



Gurmail Singh S/o Sh. Puran Singh,  
Village – Jida, District - Bathinda (Punjab)

...Appellant

V/s

- i) Public Information Officer  
O/o The Managing Director,  
Punjab Agro Industries Corporation Ltd.,  
Sector 28-A, Chandigarh (Punjab)
- ii) Public Information Officer  
O/o The Managing Director,  
Punjab Agro Industries Corporation Ltd.,  
SriMuktsar Sahib (Punjab)

First Appellate Authority,  
O/o The Managing Director,  
Punjab Agro Industries Corporation Ltd.,  
Sector 28-A, Chandigarh (Punjab)

...Respondents

### **Appeal Case No. 481 of 2020**

Present : None on behalf of the appellant.  
Sh. Amandeep Singh, District Manager, on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 03.10.2019. First appeal is dated 04.12.2019. Second appeal has been received in the Commission on 24.01.2020.

On the last date of hearing, held on 15.07.2020, the appellant has intimated the Commission that he has pointed-out certain deficiencies in the information supplied to him. Accordingly, the respondent PIO was directed to supply the certified copies of the required information to the appellant as per queries raised by him through his RTI request through registered post with a copy to the Commission.

Sh. Amandeep Singh, District Manager, states that in response to the RTI request the requisite information has already been supplied to the appellant.

The appellant, Sh. Gurmail Singh is absent from today's hearing.

Another opportunity is given to the appellant to confirm whether he has received the information or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned by the next date of hearing or it would be assumed that the appellant has received the required information and is satisfied with the same and the case would be decided on merits.

The case is **adjourned to 16<sup>th</sup> December, 2020 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

(Sanjiv Garg)

**Date :23<sup>rd</sup> September, 2020**

**State Information Commissioner  
Punjab**

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '918782948'**

Rajwinder Singh  
S/o Sh. Lakhwinder Singh,  
Village - Narla, P. O. – Kharla,  
Tehsil – Patti, Distt. – Tarn Taran (Punjab)

...Appellant

V/s

- i) Public Information Officer,  
O/o The Senior Supdt. of Police,  
Tarn Taran (Punjab)
- ii) Public Information Officer,  
O/o The Director General of Police, Punjab  
(Recruitment Cell),  
Sector -9, Chandigarh (Punjab)

First Appellate Authority,  
O/o The Inspector General of Police,  
Border Range, Amritsar (Punjab)

...Respondents

### **Appeal Case No. 483 of 2020**

Present : Sh. Rajwinder Singh, the appellant in person.  
Sh. Satnam Singh, S. I., on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 24.08.2018. First appeal is dated 01.10.2018.

Second appeal has been received in the Commission on 24.01.2020.

On the last date of hearing, held on 15.07.2020, Sh. Satnam Singh, S. I. and Sh. Mangal Singh, A. S. I., appeared on behalf of the respondent PIO and stated that after collecting the report from Recruitment Cell office of S. S. P., Tarn Taran, (information of two pages) was given to the appellant vide letter no. 3152 dated 15.09.2018, intimating him that in the year 2016 recruitment of Constables was done at State Level and only trials for the recruitment were held in District Tarn Taran and result of the same was prepared by Chairman, Recruitment Board, Chandigarh and regarding recruitment no record is available in the office of S. S. P., Tarn Taran, hence, RTI request of the appellant was forwarded to the office of Director General of Police, Punjab(Recruitment Cell), Sector -9, Chandigarh to supply the required information to the appellant directly. Accordingly, a copy of this order alongwith RTI request was sent through registered post to Public Information Officer of Recruitment Cell office of Director General of Police, Punjab, Sector -9, Chandigarh with the directions to supply the certified copies of the required information to the appellant, as per queries raised by him through his RTI request, through registered post with a copy to the Commission.

Sh. Satnam Singh, S. I., who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information has been supplied to the appellant.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 1619 dated 09.09.2020 signed by Superintendent-cum-Asstt. Public Information Officer (Admin. Wing) office of Assistant Inspector General of Police, Punjab, Chandigarh, which has been received in the Commission through vide Diary No. 11731 dated 10.09.2020, has intimated the Commission that a point-wise reply has been supplied to the appellant. It is taken on record.

The appellant, Sh. Rajwinder Singh, who appeared in person in today's hearing, states that incomplete information has been supplied to him by the respondent PIO.

The respondent PIO of office of S. S. P., Tarn Taran is directed to facilitate the appellant to inspect the relevant official record on any working day during working hours so that the appellant could identify the remaining information. The appellant is also advised to visit the office of the respondent PIO on any working day during working hours to inspect the relevant official record to identify the information.

Both the parties mutually agreed to it during the hearing today.

The respondent-PIO concerned is directed to supply the remaining information, which would be identified by the appellant after inspection, to him by the next date of hearing.

An opportunity is also given to the appellant to confirm whether he has received the remaining information, which would be supplied to him by the respondent PIO after inspection or not by the next date of hearing.

The case is **adjourned to 16<sup>th</sup> December, 2020 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

**Date :23<sup>rd</sup> September, 2020**

**(Sanjiv Garg)  
State Information Commissioner  
Punjab**

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '918782948'**

Harminder Singh S/o Late Sh. Sadhu Singh,  
S.C.F. – 221, Phase – 1,  
Urban Estate, **Dugri**,  
Basant Avenue, Ludhiana (Punjab)

...Appellant

V/s

Public Information Officer, (By Name)  
O/o The D. G. M.(Admin.),  
Punjab Mandi Board,  
Sector 65-A, S.A.S. Nagar (Mohali) (Punjab)

First Appellate Authority,  
O/o The Joint Director.(Admin.),  
Punjab Mandi Board,  
Sector 65-A, S.A.S. Nagar (Mohali) (Punjab)

...Respondents

### **Appeal Case No. 694 of 2020**

Present : Sh. Akash Yadav, Advocate, on behalf of the appellant.  
i) Sh. Manjit Singh, D. G. M-cum-SPIO, in person ;  
ii) Ms. Jasvir Kaur, Superintendent(Estate Branch), for the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 10.09.2019. First appeal is dated 04.10.2019.

Second appeal has been received in the Commission on 07.02.2020.

On the last date of hearing, held on 15.07.2020, the respondent PIO concerned was directed to facilitate the appellant or his authorized representative to inspect the relevant official record on 23.07.2020 at 11:00 A. M. so that the information could be identified. The appellant or his authorized representative was also advised to avail the opportunity to visit the office of the respondent to inspect the relevant official record on 23.07.2020 at 11:00 A. M. to identify the information. The respondent-PIO concerned was directed to supply the required information, which would be identified by the appellant or his authorized representative, after inspection to him within one month from the date of inspection. An opportunity was also given to the appellant to confirm whether he has received the information, which would be supplied to him by the respondent PIO after inspection and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent.

Sh. Akash Yadav, Advocate, who appeared on behalf of the appellant, Sh. Harminder Singh, in today's hearing, states that he has visited the office of the respondent to identify the information but no information has been supplied to the appellant by the respondent PIO so far.

Sh. Manjit Singh, D. G. M-cum-SPIO and Ms. Jasvir Kaur, Superintendent (Estate Branch), who appeared in person in today's hearing, state that the required information is ready so that the appellant could get the same.

The appellant or his authorized representative is advised to visit the office of the respondent PIO on 28.09.2020 at 11:00 A. M to collect the required information.

Last opportunity is given to the respondent-PIO concerned to supply the required information, to the appellant on the above-said fixed date and time, failing which action would be initiated against him/her under the provisions of the RTI Act.

An opportunity is also given to the appellant or his authorized representative to confirm whether he has received the information, which would be supplied to him by the respondent PIO or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned by the next date of hearing.

The case is **adjourned to 16<sup>th</sup> December, 2020 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

**Date :23<sup>rd</sup> September, 2020**

**(Sanjiv Garg)  
State Information Commissioner  
Punjab**

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '918782948'**

Jasbir Singh,  
Village – Bholapur Jhabewal,  
P. O. -Ramgarh,  
Distt. – Ludhiana (Punjab)

...Appellant

V/s

(Rgd Post) Public Information Officer, (By Name)  
O/o The Chairman,  
Punjab State Road Safety Council,  
Chandigarh

First Appellate Authority,  
O/o The Chairman,  
Punjab State Road Safety Council,  
Chandigarh

...Respondents

**Appeal Case No. 379 of 2020**

Present : Sh. Jasbir Singh, the appellant in person.  
None on behalf of the respondent.

**ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 23.09.2019. First appeal is dated 11.11.2019.

Second appeal has been received in the Commission on 20.01.2020.

On the last date of hearing, held on 15.07.2020, Sh. Gurpal Singh, APIO, appeared on behalf of the respondent PIO and intimated the Commission that the RTI request sent by the appellant is not legible, hence, required information could not be supplied to him. Accordingly, the appellant was advised to send a legible copy of the RTI request to the concerned respondent PIO so that required information could be supplied. The respondent PIO concerned was directed to supply the certified copies of the required information as per queries raised by him through his RTI request through registered post with a copy to the Commission. An opportunity was also given to the appellant to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

The appellant, Sh. Jasbir Singh, who appeared in person in today's hearing, states that he has sent a legible copy of the RTI request to the office of the respondent PIO as directed vide orders dated 15.07.2020.

Neither the respondent nor any of his representative is present in today's hearing.

Nevertheless, another opportunity is given to the respondent PIO concerned to supply the certified copies of the required information, as per queries raised by him through his RTI request, through registered post before the next date of hearing with a copy to the Commission. He is also directed to represent this case in person or through his representative, on the next date of hearing fixed through facility of Software/application 'CISCO Webex Meetings' positively. A copy of this order be sent to him through registered post.

An opportunity is also given to the appellant to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

The case is **adjourned to 16<sup>th</sup> December, 2020 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

**Date :23<sup>rd</sup> September, 2020**

**(Sanjiv Garg)  
State Information Commissioner  
Punjab**

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '918782948'**

Surinder Singh  
S/o Sh. Santokh Singh,  
H. No. 1381, Baba Farid Nagar,  
Village – Kala Ghannupur,  
Chhehrata, Amritsar – 143105 (Punjab)

...Appellant

V/s

Public Information Officer, (By Name)  
O/o The Chairperson,  
Punjab Mandi Board,  
Tarn Taran (Punjab)

First Appellate Authority,  
O/o The Chairperson,  
Punjab Mandi Board,  
Sector 65-A, S.A.S. Nagar (Mohali) (Punjab)

...Respondents

### **Appeal Case No. 721 of 2020**

Present : None on behalf of the appellant.  
Sh. Satnam Singh, Junior Assistant, on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 31.10.2019. First appeal is dated 04.12.2019.

Second appeal has been received in the Commission on 13.02.2020.

On the last date of hearing, held on 15.07.2020, Sh. Swadesh Kumar, S. D. O., appeared for the respondent PIO and stated that the First Appellate Authority has given hearing dates three times to the appellant but he never visited the office of respondent. As the appellant was not present, the respondent PIO concerned was directed to send the requisite information to the appellant through registered post at his residential address and send a copy of the postal receipt to the Commission. An opportunity was given to the appellant to confirm whether he has received the information and also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

Sh. Satnam Singh, Junior Assistant, who appeared on behalf of the respondent In today's hearing, states that in response to the RTI request the requisite information has already been supplied to the appellant vide letter no. 2409 dated 21.07.2020.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. vide letter no. 2410 dated 21.07.2020 signed by PIO-cum-Executive Engineer, Punjab Mandi Board, Tarn Taran, which has been received in the Commission vide Diary No. 9509 dated 06.08.2020, has intimated the Commission that the requisite information has already been supplied to the appellant through registered post vide letter no. 2409 dated 21.07.2020, appended to which is postal receipt . It, alongwith a copy of postal receipt, is taken on record.

The appellant, Sh. Surinder Singh is absent from today's hearing.

Another opportunity is given to the appellant to confirm whether he has received the information or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned by the next date of hearing or it would be assumed that the appellant has received the required information and is satisfied with the same and the case would be decided on merits.

The case is **adjourned to 16<sup>th</sup> December, 2020 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

**Date :23<sup>rd</sup> September, 2020**

**(Sanjiv Garg)  
State Information Commissioner  
Punjab**

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '918782948'**

Anil Kumar  
S/o Sh. Walaiti Ram,  
'Gulati General Storte',  
Dhobian Wali Gali, Subash Bazar,  
KHANNA, Distt. – Ludhiana (Punjab)

...Appellant

V/s

Public Information Officer, (By Name)  
O/o The Executive Officer ,  
Nagar Council,  
Khanna, Distt. - Ludhiana (Punjab)

First Appellate Authority,  
O/o The Regional Deputy Director,  
Urban Local Govt., Pb.,  
Ludhiana (Punjab)

...Respondents

**Appeal Case No. 139 of 2020**

Present : None on behalf of the appellant.  
Sh. Jaswant Singh, Junior Engineer, on behalf of the respondent.

**ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 19.08.2019. First appeal is dated 17.10.2019.

Second appeal has been received in the Commission on 30.12.2019.

On the last date of hearing, held on 15.07.2020, the respondent PIO through a reply vide letter no. 43 dated 15.07.2020 signed by Executive Officer, Nagar Council, Khanna, had intimated the Commission that the information regarding correction in the 'residential map' is under process as public dealing is rare due to COVID-19. An opportunity was given to the appellant to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO through registered post well in time so that the same could be removed by the respondent concerned and another opportunity was given to the respondent PIO concerned to supply the information, after removing the deficiencies, to the appellant by registered post with a copy to the Commission.

The appellant, Sh. Anil Kumar, is absent from today's hearing.

Sh. Jaswant Singh, Junior Engineer, who appeared on behalf of the respondent PIO in today's hearing, states that the information regarding correction in the 'residential map' is still under process as public dealing is rare due to COVID-19.

Another opportunity is given to the respondent PIO concerned to supply the remaining information to the appellant by registered post before the next date of hearing with a copy to the Commission.

An opportunity is also given to the appellant to confirm whether he has received the information or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned. He is also advised to represent this case in person or through his representative on the next date of hearing fixed through facility of Software/application 'CISCO Webex Meetings'.

The case is **adjourned to 16<sup>th</sup> December, 2020 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

**Date :23<sup>rd</sup> September, 2020**

**(Sanjiv Garg)  
State Information Commissioner  
Punjab**

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '918782948'**

Ramesh Kumar Gupta (Inspector Retd)  
498/15, Backside Head Office Colony,  
Main Gali, Gurdaspur (Punjab)

...Appellant

V/s

Public Information Officer, (By Name)  
O/o The Executive officer,  
Nagar Council,  
Gurdaspur (Punjab)

First Appellate Authority,  
O/o The Regional Deputy Director,  
Urban Local Bodies, Pb.,  
Amritsar (Punjab)

...Respondents

### **Appeal Case No. 687 of 2019**

Present : Sh. Ramesh Kumar Gupta, the appellant in person.  
None on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 08.10.2018. First appeal is dated 28.11.2018. Second appeal has been received in the Commission on 13.02.2019.

On the last date of hearing, held on 15.07.2020, Ms. Sonu, Accountant, appeared on behalf of the respondent PIO and stated that the information in connection with point no. 01 of the RTI request (regarding copy of order of Hon'ble Punjab and Haryana High Court), was already handed over to the appellant during the hearing held on 14.05.2019 and information in connection with point no. 02 of the RTI request (regarding service book) was also earlier demanded by the appellant and after collecting the same from office of the Deputy Director, Urban Local Bodies, Amritsar, was supplied to the appellant vide letter no. 883 dated 08.05.2013 and a reply vide letter no. 458 dated 10.05.2019 signed by Executive Officer, Nagar Council, Gurdaspur was submitted in the Commission. She also intimated the Commission that presently information in connection with point no. 02 of the RTI request (regarding service book) is not found traceable in the official record. Accordingly, the respondent PIO concerned was directed to file a written-reply stating that the requisite information in connection with point no. 02 of the RTI request (regarding service book) is not in office-record and has gone missing. He/she was also directed to submit a copy of FIR, if any, lodged regarding the missing office-record. A show-cause notice was also issued to the respondent PIO on 26.02.2020 and for making willful delay/denial in supplying the requisite information to the information-seeker under Section 20 (1) of the RTI Act, a penalty of Rs. 5,000/- (Rupees Five Thousand Only) was imposed upon Public Information Officer concerned of office of Executive officer, Nagar Council, Gurdaspur.

Contd...2/-

The appellant, Sh. Ramesh Kumar Gupta, who appeared in person in today's hearing, states that no information/reply has been given to him by the respondent PIO till date.

Neither the respondent nor his representative is present in today's hearing

After examining the documents placed on record, it is found that PIO of office of Executive Officer, Nagar Council, Gurdaspur through a reply dated 18.09.2020 has intimated the Commission that efforts are being made to pay the penalty amount (Rs. 5000/-) by the way of challan generated through IFMS but it is not working. It is taken on record.

The respondent PIO concerned has neither sent any document, which shows that information/reply was given to the appellant nor a copy of FIR, if any, lodged regarding the missing office-record, to the Commission as directed vide orders dated 15.07.2020.

Accordingly, taking a serious view of this casual approach of the respondent PIO, a compensation of Rs. 5000/- (Rupees Five Thousand only) is awarded to the appellant, Sh. Ramesh Kumar Gupta. The compensation shall be paid by public authority concerned by way of crossed cheque/Demand Draft in the name of Ramesh Kumar Gupta. The crossed cheque/Demand Draft shall be made from the bank account of public authority concerned and not from the individual official.

**The concerned Public Information Officer of office of Executive Officer, Nagar Council, Gurdaspur is also directed to comply with the order dated 15.07.2020 passed by the Commission by paying penalty of Rs. 5,000/- in the Treasury of Punjab Government by the next date of hearing.**

The amount of penalty will be deposited in the treasury of Punjab Government under the head.....

|                |  |
|----------------|--|
| Major Head     | .. 0070 -Other Administrative Services               |
| Sub-Major Head | .. 60 - Other Services                               |
| Minor Head     | .. 800 - Other Receipts                              |
| Sub-Head       | .. 86 - Fee under the Right to Information Act, 2005 |
| Detailed Head  | .. 0070 Other Administrative Services                |
|                | 60 Other Services- 800- Other Receipts-              |
|                | 86- Fees under the Right to Information Act, 2005    |

The respondent PIO is also directed to send a copy of challan receipt, showing that penalty amount is deposited and a copy of cheque/Demand Draft, showing that compensation has been paid to the appellant, to the Commission by the next date of hearing to establish the fact that order of the Commission has been complied with.

Last and final opportunity is given to the respondent PIO concerned to file a written-reply, stating that the requisite information in connection with point no. 02 of the RTI request (regarding service book) is not in office-record and has gone missing. He/she is also directed to submit a copy of FIR, if any, lodged for missing of office-record.

The case is **adjourned to 16<sup>th</sup> December, 2020 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

**(Sanjiv Garg)**

**Date :23<sup>rd</sup> September, 2020**

**State Information Commissioner  
Punjab**

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '918782948'**

H. S. Hundal, Advocate,  
Chamber No. 203,  
Judicial Courts, Sector 76,  
S.A.S. Nagar (Mohali) - 160071 (Punjab)

...Appellant

V/s

(Regd. Post) Public Information Officer, (By Name)  
O/o The Secretary,  
Regional Transport Authority,  
Patiala (Punjab)

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

...Respondents

### **Appeal Case No. 409 of 2020**

Present : Sh. H. S. Hundal, Advocate, the appellant in person.  
Sh. Shyam Lal Sharma, Asstt. Transport Officer, for the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

On the last date of hearing, held on 15.07.2020, Sh. Hardial Singh, Senior Assistant/APIO, stated that a reply was sent to the appellant vide letter dated 10.07.2020, intimating him that as per report of the office, no application regarding the cancellation of Registration Certificate has been received in the office, moreover, there is set procedure for cancellation of RC of Punjab Motor Vehicle Rules, which is to be followed to cancel RC. The appellant intimated that no reply was received by him from the respondent PIO. He also intimated the Commission that he had sent a letter dated 06.09.2019 for cancellation of registration of vehicle no. PB 11 AT 0082 through registered post to the office of the respondent and can submit a copy of the postal receipt before the Commission. Accordingly, an opportunity was given to the appellant to send a copy of the postal receipt, showing that a letter dated 06.09.2019 was sent through registered post to the office of the respondent for cancellation of registration of vehicle no. PB 11 AT 0082, to the Commission.

Contd...2/-

The appellant, Sh. H. S. Hundal, Advocate, who appeared in person in today's hearing, states that he has sent an e-mail to the Commission, appended to which is a letter dated 06.09.2019 with a copy of postal receipt, copy of communication in electronic manner with the D. T. O./Secretary, R. T A., Patiala and track report of postal authorities, showing that letter dated 06.09.2019 for cancellation of registration of vehicle no. PB 11 AT 0082 has been sent to the office of the respondent through registered post.

Sh. Shyam Lal Sharma, Asstt. Transport Officer, who appeared on behalf of the respondent PIO in today's hearing, seeks an adjournment in this case so that the above-mentioned letter dated 06.09.2019 of the appellant could be traced and reported accordingly.

