5 To provide website of department and appropriately answer point-5

**Hearing dated 22.09.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. The appellant claims that the PIO has not provided the remaining information. The respondent assured to supply the information today itself.

The earlier order stands. The respondent is directed to provide the informant as assured and send a compliance report to the Commission.

To come up for compliance on **10.11.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated 22.09.2020**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh.Aman Kumar Jain, S/o Sh.Bhagwan Dass,  
R/o H NO-2164, Lakar Mandi, Abohar,  
Distt.Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Tehsildar, Abohar,  
Distt.Fazilka.

**First Appellate Authority,**  
O/o SDM, Abohar,  
Distt.Fazilka.

...Respondent

**Appeal Case No. 4426 of 2019**

**PRESENT: Sh.Aman Kumar as the Appellant**  
**Sh.J.S.Brar, TehsildarAbohar for the Respondent**

**ORDER:**

The appellant through RTI application dated 30.08.2019 has sought information regarding attachment and stay of property as per DRT Chandigarh – case No.725 of 2000 – copy of register in which the said order were entered and other information concerning the office of TehsildarAbohar. The appellant was not satisfied with the reply of the PIO dated 03.09.2019 vide which the appellant was asked to clarify number and date on which the application was submitted in the office of TehsildarAbohar, after which the appellant filed first appeal before the First Appellate Authority on 09.10.2019 which took no decision on the appeal.

The case was last heard on 12.03.2020. The appellant pleaded that they have already mentioned the date and number of the application in the RTI application but the PIO has not provided the information.

The PIO was directed to relook at the RTI application and provide appropriate information to the appellant within 15 days.

**Hearing dated 22.09.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. The appellant claims that the PIO has not provided the information. The respondent stated that the copy of bank letter is not available in their record and the appellant be asked to provide a copy of that letter. The appellant has provided the copy of letter to the PIO.

The respondent has assured to provide the information within a week. The respondent says that the appellant may collect the information by hand. The appellant has agreed for the same.

The respondent is directed to provide the information within a week and send a compliance report to the Commission. The appellant is directed to collect the information by hand from the office of PIO on any working day.

To come up for compliance on **10.11.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated 22.09.2020**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**