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Shri Chaur Chand

s/o Shri Malawa Ram, H.No.9898,

St. No.8, Joshi Nagar, Haibowal Kalan,

Ludhiana-141001. --------Appellant

**Vs.**

Public Information Officer

o/o Tehsildar (East), Ludhiana.

First Appellate Authority,

O/o Additional Deputy Commissioner,

Mini Secretariat, Ferozepur Road, Ludhiana. -------Respondents

**Appeal Case No. 2100 of 2017**

Present:- Shri Sarabjit Singh Kahlon, on behalf of the respondents.

None for the respondents.

**ORDER**

The case was last heard on 18.09.2017, when none was present on behalf of the respondents without any intimation. Accordingly, one last opportunity was afforded to the PIO to supply the requisite information to the appellant before the next date of hearing. The case was adjourned for today.

2. Today, the representative of the respondents informs that no information has been supplied to the appellant so far. None is present on behalf of the respondents during second consecutive hearing without any intimation. Viewing the callous and

Contd…….p/2

**AC - 2100 of 2017 -2-**

lackadaisical attitude of the PIO seriously, he is directed to supply requisite information to the appellant within 20 days, with a copy to the Commission. He is also directed to explain reasons for delay in the supply of information and also reasons for absence during two consecutive hearings, failing which punitive action under the provisions of RTI Act, will be initiated against him.

3. To come up on **22.11.2017 at 11.30 A.M. for further proceedings.**

**Sd/-**

**Dated : 23.10.2017 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

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Dr. Sandeep Kumar Gupta,

#1722, Sector 14, Hisar-125001. --------Appellant

**Vs.**

Public Information Officer

o/o Sub Divisional Magistrate (West),

New Court, Complex, Ludhiana.

First Appellate Authority,

O/o Deputy Commissioner, Ludhiana. -------Respondents

**Appeal Case No. 2095 of 2017**

Present:- Shri Sarabjit Singh Kahlon, on behalf of the appellant.

Shri Jagpal Singh, Patwari, Ludhiana(West), on behalf of the respondents.

**ORDER**

The case was last heard on 18.09.2017, when none was present on behalf of the appellant as well as the respondents. Accordingly, one last opportunity was afforded to the PIO to supply the requisite information to the appellant before the next date of hearing. The case was adjourned for today. failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

2. Today, Shri Jagpal Singh, Patwari, Ludhiana(West), appearing on behalf of the respondents, hands over information to the representative of the appellant, who seeks time to study the same. Accordingly, the appellant is directed to send his observations, if any, on the provided information, to the PIO, with a copy to the Commission.

3. To come up on **22.11.2017 at 11.30 A.M. for further proceedings.**

**Sd/-**

**Dated : 23.10.2017 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

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Dr. Sandeep Kumar Gupta,

#1722, Sector 14, Hisar-125001. --------Appellant

**Vs.**

Public Information Officer

O/o Department of Personnel, Punjab,

PP-3 Branch, Punjab Civil Secretariat,

Chandigarh.

First Appellate Authority,

o/o Department of Personnel, Punjab,

PP-3 Branch, Punjab Civil Secretariat,

Chandigarh. -------Respondents

**Appeal Case No. 2092 of 2017**

Present:- Shri Sarabjit Singh Kahlon, on behalf of the appellant.

Shri Sandeep Singh, Senior Assistant, PP-3 Branch, on behalf of the respondents.

**ORDER**

The case was last heard on 18.09.2017, when the appellant was not present. The representative of the respondents informed that he had brought information regarding Points No. 1 and 3 for handing over to the appellant. He further informed that the information regarding Point No. 2 could not be supplied as it related to third party. Since the appellant was not present, the representative of the respondents was directed to send the information to the appellant by registered post and the appellant was directed to send his observations, if any, on provided information, to the PIO, with a copy to the Commission. The case was adjourned for today.

