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Shri Ravi Kant S/o Shri Sansari Lal R/o Krishna Bazar, Ward No.4, Dhariwal, District Gurdaspur.

.....Appellant

Versus

Public Information Officer

O/o The Executive Officer, Municipal Council, Dhariwal, District Gurdaspur.

First Appellate Authority

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

...Respondents

AC No.1712/2020

Present: (i) Shri Ravi Kant, Appellant.

(ii) Shri Baljit Singh, Superintendent/APIO, Municipal Council,

Dhariwal, District Gurdaspur.

ORDER

Heard through Video Conferencing

- 1. This order may be read with reference to the order dated 23.09.2020 passed by this Bench on the previous hearing.
- 3. The case has been heard today through V.C. in DC Office, Gurdaspur. Shri Ravi Kant, appellant comes present to attend the hearing. He states that in compliance with the direction of Bench, he had visited the office of PIO three times, but he has not been allowed to inspect the relevant record and five pages earlier provided to him are also unattested.
- 3. Shri Baljit Singh, Superintendent/APIO, O/o Municipal Council, Dhariwal, District Gurdaspur attends the hearing through V.C. and states that the information comprising 135 pages is ready and will be supplied to the appellant.
- 4. The Bench observes that the orders of the Bench have been disobeyed by the PIO by not allowing the appellant access to the official records in spite of his repeated visits, to enable him to identify the information after inspection of records, as required by him. The Bench takes serious note of the failure of PIO to comply with the orders of the Bench in letter and spirit.

...Cont.P-2

AC No.1712/2020

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5. The PIO O/o Executive Officer, Municipal Council, Dhariwal, District Gurdaspur is issued show cause notice 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-compliance of the directions given by the Bench during the previous hearing in its entirety. He

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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.

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

- 7. The PIO is again directed to call the appellant to his office and allow him access to the relevant official records and supply the information to the appellant as may be identified by him on inspection of the official records.
- 8. PIO is also directed to file an affidavit, before the next date of hearing, as per directions given on the previous hearing. The original copy of the affidavit be sent to the appellant and a photocopy thereof be sent to the Commission for record.
- 9. With the above directions, the matter is adjourned. To come up for hearing on 12.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 23.02.2021

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

Copy to (By Regd.Post)
Public Information Officer
Municipal Council,
Dhariwal, District Gurdaspur.



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Shri Sukhchain Singh

Sonam Mohalla, Fatehgarh Churian, Tehsil Batala, Distt. Gurdaspur.

..... Complainant

Versus

Public Information Officer

O/o Executive Officer, Municipal Council, Fatehgarh Churian Tehsil Batala, District Gurdaspur.

...Respondent

CC No.432/2020

Present: (i) Shri Sukhchain Singh, Complainant

(ii) Shri Ramesh Kumar, Inspector/APIO, M.C. Fatehgarh Churian, District Gurdaspur on behalf of PIO.

ORDER

Heard through Video Conferencing

- This order may be read with reference to the order dated 23.09.2020 passed by this Bench on the previous hearing.
- 2. The case has been heard today through V.C. in D.C. Office, Gurdaspur. Shri Sukhchain Singh, complainant comes present to attend the hearing. He states that as directed by the Bench, he was not given any opportunity to inspect the official records so as to enable him to identify the information required by him.
- 3. Shri Ramesh Kumar, Inspector O/o M.C. Fatehgarh Churian, District Gurdaspur comes present. He reiterates the statement given on the previous hearing regarding non-deposit of the amount asked for in lieu of the information sought by the complainant and hence, no information has been given.
- 4. The Bench, on perusal of the case file, observes that though the fee for supply of information was demanded within the prescribed period but the supply of information has been delayed considerably. As such, the Bench waives of the fee demanded by the PIO from the complainant and orders to supply the same free of cost.



CC No.432/2020

5. Post deliberations, the Bench directs the PIO to call the complainant to his office to allow him access to the relevant official records. The complainant will inspect the records and identify the information he requires. The PIO will provide the information so identified by the complainant free of cost, duly attested.