As the respondent PIO has made a false statement that application dated 06.09.2019 of the appellant regarding the cancellation of Registration Certificate has not been received in the office, taking a serious view of this casual approach of the respondent PIO, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Secretary, Regional Transport Authority, Patiala, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed through facility of Software/application 'CISCO Webex Meetings', it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. A copy of this order be sent to him through registered post.

The respondent PIO also directed to file a reply, in writing, as status report to the queries raised by the appellant through the RTI request, which must be accompanied with supporting documents as per official record by the next date of hearing positively.

The case is adjourned to 16<sup>th</sup> December, 2020 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

**Date :23<sup>rd</sup> September, 2020**

**(Sanjiv Garg)  
State Information Commissioner  
Punjab**

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '918782948'**

(Regd. Post) Munish Kaushal  
S/o Sh. N. D. Kaushal,  
H. No. 13 – D, Passi Road,  
Patiala - 147001(Punjab) ...Appellant

V/s

(Regd. Post) Public Information Officer,  
O/o The Deputy Secretary,  
Pb. State Power Corporation Limited(P.S.P.C.L.),  
Patiala (Punjab)

(Regd. Post) First Appellate Authority,  
O/o The Chief Engineer/H.R.D.,  
Pb. State Power Corporation Limited(P.S.P.C.L.),  
Patiala (Punjab) ...Respondents

### **Appeal Case No. 385 of 2020**

Present : Sh. Munish Kaushal, the appellant in person.  
i) Sh. Dharamvir Saini, Deputy Secretary (Services – II) ;  
ii) Sh. Rakesh Kokria, Superintending Engineer(Technical) ;  
iii) Sh. Harinder Singh, Deputy Manager, on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 01.10.2019. First appeal is dated 26.11.2019.

Second appeal has been received in the Commission on 20.01.2020.

On the last date of hearing, held on 26.08.2020, Sh. Dharamvir Saini, Deputy Secretary (Services – II) and Sh. Rakesh Kokria, Superintending Engineer (Technical), appeared for the respondent PIO and stated that the remaining information at point no. 04 has been supplied to the appellant and in compliance to the order dated 06.08.2020, a status report under signatures of Superintending Engineer(Technical), was also sent to the Commission vide letter no. 150 dated 14.08.2020. After hearing the parties i. e. the appellant, Sh. Munish Kaushal and Ms. Yogita Sharma (wife of the appellant (Sh. Munish Kaushal), Sh. Dharamvir Saini, Deputy Secretary (Services – II) and Sh. Rakesh Kokria, Superintending Engineer(Technical), it emerged that Ms. Madhuri Saxena, Senior Sports Officer's cadre was changed from Foreman to Sport's Officer and the appellant is demanding the office order/(BOD) Board of Department's decision, through which the cadre of Ms. Madhuri Saxena was changed. During the Court, the appellant, Sh. Munish Kaushal, raised another point regarding attendance sheets i. e. attested by Ms. Yogita Sharma earlier (which were later cancelled by her)

and the information was supplied later, after getting it certified from Ms. Madhuri Saxena, Senior Sports Officer. On this point, the respondent stated that a reply was sent to the Commission, intimating that the attendance sheets i. e. attested by Ms. Yogita Sharma earlier (which were later cancelled by her) was destroyed, however, copy of attested attendance sheets for the month of 04/2016 signed by Ms. Yogita Sharma and on which it was written cancelled was produced by Ms. Yogita Sharma on 13.08.2020 and she was allowed to compare and examine with the already supplied copy of attendance sheet to Mr. Munish Kaushal. Ms. Yogita Sharma, stated that she will provide the photocopies of the attendance sheets, which were attested by her and later on cancelled by her (which were destroyed by the respondent office), to the respondent by 27.08.2020. Accordingly, Ms. Yogita Sharma (wife of the appellant (Sh. Munish Kaushal), was advised to provide the above-mentioned attendance sheets to the respondent with a copy to the Commission and the respondent PIO concerned was directed to file a proper reply as status report specifying the fact that whether cadre of Ms. Madhuri Saxena, Senior Sports Officer's was changed from Foreman to Sport's Officer and if cadre was changed from Foreman to Sport's Officer then the respondent PIO is directed to submit/send a copy of the office order/copy of (BOD) Board of Director's decision, through which the cadre of Ms. Madhuri Saxena was changed from Foreman to Sport's Officer, to the Commission.