Contd…….p/2

**AC - 2092 of 2017 -2-**

2. Today, the representative of the appellant submits that the provided information has not been certified and regarding third party information, action has not been taken by the PIO as per the provisions of RTI Act, 2005. Accordingly, after hearing both the parties and discussing the matter, the PIO is directed to file a proper detailed reply in the matter and bring the original file on the next date of hearing for the perusal of the Commission to facilitate the Commission to arrive at a logical conclusion.

3. To come up on **22.11.2017 at 11.30 A.M. for further proceedings.**

**Sd/-**

**Dated : 23.10.2017 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

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Shri Puneet Kumar Sharma, Advocate,

Chamber No.349,2nd Floor,

Yadvindra Complex, Lawyers Chambers,

District Courts, Patiala. --------Appellant

**Vs.**

Public Information Officer

o/o The Commandant,

7th Battalion, PAP, Jalandhar Cantt.

First Appellate Authority,

O/o Additional Director General of Police,

Armed Battalion, PAP, Jalandhar Cannt. -------Respondents

**Appeal Case No. 2088 of 2017**

Present:- Shri Puneet Kumar Sharma, Advocate, appellant, in person.

Shri Jagdev Singh, DSP, PAP Jalandhar and Shri Harpinder Singh ASI, on behalf of the respondents.

**ORDER**

In this case, Shri Puneet K. Sharma, appellant, vide his RTI application dated 15.05.2017, addressed to the PIO, sought certain information on 14 points in respect of Shri Sukhwinder Singh, Ex-H.C. No. 7/19.

2. The case was last heard on 18.09.2017, when the appellant was not present. Shri Vinod Sharma, Legal Advisor, appearing on behalf of the respondents informed that a reply had been sent to the appellant. Accordingly, the appellant was directed to send his observations on the reply received from the respondents, to the PIO, with a copy to the Commission. The case was adjourned for today.

Contd……..p/2

**AC - 2088 of 2017 -2-**

3. Today, the representative of the respondents informs that complete information has already been supplied to Sukhwinder Singh, the deceased. After hearing both the parties and discussing the matter, it is directed that one more copy of the information, already supplied to Shri Sukhwinder Singh, the deceased, be supplied to the appellant and the appellant is directed to send his observations, if any, to the PIO, with a copy to the Commission.

4. To come up on **27.11.2017 at 11.30 A.M. for further proceedings.**

**Sd/-**

**Dated : 23.10.2017 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

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Shri Navdeep Gupta,

Kothi No.455, Gillco Valley,

Kharar, District: SAS Nagar. --------Complainant

**Vs.**

Public Information Officer

o/o Deputy Inspector General, Punjab Police,

Ludhiana Range, Ludhiana. -------Respondent

**Complaint Case No. 677 of 2017**

Present:- Shri Navdeep Gupta, complainant, in person.

Shri Ravinder Pal Singh Sandhu, S.P. Investigation Khanna; Shri Roor Singh, ASI, Incharge RTI Khanna and Shri Parshotam Kumar, H.C., on behalf of the respondent.

**ORDER**

The case was last heard on 19.09.2017, when Shri Ravinder Pal Singh Sandhu, S.P. Investigation Khanna, appearing on behalf of the respondent PIO, informed that as per the orders of the Commission passed on the last date of hearing, a copy of reply had been sent to the complainant. The complainant asserted that he wanted only a copy of Rules/Instructions in vogue on the subject. Consequently, after hearing both the parties and discussing the matter, the representative of the respondent PIO was directed to supply a copy of Rules/Instructions on the subject, if available in their record, to the complainant or submit the factual position in the matter, on the next date of hearing. The case was adjourned for today.

Contd…….p/2

**CC - 677 of 2017 -2-**

2. A letter No. 27701-03/RTI, dated 09.10.2017 has been received from DIGP, Ludhiana Range, Ludhiana addressed to DGP, Punjab, Chandigarh with a copy endorsed to the Commission, vide which he has requested DGP, Punjab, Chandigarh to provide a copy of Rules/Instructions on the subject, so that the same could be supplied to the appellant.