-2-

- 6. After providing information to the complainant, the PIO is directed to file an affidavit duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in CC No.432 of 2020 has been supplied to the complainant. It be further stated that nothing has been concealed therein and the statement made is true and correct. The original copy of affidavit be sent to the complainant and photocopy of the same be sent to the Commission for record.
- 7. With the aforesaid directions, the matter is adjourned. To come up for hearing on 12.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 23.02.2021



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Shri Sukhchain Singh

Sonam Mohalla, Fatehgarh Churian, Tehsil Batala, Distt. Gurdaspur.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer, Municipal Council, Fatehgarh Churian Tehsil Batala, Distt. Gurdaspur.

First Appellate Authority,

O/o Deputy Director, Local Bodies, Amritsar.

...Respondents

AC No.1785/2020

Present: (i) Shri Sukhchain Singh, Appellant

(ii) Shri Ramesh Kumar, Inspector, M.C. Fatehgarh Churian, District Gurdaspur on behalf of PIO.

ORDER

Heard through Video Conferencing

- 1. This order may be read with reference to the order dated 23.09.2020 passed by this Bench on the previous hearing.
- 2. The case has been heard today through V.C. in D.C. Office, Gurdaspur. Shri Sukhchain Singh, appellant comes present to attend the hearing.
- 3. Shri Ramesh Kumar, Inspector O/o Executive Officer, Municipal Council, Fatehgarh Churian comes present to attend the hearing. He states that the para-wise information asked for by the appellant has been supplied by regd. Post on 19.02.2021.
- 4. On the asking of the Bench, the appellant states that the information supplied to him is incomplete and he has also pointed out deficiencies to the PIO vide his letter dated 22.02.2021.
- 5. The Bench observes that on the previous hearing, directions were given to the PIO to call the appellant to his office and also to file an affidavit after supplying the information to the appellant, but the PIO has failed to comply with the directions of the Bench.

Cont...P-2



-2-

AC No.1785/2020

The PIO O/o Executive Officer, Municipal Council, Fatehgarh Churian, District Gurdaspur is issued show cause notice 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 not abiding by the directions given by the Bench during the previous hearing in its entirety. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

- 6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.
- 7. The Bench again directs the PIO to call the appellant to office to allow him to inspect the relevant records to identify the information as per deficiencies pointed out by him. The PIO will supply the copies of documents/information so identified by the appellant before next date of hearing.
- 8. The PIO is also directed to file an affidavit as per directions given on the previous hearing. The original copy of the affidavit be sent to the appellant and a photocopy thereof be sent to the Commission for record.
- 9. With the aforesaid directions, the matter is adjourned. To come up for hearing on 12.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 23.02.2021

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

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Municipal Council, Fatehgarh Churian
District Gurdaspur.



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Shri Ravi Kant S/o ShriSansariLal, R/o Krishna Bazaar, Ward No.4, Dhariwal, District Gurdaspur.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer, Municipal Council, Dhariwal, District Gurdaspur.

First Appellate Authority-Deputy Director, Local Government, Amritsar.

....Respondent

AC No.2188 of 2020

Present: (i) Shri Ravi Kant, Appellant

(ii) Shri Baljit Singh, Superintendent O/o Municipal Council,

Dhariwal on behalf of the PIO/Respondent

ORDER:

(Heard through Video Conferencing)

- 1. This order may be read with reference to the order dated 04.01.2020 passed by this Bench on the previous hearing.
- 2. The case has been heard today through V.C. in DC Office, Gurdaspur. Shri Ravi Kant, appellant comes present to attend the hearing through V.C. He states that he had visited the office of PIO on two dates but he has been supplied only the partial information.
- 4. Shri Baljit Singh, Superintendent O/o Municipal Council, Dhariwal, Distirct Gurdaspur states that the information has been supplied to the appellant.
- 5. The Bench observes that only partial information stands supplied to the appellant. Further, no reply to the show cause notice has been given and the directions of the Bench have not been fully complied with.
- 6. The Bench again directs the PIO to call the appellant to office to allow him to inspect the relevant records to identify the information required by him. The PIO will supply the copies of documents/information so identified by the appellant before next date of hearing.

Cont...P-2



AC No.2188/2020

The PIO is also directed to file an affidavit before the next hearing duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official record in AC No.2188 of 2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement is correct and authentic. Original copy of affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

-2-

8. With the aforesaid directions, the matter is adjourned. To come up for hearing on 12.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 23.02.2021



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Shri Harmit Singh Sidhu(Reporter), S/o Shri Sher Singh Rozana Desh Sewak C/o Baba Kala Finance Co., Phul Ropad, Rampura Phul, District Bathinda.

.....Appellant

Versus

Public Information Officer

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

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

...Respondents

AC No.1748/2020

Present: (i) Appellant- absent

(ii) Shri Asees Singh, Project Coordinataor O/o State Transport Commissioner, Punjab, Chandigarh, in person before the Bench.

ORDER

- This order may be read with reference to the order dated 23.09.2020 passed by this Bench on the previous hearing.
- 2. The case was scheduled to be heard through Video Conferencing facility in the office of D.C. Bathinda. Shri Harmit Singh Sidhu, appellant has not come present to attend the hearing through V.C.
- 3. Shri Asees Singh, Project Coordinator O/o S.T.C. Punjab, Chandigarh comes present in person before the Bench to attend the hearing on behalf of the PIO. He states that the appellant has been supplied information vide letter dated 19.02.2021 sent by e.mail to the effect that action is being taken in the matter. On the asking of the Bench, he clarifies that an enquiry is being conducted into the matter.

Cont..P-2



AC No.1748/2020

4. The appellant is contacted on mobile phone. He admits receipt of e.mail stating that the matter is under consideration. The Bench observes that the information sought by the appellant relates to corruption in hiring transport for World Kabbaddi Cup organised at Bathinda in 2011. The response of the Department that the matter is under consideration is not understood and in fact, unacceptable.

-2-

- 5. Post deliberations, the Bench directs the PIO to file an affidavit before the next hearing duly signed by the PIO and attested by the Notary Public to the effect that the matter regarding the payments made by the D.C. Office, Bathinda to the transporters on the eve of World Kabaddi Cup-2011 about which the information has been sought by the appellant is still being enquired into. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original copy of affidavit as also a photocopy of the same be produced before the Bench on the next hearing.
- 6. With the aforesaid directions, the matter is adjourned. To come up for hearing on 12.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 23.02.2021

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Shri Manjit Singh S/o Shri Gurcharan Singh Village Manemajra, Tehsil Chamkaur Sahib District Ropar.

.....Appellant

Public Information Officer

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

Public Information Officer

O/o Secretary, Regional Transport Authority, Ludhiana.

First Appellate Authority,

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

...Respondents

AC No.1758/2020

<u>Present:</u> (i) Shri Manjit Singh, Appellant in person before the Bench.

Versus

(ii) Shri Asees Singh, Project Coordinator, O/o State Transport Commissioner, Punjab, Chandigarh, in person before the Bench.

ORDER

- This order may be read with reference to the order dated 23.09.2020 passed by this Bench on the previous hearing.
- 2. The case has been heard today in Commission's office at Chandigarh. Shri Manjit Singh, appellant comes present to attend the hearing in person before the Bench at Chandigarh.
- 3. Shri Asees Singh, Project Coordinator O/o S.T.C. Punjab comes present before the Bench in person and produces before the Bench letter dated 22.02.2021 stating therein that the said information earlier sought by one Rupinder Singh, resident of Moga, has been sent to the appellant vide letters dated 21.12.2020, 03.10.2020. 09.03.2020, 30.12.2019 and vide Govt. memo dated 08.01.2020. He reiterated the statement made by the PIO on the previous hearing that reply to points No.1,6,7 & 8 has been given and further states that reply to points No.2,3,4 & 5 is to be given by the Secretary, Regional Transport Authority, Ludhiana.



-2-

AC No.1758/2020

- 4. On the asking of the Bench, the appellant expresses his dis-satisfaction over the information supplied. A copy of the information is again handed over to the appellant during the hearing. The appellant states that after perusing the same, he will point out deficiencies to the PIO.
- 5. The Bench directs the PIO O/o Secretary, Regional Transport Authority, Ludhiana that on receipt of deficiencies, if any, from the appellant, the rectified information be supplied to him after removing the deficiencies.
- 6. With the aforesaid directions, the matter is adjourned. To come up for hearing on 12.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 23.02.2021



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Shri Manjit Singh S/o Shri Gurcharan Singh Village Manemajra, Tehsil Chamkaur Sahib District Ropar.

.....Appellant

Versus

Public Information Officer

O/o Secretary, Regional Transport Authority, Ludhiana.

First Appellate Authority,

O/o Secretary, Regional Transport Authority, Ludhiana.

...Respondents

AC No.1760/2020

- Present: (i) Shri Manjit Singh, Appellant in person before the Bench.
 - (ii) None on behalf of the PIO.

ORDER

- 1. This order may be read with reference to the order dated 23.09.2020 passed by this Bench on the previous hearing.
- 2. The case has been heard today in Commission's office at Chandigarh. Shri Manjit Singh, appellant comes present to attend the hearing in person before the Bench at Chandigarh. He states that he has been denied the information citing personal and private information as the reason.
- 3. Neither the PIO O/o Secretary, R.T.A. Ludhiana has come present to attend the hearing nor has deputed any of his representatives to attend the hearing.
- 4. The Bench, on the previous hearing, had observed that though the information asked for is personal and about department's administrative functioning, but the Bench, being convinced with the version of the appellant regarding the issues of corruption and corrupt practices involved, had directed the PIO to supply information to the appellant.



AC No.1760/2020

5. The PIO O/o Secretary, R.T.A. Ludhiana is again directed to supply information to the appellant.

-2-

6. With the afore said directions, the matter is adjourned. To come up for hearing on 12.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 23.02.2021



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

Shri Manjit Singh

S/o Shri Gurcharan Singh R/o Village Manemajra, Tehsil Chamkaur Sahib, District Roopnagar.

.....Complainant

Versus

Public Information Officer

O/o Principal Secretary, Transport Department, Punjab Punjab Civil Secretariat-2, Sector-9,, Chandigarh.

...Respondents

CC No.753/2020

Present: (i) Shri Manjit Singh, Complainant

(ii) None on behalf of the PIO.

ORDER

- 1. The RTI application is dated 02.09.2019 vide which the complainant has sought information as enumerated in his RTI application. The complaint was filed in the Commission on 08.10.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice of hearing was issued to the parties for 07.12.2020 by the Commission through Video Conferencing facility in the office of D.C. Ropar.
- 3. Shri Manjit Singh, complainant has come present to attend the hearing before the Bench in person. He states that he has not received any information .
- 4. The PIO has neither come present before the Bench to attend the hearing nor has sent any representative to attend the hearing on his behalf. Moreover, no information has been supplied to the complainant. This indifferent attitude of the PIO is viewed adversely.
- 5. The PIO O/o Principal Secretary to Govt. Of Punjab, Department of Transport, Chandigarh is issued show cause notice to explain his absence and as to why

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CC No.753/2020

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 complainant. He is also directed to file a written reply to the show cause notice.

-2-

- 6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.
- 7. The PIO O/o Principal Secretary to Govt. of Punjab, Department of Transport, Chandigarh is directed to ensure supply of information to the complainant before the next hearing.
- 8. With the aforesaid directions, the matter is adjourned. To come up for hearing on 12.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 23.02.2021 Sd/-(Lt Gen Ajae Kumar Sharma,(Retd)) State Information Commissioner, Punjab

Copy (By Regd.Post)

Public Information Officer O/o Principal Secretary, Transport Department, Punjab Punjab Civil Secretariat-2, Sector-9,Chandigarh.(By Name)



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Versus

Shri Ajmer Singh

S/o Shri Swaran Singh R/o Village & PO Barwa, Tehsil Anandpur Sahib, District Roopnagar.

.....Complainant

Public Information Officer

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

...Respondents

CC No.493/2020

Present: (i) Shri Ajmer Singh, Complainant

(ii) None on behalf of the PIO.

ORDER

(Heard through Video Conferencing)

- 1. This order may be read with reference to the order dated 23.09.2020 passed by this Bench on the previous hearing.
- 2. This case has been heard through Video Conferencing facility in the office of D.C. Ropar.
- 3. Shri Ajmer Singh, complainant comes present to attend the hearing and states that incomplete intimation has been received by him and that too, after a period of one year.
- 4. The PIO has neither come present before the Bench to attend the hearing nor has sent any representative to attend the hearing on his behalf. The PIO was absent on the previous hearing also.
- 5. The PIO O/o Director, State Transport, Punjab, Chandigarh is issued show cause notice to explain his absence and 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 supply of incomplete information to the complainant given after a lapse of over one year. He is also directed to file a written reply to the show cause notice as to why the complainant should not be compensated for the mental harassment suffered by him in getting the information.



-2- <u>CC No.493/2020</u>

- 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 complainant is advised to point out deficiencies in the information received to the PIO and the PIO will supply the rectified information to the complainant before the next hearing.
- 8. With the aforesaid directions, the matter is adjourned. To come up for hearing on 12.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 23.02.2021 Sd/-(Lt Gen Ajae Kumar Sharma,(Retd)) State Information Commissioner, Punjab

PS:

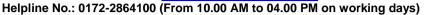
Shri Darshan Singh, Senior Assistant O/o Director, State Transport, Punjab, representative of the PIO comes present before the Bench at 1.15 PM after the hearing was over. He states that being busy in the finalization of retirement cases of three employees, he could not attend the court timely. He prays for excusing his absence. In view of the submissions made by him, the issuance Show Cause Notice is dropped and the PIO is directed to comply with the directions of the Bench before the next hearing.

Chandigarh 23.02.2021

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR 16, CHANDIGARH.





Shri Harsh Kumar, # CEN 360, Kapila Street, Shibu Maal Chowk, Khanna District Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o The Executive Officer, Municipal Council, Khanna, District Ludhiana.

First Appellate Authority

O/o Deputy Director, Local Bodies, Ludhiana.

...Respondents

AC No.2762/2020

Present: (i) Shri Harsh Kumar, Appellant.

(ii) Shri Raghbir Singh, Sanitary Inspector, Municipal Council,

Khanna, District Ludhiana/ APIO.

ORDER

Heard through Video Conferencing

- 1. The RTI application is dated 06.07.2020 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 28.02.2020 and the second appeal was filed in the Commission on 17.08.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice of hearing was issued to the parties for 07.12.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana.
- 3. The case has been heard today through V.C. in DC Office, Ludhiana. Shri Harsh Kumar, appellant comes present to attend the hearing through V.C.
- 4. Shri Raghbir Singh, appellant comes present to attend the hearing through V.C. on behalf of the PIO. He states that the information on all the six points has been supplied to the appellant.
- 5. On the asking of the Bench, the appellant states that he is not satisfied with the information supplied and that he has also pointed out deficiencies to the PIO.

Cont...P-2



-2-

AC No.2762/2020

6. After deliberations, the Bench directs the PIO to call the appellant to his office on any working day and allow him access to the relevant official records. The appellant will inspect the official records as per the deficiencies point out by him and identify the information required by him. The PIO will provide the information so identified by the appellant before the next hearing.

- 7. The PIO is also directed to file an affidavit 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.2762 of 2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. The original copy of affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.
- 8. With the aforesaid directions, the matter is adjourned. To come up for hearing on 12.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh 23.02.2021