

Sh.Manjit Singh, S/o Lt Sh. Amar Singh,
R/o 4780, Shiva Ji Nagar,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Police Station-Anti Theft(PSPCL),
Sarabha Nagar, Ludhiana.

...Respondent

Complaint Case No. 473 of 2019

PRESENT: None for the Complainant
Sh.Sukhpaljit Singh, SI for the Respondent

ORDER: The complainant through RTI application dated 01.10.2018 has sought information regarding FIR filed for disconnecting LCR on 11.09.2018 by AJE Ghandham Dass of Janta Nagar Ludhiana – copy of challan filed in the court – document for arrest of accused – fine recovered from the accused – copy of rojnamcha and other information concerning the office of Police Station , Anti Theft9PSPCL), Sarabha Nagar, Ludhiana. The appellant was not provided the information after which he filed complaint in the Commission on 20.05.2019.

On the date of first hearing on 10.09.2019, none was present. The case was adjourned.

On the date of hearing on **04.12.2019**, the respondent present pleaded that they have sent the information to the complainant vide letter dated 21.11.2019. The complainant was absent nor had pointed out any deficiency.

The Commission observed that there has been an enormous delay of more than one year in attending to the RTI application. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed** to file reply on an affidavit.

On the date of hearing on **02.03.2020**, the respondent did not bring reply to the show cause notice. The PIO was absent. The PIO was given one last opportunity to file reply to the show cause notice on an affidavit.

On the date of last hearing on **03.08.2020**, which was held through video conferencing at DAC Ludhiana, none was present. The case was adjourned.

Hearing dated 23.09.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that the information has already been sent to the appellant. The appellant is continuously absent nor has pointed out the discrepancies. Hence It is presumed that the appellant has received the information and is satisfied.

The PIO has sent a reply to the show cause notice which has been received by the Commission on 18.09.2020 and taken on the file of the Commission.

I have gone through the reply and accept the plea of the PIO. The show cause is dropped.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated 23.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Jasbir Singh,
Village Bholapur, Jhabewal,
P.O Ramgarh, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Civil Surgeon, Tarn Taran.

First Appellate Authority,
O/o Civil Surgeon, Tarn Taran

..... Respondent

Appeal Case No. 779 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER: The appellant through RTI application dated 19.11.2018 has sought information regarding number of food processing units in District Tarn Taran and licenses issued to them and documents submitted by the manufacturers for obtaining license etc from the office of Civil Surgeon, Tarn Taran. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 29.12.2018 which took no decision on the appeal.

The case was first heard on 19.06.2019. The appellant claimed that the PIO has not provided the information even after a period of seven months. The respondent was absent. The PIO was issued a show **cause notice under section 20 of the RTI Act and directed to** file reply on an affidavit . The PIO was again directed to provide complete information to the appellant within 15 days.

The case was again heard on **04.09.2019**. Both the parties were absent. The PIO was given one more opportunity to comply with the earlier order of the Commission and be present on the next date of hearing otherwise the Commission will be constrained to take action as per provisions of the RTI Act.

On the date of hearing on **03.12.2019**, none was present. The case was adjourned.

On the date of hearing on **02.03.2020**, the appellant had received the information and was satisfied. The respondent submitted his reply which was however, not from the PIO. The PIO was given one last opportunity to file reply to the show cause notice on an affidavit and appear before the Commission on the next date of hearing.

On the date of last hearing on **03.08.2020**, none was present. The case was adjourned.

Hearing dated 23.09.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent is absent and vide email has sent a reply to the show cause notice issued on 19.06.2019 which has been taken on the file of the Commission.

The information stands provided. I have gone through the reply and accept the plea of the PIO. The show cause is dropped.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated 23.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Naresh Goel, S/o Sh Hans Raj,
501/62/1, Shastri Nagar, Street No-3,
Jagraon, Distt Ludhiana.

... Compliant

Versus

Public Information Officer,
Tehsildar, Village Gill,
Ludhiana(South)

...Respondent

Complaint Case No. 986 of 2018

Present: **None for the Complainant**

Sh.Kanwar Narinder Singh, Tehsildar Ludhiana(West) for the Respondent

Order: This order should be read in continuation to the earlier order.