3. Today, the representative of the respondent seeks some more time to enable them to supply the requisite information to the complainant as the matter is under discussion with the office of the DGP, Punjab, Chandigarh. The request of the representative of the respondent is accepted and he is directed to provide the requisite information to the complainant, before the next date of hearing.

4. To come up on **22.11.2017 at 11.30 A.M. for further proceedings.**

**Sd/-**

**Dated : 23.10.2017 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Rakesh Kumar

s/o Shri Ranjit Singh,

r/o H.No.5805, Gali No.15,

Guru Angad Dev Colony, Ati Road,

Ludhiana. --------Appellant

**Vs.**

Public Information Officer

o/o Commissioner of Police,

Ludhiana.

First Appellate Authority,

O/o Commissioner of Police,

Ludhiana.

Public Information Officer,

O/o Station House Officer,

Police Station, Daba, Ludhiana. -------Respondents

**Appeal Case No. 1942 of 2017**

Present:- None for the appellant.

Shri Gurbinder Singh, SHO; Shri Jarnail Singh, H.C. and Shri Ramesh Kumar, H.C., Police Station Daba, Ludhiana, on behalf of the respondents.

**ORDER**

The case was last heard on 19.09.2017, when the representative of the respondents informed that the requisite information had been supplied to the appellant, which had been duly received by him. He submitted a copy of receipt taken from the appellant, which was taken on record. Since compensation amount had not been paid to the appellant by the respondent PIO, it was directed that compensation amount of

Contd……p/2

**AC - 1942 of 2017 -2-**

Rs. 2,000/- be paid to the appellant by the Public Authority through a Bank Draft before the next date of hearing, under intimation to the Commission. The case was adjourned for today for confirmation of compliance of orders.

2. Today, Shri Gurbinder Singh, SHO, submits that the requisite information has been supplied to the appellant, which has been duly received by him. Since compliance report regarding payment of compensation of Rs. 2000/- to the appellant through Bank Draft by the Public Authority, has not been submitted, one last opportunity is afforded to the respondent PIO to submit the compliance report in this regard, before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

3. To come up on **22.11.2017 at 11.30 A.M. for confirmation of compliance of orders.**

**Sd/-**

**Dated : 23.10.2017 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Dharamvir s/o Shri Ratu Ram,

r/o House No. 2479, Sector 39C,

Chandigarh --------Complainant

**Vs.**

Public Information Officer,

O/o GMADA Mohali.

First Appellate Authority

O/o GMADA Mohali. -------Respondents

**Complaint Case No. 1565 of 2016**

Present:- Shri Dharamvir, complainant, in person.

Smt. Suman Bala, Assistant Estate Officer-cum-PIO; Shri Balwinder Singh, Advocate, and Shri Parminder Singh, XEN, on behalf of the respondents.

**ORDER**

In this case, during hearing on 17.07.2017, the respondent-PIO was directed to trace the missing record or reconstruct the record so that the requisite information could be supplied to the complainant. He was further directed to submit reply to the Show Cause notice issued to him and avail the opportunity of personal hearing. The case was adjourned to 17.08.2017.

2. On 17.08.2017, in compliance to the previous order, Shri Sanjeev Gupta, XEN-Cum-PIO appeared and informed that concerned offices had reverted back to

inform that missing record was not traceable. However, he did not file any reply to the

Contd……p/2

**CC - 1565 of 2016 -2-**

show cause notice issued to him on 14.6.2017. Accordingly, the respondent-PIO was directed to file appropriate reply to show cause notice issued to him on 14.6.2017 and also submit inquiry report fixing responsibility of the erring officials, responsible for misplacing the record. He was further directed to supply the requisite information to the appellant after reconstructing the record. The case was adjourned to 19.09.2017.

3. On 19.09.2017, Shri Balwinder Singh, Ld. Counsel for Shri Sanjeev Gupta, XEN(Civil), Patiala Development Authority, PUDA Office, Patiala, the then PIO GMADA, Mohali, submitted reply to the Show-Cause Notice from Shri Sanjeev Gupta. Ld. Counsel inter-alia further submitted that the demanded information was more than 20 years old, which was not liable to be supplied to the applicant. He also submitted that Shri Sanjeev Gupta, XEN had never been appointed as PIO in the instant case by GMADA authorities. He requested that Shri Sanjeev Gupta, XEN, might be exempted from personal appearance during future hearings as he would appear on his behalf. Consequently, Shri Sanjeev Gupta was exempted from personal appearance till that time his presence was not required.

4. After hearing both the parties and discussing the matter at length, Ld. Counsel for Shri Sanjeev Gupta was directed to provide a copy of the reply to the complainant as well as to the present PIO of the office of GMADA, Mohali for submitting their observations, if any, on the next date of hearing.

5. A copy each of the order was forwarded to Chief Administrator, PUDA

Contd……p/3

**CC - 1565 of 2016 -3-**

and GMADA, Mohali to file a reply in his personal capacity to apprise the Commission as to who was the PIO at the time of submission of instant RTI application by the complainant, to facilitate the Commission to arrive at a logical conclusion while deciding this case. The case was adjourned for today.

6. Today, Shri Balwinder Singh, Advocate, informs that he is appearing on behalf of Shri Sanjeev Gupta, XEN and also on behalf of the respondent Public Authority i.e. GMADA. He submits a reply from Shri Ravi Bhagat, Chief Administrator, PUDA and GMADA, Mohali informing that Smt. Dalbir Kaur, Assistant Estate Officer, GMADA was working as the PIO of GMADA from 11.12.2012 to 06.07.2017 and Smt. Suman Bala, Assistant Estate Officer-1, GMADA has been appointed as PIO, GMADA vide office order dated 06.07.2017.

7. Ld. Counsel for the respondents submits a reply from Smt. Suman Bala, A.E.O.-cum-PIO, GMADA by way of affidavit dated 23.10.2017, a copy of which is handed over to the complainant for his observations, if any. The PIO has inter-alia stated in her reply that the record containing the information sought by the complainant, is neither available in GMADA nor re-constructible and as such, the deponent is not in a position to supply the information to the complainant. She has further submitted that it is not practically feasible at such a belated stage to ascertain the officials who could be held responsible for the non-availability of the record as most of the officials have

retired. Accordingly, it is directed that an affidavit be submitted on the next date of

Contd……p/4

**CC - 1565 of 2016 -4-**

hearing, explaining reasons in detail, as to why the record cannot be reconstructed.

8. A copy of the order is forwarded to Shri Ravi Bhagat, IAS, Chief Administrator, GMADA, Mohali to ensure the compliance of the orders.

9. To come up on **27.12.2017** **at** **11.30 A.M.** **for further proceedings.**

**Sd/-**

**Dated : 23.10.2017 ( S.S. Channy)**

**Chief Information Commissioner Punjab.**

**CC:**

**Shri Ravi Bhagat, IAS,**

**Chief Administrator,**

**GMADA, PUDA Bhawan,**

**Mohali.**

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Shri Ranjit Singh, Advocate,

Chamber No.122, Mahatma Gandhi Complex,

District Courts, Patiala. --------Appellant

**Vs.**

Public Information Officer

o/o Senior Superintendent of Police, Sangrur.

First Appellate Authority,

O/o Senior Superintendent of Police, Sangrur. -------Respondents

**Appeal Case No. 1003 of 2017**

Present:- Shri Baljit Singh, on behalf of the appellant.

Shri Ajaib Singh, ASI, office of SSP Sangrur, on behalf of the respondents.

**ORDER**

The case was last heard on 19.09.2017, when the representative of the respondents informed that the application of the appellant had been traced, which was pending with the PIO of the office of S.S.P. Sangrur. Accordingly, the PIO of the office of S.S.P. Sangrur was impleaded as a necessary party in this case and he was directed to submit status report of the case on the next date of hearing. The case was adjourned for today.

2. Today, the representative of the respondents hands over requisite information to the appellant, who after perusing the same, expresses satisfaction.

3. Accordingly, the case is **disposed of and closed.**

**Sd/-**

**Dated : 23.10.2017 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Mukesh Kumar Sharma

Advocate, H.No.258, Sector 4,

MDC, Panchkula. --------Appellant

**Vs.**

Public Information Officer

o/o Police Station, Zirakpur.

First Appellate Authority,

O/o Police Station, Zirakpur. -------Respondents

**Appeal Case No. 852 of 2017**

Present:- Shri Mukesh Kumar Sharma, appellant, in person.

Shri Joginder Singh, Sub Inspector, on behalf of the respondents.

**ORDER**

The case was last heard on 19.09.2017, when the representative of the respondents informed that the remaining information was not available. Accordingly, the PIO was directed to trace the missing record and supply complete information to the appellant and in case of non-availability, a written submission to this effect be made on the next date of hearing. The case was adjourned for today.

2. Today, the appellant reiterates that only partial information has been supplied to him. He elaborates that the information regarding Point No. 1 has been supplied but the information regarding Points No. 2 and 3 has not been supplied as yet. The representative of the respondents submits that the information, available on record,

Contd……p/2

**AC - 852 of 2017 -2-**

has been supplied to the appellant and the record in respect of remaining information is not available. Accordingly, the PIO is again directed to supply the remaining information and in case it is not available then a written submission to this effect be submitted on the next date of hearing.

3. To come up on **22.11.2017** at **11.30 A.M.** **for further proceedings.**

**Sd/-**

**Dated : 23.10.2017 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Gulshan Mehta, Advocate,

Kothi No.58, Green Enclave, Zirakpur,

District SAS Nagar. --------Complainant

**Vs.**

Public Information Officer

O/o Tehsildar, Dera Bassi,

District: SAS Nagar. -------Respondent

**Complaint Case No. 1751 of 2017**

Present:- None on behalf of the complainant.

Shri Parveen Kumar, Tehsildar Dera Bassi, on behalf of the respondent.

**ORDER**

The case was last heard on 19.09.2017, when none was present on behalf of the appellant as well as the respondents. However, a letter dated 19.09.2017 was received from the appellant, through e-mail, informing that he was unable to attend the hearing. He further informed that deficient/remaining information had not been supplied to him by the respondent-PIO. Accordingly, the appellant was again directed to visit the office of the PIO on a mutually agreed date and time to inspect the record to identify the documents still required by him, which would be supplied to him by the PIO, on the spot. The case was adjourned for today.

2. Today, the complainant is not present. However, a letter dated 23.10.2017 has been received from him through e-mail informing that the remaining

Contd…….p/2

**CC - 1751 of 2017 -2-**

information has not been supplied to him so far. He has requested to take action against the PIO for imposition of penalty upon him.

3. Shri Parveen Kumar, Tehsildar Dera Bassi informs that the information was initially supplied to the complainant on 09.01.2017and later after removing the deficiencies pointed out by the complainant, remaining information has been sent to him vide letter No. 1464/R.C., dated 22.09.2017 by ordinary post. He submits a copy of the same to the Commission, which is taken on record. He further informs that as per the orders of the Commission issued on the last date of hearing, the complainant has not visited his office to inspect the record. Accordingly, the respondent is directed to send one more copy of letter No. 1464/R.C., dated 22.09.2017 to the complainant by registered post and the complainant is advised to contact the PIO in case he still has any doubt in the provided information or file an appeal with the First Appellate Authority as per the judgement of the Hon’ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011(arising out of SLP(C) No. 32768-32769/2010) – Chief Information Commissioner and another Vs. State of Manipur and another.

4. In these circumstances, the instant case is **disposed of and closed.**

**Sd/-**

**Dated : 23.10.2017 ( S.S. Channy)**

**Chief Information Commissioner Punjab**