Sh. Dharamvir Saini, Deputy Secretary (Services – II) ; Sh. Rakesh Kokria, Superintending Engineer(Technical) and Sh. Harinder Singh, Deputy Manager, who appeared on behalf of the respondent PIO in today's hearing, state that the remaining information at point no. 04 has been supplied to the appellant.

The appellant, Sh. Munish Kaushal , who appeared in person in today's hearing, states that the remaining information at point no. 04 is still pending as incomplete has been provided to him, moreover, whatever information has been given to him is noting portion of the file but there is no decision/order specifying that Ms. Madhuri Saxena, Senior Sports Officer's was changed from Foreman to Sport's Officer. He also intimates that there are copies of certain information, in which tempering was done on the attendance sheet of certain dates, moreover, presence of some of the officials has been marked on holidays. He also intimates that some of the documents the name of the concerned person's name is written as 'Madhuri A. Singh' and on some of the documents it is written as ' Madhuri Saxena'.

After examining the documents placed on record, it is found that the PIO/Superintending Engineer(Technical), P.S.P.C.L, Patiala had already sent a reply vide letter no. 150 dated 14.08.2020 signed by, to the Commission, which was received vide Diary No. 10616 dated 26.08.2020.

After examining the documents placed on record, it is found that AM/HR, Gaz-2, P. S. P. C. L, Patiala has sent a reply through an e-mail dated 09.09.2020 with annexure, which is taken on record.

After going through the reply sent by the respondent, it emerges that the reply sent by the respondent PIO is not satisfactory as enclosures show that only proposals have been put up to the higher authorities for change of cadre of Foreman to Sport's Officer but it is not specifying the fact that whether cadre of Ms. Madhuri Saxena, Senior Sports Officer's was changed from Foreman to Sport's Officer, moreover, there is no copy of the office order/copy of (BOD) Board of Director's decision, through which the cadre of Ms. Madhuri Saxena was changed from Foreman to Sport's Officer. **This is clearly an attempt to give misleading information to the Commission.**

As orders dated 26.08.2020 passed by the Commission has not been complied by the respondent PIO, hence, taking a serious view of this casual approach of the respondent PIO, **a show cause notice under Section 20 (1) of the RTI Act is issued to Sh. Dharamvir Saini, Deputy Secretary (Services – II) of office of Pb. State Power Corporation Limited, Patiala as to why penalty be not imposed upon him for willful denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker and under Section 20 (2) of the RTI Act, as to why disciplinary action be not recommended against him for willful delay in supplying the information to the RTI applicant.**

The PIO is also hereby given an opportunity under Section 20(1) provision, thereto, for a personal hearing before the imposition of such penalty. He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed through facility of Software/application 'CISCO Webex Meetings', it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. **A copy of this order be sent to him through registered post.**

A copy of this order be sent to Sh. Venu Prasad, Chairman-cum-M.D., Pb. State Power Corporation, Patiala through registered post with order dated 26.08.2020 with the advice to ensure the above-said order and also to ensure presence of Sh. Dharamvir Saini, Deputy Secretary (Services – II) office of P. S. P. C. L., Patiala on the next date fixed through facility of Software/application 'CISCO Webex Meetings'.

Last and final opportunity is given to the respondent PIO concerned is directed to file a proper reply as status report specifying the fact that whether cadre of Ms. Madhuri Saxena, Senior Sports Officer's was changed from Foreman to Sport's Officer and if cadre was changed from Foreman to Sport's Officer then the respondent PIO is directed to submit/send a copy of the office order/copy of (BOD) Board of Director's decision, through which the cadre of Ms. Madhuri Saxena was changed from Foreman to Sport's Officer, to the Commission by the next date of hearing positively.

The case is **adjourned to 28<sup>th</sup> October, 2020 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'**.

Copies of the orders be sent to the parties.

**Date :23<sup>rd</sup> September, 2020**

**(Sanjiv Garg)  
State Information Commissioner  
Punjab**

i) Sh. Venu Prasad,  
The Chairman-cum-M. D.,  
(Regd. Post) O/o Pb. State Power Corporation Limited(P.S.P.C.L.),  
Patiala (Punjab)

**Encl :order dated 26.08.2020**

ii) Sh. Dharamvir Saini,  
Deputy Secretary (Services – II)  
(Regd. Post) O/o Pb. State Power Corporation Limited(P.S.P.C.L.),  
Patiala (Punjab)

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '918782948'**