The complainant through RTI application dated 02.07.2018 has sought information regarding demarcation of land applied through Sewa Kendre, Janta Nagar Ludhiana vide acknowledgement No.02114669 dated.08.09.2017 & 01218540 dated 23.06.2017 and other information concerning the office of Tehsildar Village Gill, Ludhiana. The complainant was not provided the information after which he filed complaint with the Commission on 14.08.2018.

The case was earlier heard on 27.11.2018, 16.01.2019, 13.03.2019, 14.05.2019, 03.07.2019, 13.08.2019, 29.11.2019, 04.03.2020, 11.03.2020 & 03.08.2020.

Due to non compliance of the order of the Commission, the PIO- Tehsildar Village Gill (Ludhiana) was issued a show cause notice on 13.03.2019 under section 20 of the RTI Act and directed to file a reply on an affidavit.

On the next date of hearing which was held on 14.05.2019 and again on 03.07.2019, the PIO however in spite of the orders of the Commission to be personally present did not turned up nor had sent any reply to the show cause notice. Invoking section 20 of the RTI Act, a penalty of **Rs.15,000/-** was imposed upon the PIO-Tehsildar, on 03.07.2019, under whose jurisdiction the Village Gill (Ludhiana) falls, which was be deposited in the Govt. Treasury. The PIO was again directed to provide the information within 10 days and send a compliance report to the Commission.

A copy of the order was sent to the Deputy Commissioner, Ludhiana to ascertain the PIO – Tehsildar, under whose jurisdiction Village Gill(Ludhiana) falls. To get the order served to the concerned PIO and to ensure compliance of this order, as well as ensure that the concerned PIO appears personally at the next date of hearing.

On the next date of hearing on **13.08.2019**, **Sh.Harvinder Singh**, reader to Tehsildar(South) Ludhiana appeared and pleaded that neither the RTI application nor any order of the Commission was received by them and they only received the order dated 03.07.2019 through the office of DC Ludhiana. The respondent also submitted a letter dated 09.08.2019 signed by the PIO-cum-Tehsildar, Ludhiana(South) whereby the Tehsildar Ludhiana(South) informed that he had joined on 05.07.2019 and as per their record, no RTI application pertaining to this appeal case was pending nor any order of the Commission was received. A copy of the RTI application was provided to the respondent with a direction to look at the RTI application and provide the information to the appellant.

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The respondent was also directed to inform the name of the PIO when the RTI application was filed and his period of stay. The concerned PIO was directed to be present personally at the next date of hearing.

On the next date of hearing on **29.11.2019**, **Sh.Gurdev Singh, Tehsildar (South) Ludhiana** appeared and informed that the available information has been provided to the appellant. The appellant had received the information and was satisfied.

Regarding deposit of penalty amount, the respondent pleaded that he had taken the charge as PIO-Tehsildar(South) recently in Oct. 2019 and delay had happened on the part of earlier Tehsildar Sh.Kanwar Narinder Singh who was the PIO-cum-Tehsildar (South) when the RTI application was filed. The respondent also submitted a list of PIOs posted from the date of filing of RTI application till date. As per the list submitted, Sh.Kanwar Narinder Singh was the PIO from June,217 to 14.03.2019. The respondent informed that Sh.Kanwal Narinder Singh had been transferred and posted as Sub-Registrar Ludhiana(West).

Sh.Kanwal Narinder Singh, Tehsildar Ludhiana(West) was directed to appear before the Commission on the next date of hearing and plead his case. The present PIO was also directed to appear on the next date of hearing.

On the next date of hearing on **04.03.2020**, both the parties were absent. Sh.Kanwal Narinder Singh, SR Ludhiana vide email sought exemption and requested for hearing of the case on 11.03.2020.

On the date of hearing on **11.03.2020**, Sh.Kanwar Narinder Singh, SR Ludhiana and Sh.Karan Gupta, Tehsildar Ludhiana were present. Sh.Kanwar Narinder Singh, SR Ludhiana pleaded that he never received the RTI application nor any order of the Commission.

Sh.Kanwar Narinder Singh, SR Ludhiana was directed to file his reply on an affidavit.

On the date of last hearing on **03.08.2020**, the respondent was absent. The case was adjourned.

Hearing dated 23.09.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. Sh.Kanwar Narinder Singh, Tehsildar Ludhiana(West) has sent his reply through email which has been taken on the file of the Commission.

In the reply, new facts have emerged. They are the following- In the reply, the respondent has stated that during his posting as Tehsildar Ludhiana(South), since no RTI application had been received in their office no information could be provided. He further informed that in July, 2019, he was transferred from Tehsil Ludhiana (South) to Tehsil Banga and thereafter again transferred from Tehsil Banga to Tehsil Ludhiana(West), hence no intimation regarding pendency of the above said RTI application was given to him. As per respondent, he only came to know about the order dated 03.07.2019 for imposing penalty of Rs.15000/- after his transfer from Tehsil Banga to Tehsil Ludhiana (West).

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The respondent has further submitted that the required information has already been provided to the complainant on 21.11.2019 and the complainant on the hearing of 29.11.2019 also expressed his satisfaction and requested not to pursue his complaint further.

Keeping in view the above facts, the plea of Kanwal Narinder Singh is accepted and the order dated 03.07.2019 for penalty is recalled.

No further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated: 23.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : 1. Sh.Kanwal
Narinder Singh,
Tehsildar
Ludhiana(West).

2. PIO-Deputy Commissioner, Ludhiana



Sh. Suresh Aggarwal, S/o ShPrem Chand,
R/o H NO-2585/2-A, Jagat Nagar,
BastiJodhwal,Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Tehsildar (East),
Ludhiana.

First Appellate Authority,
O/o District Revenue Officer,
Ludhiana.

...Respondent

Appeal Case No. 173 of 2019

Present: Sh.Suresh Aggarwal as the Appellant
Sh.Gurmit Singh, Tehsildar Ludhiana(East) for the Respondent

ORDER:

The appellant through RTI application dated 04.09.2018 has sought certain information regarding measurement of land adjoining to Budha nala vacant and encroachment of land and size in the year before and after 2008 and name of the department who has undertaken the measurement of land – site plan of total Budha Nala inside & outside city –inspection report etc. from the office of Tehsildar Ludhiana(East) The appellant was not provided the information after which he filed first appeal with the First Appellate Authority on 29.10.2018 which took no decision on the appeal.

The case was earlier on 26.02.2019, 09.04.2019, 06.08.2019, 02.12.2019, 17.02.2020 and 03.08.2020.

On the date of hearing on **06.08.2019**, the respondent present pleaded that the concerned Kanoongo had called the appellant to specify the area for which the information was sought since the area of Budha Nala is spread in whole of the city.

Hearing both the parties, the PIO was directed to provide whatever document is available with them for the area of Budha Nala under the jurisdiction of Tehsildar (East) Ludhiana. Further since the appellant also asked for inspection of the file, the PIO was directed to allow the appellant to inspect the file on 20.08.2019 at 11.00 AM, if such file exists and provide the relevant information.

On the date of hearing on **02.12.2019**, the appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was issued a **show cause notice under Section 20 of the RTI Act and directed to file reply on an affidavit**. The PIO was again directed to provide the information to the appellant within 10 days.

Sh.Iqbal Singh Kanoongo, Mangat Area and Smt.Rajni Bala, Sr Assistant O/o Tehsildar (East) appeared late and assured to provide the information to the appellant within 10 days. They were informed about the status of the case.

On the last date of hearing on **17.02.2020**, **both the** parties were absent. The case was adjourned.

On the date of last hearing on **03.08.2020**, the respondent present pleaded that the available information has been provided to the appellant and no other information is available in the record. The appellant was absent.

The PIO was directed to give in writing on an affidavit that the information that has been provided is true, complete and no other information relating to point-1 is available in the record.

The PIO however did not file reply to the show cause notice. The PIO was given one last opportunity to file reply on an affidavit.

Hearing dated 23.09.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that in compliance with the order of the Commission, an affidavit has been provided to the appellant with a copy to the Commission. The appellant has received the affidavit.

The PIO has also sent reply to the show cause notice through email which has been taken on the file of the Commission. I have gone through the reply and accept the plea of the PIO. The show cause is dropped.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated 23.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner