

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

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## FINAL ORDER

**Yogesh Mahajan,**  
S/o Late Shri Kuldip Raj Mahajan,  
(President of Anti Corruption Council),  
Opposite Water Tank, Municipal Market,  
Mission Road, Pathankot.

Versus

**Public Information Officer,**  
o/o Executive Engineer, Bathinda Canal Division,  
Bathinda.

**First Appellate Authority,**  
o/o Superintending Engineer, Sirhind Canal Circle,  
Urban Estate, Phase-1, Ludhiana.

## Appeal Case No. 608 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Gursagar Chahal, PIO-cum-XEN (Respondent) 82840-67800

ORDER:

*(To be read in continuity with earlier orders on 22.6.2022)*

1. The RTI application is dated **1.11.2021** vide which the appellant has sought information **regarding comparative statements etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **6.12.2021** and Second Appeal was filed in the Commission on **27.1.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.6.2022**.
2. The appellant is absent but has informed the Commission that he has been provided partial information and that he has listed deficiencies in a letter to the respondent PIO Dated 16.8.2022. He states that respondent PIO is still to address said deficiencies.
3. The Commission takes a very serious view on the casual attitude assumed by the respondent PIO and herewith directs him to supply the pending information as per the appellant's Letter Dated 16.8.2022 within 15 days of receipt of this Order.
4. The respondent PIO is hereby also reminded that he is under Show Cause Notice issued to him on 22.6.2022 and will be eligible for penalties as per the RTI Act 2005 in case of noncompliance of this Commission's direction, today. This Appeal Case is accordingly **Disposed of.**

**Sd/-**  
**(ASIT JOLLY)**  
State Information Commissioner, Punjab.

Chandigarh  
23.8.2022

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## FINAL ORDER

**Pankaj Kumar,**  
S/o Shri Nabh Singh,  
# Z-6 03225, Gali No. 1-B,  
Surakhpeer Road, Bathinda.

Versus

**Public Information Officer,**  
o/o Bathinda Canal Division,  
Mini Secretariat, Bathinda – 151 001.

**First Appellate Authority,**  
o/o Superintending Engineer, Sirhind Canal Circle,  
Urban Estate, Phase-1, Ludhiana.

### Appeal Case No. 343 of 2022 (Video Conference Proceedings)

PRESENT:

Sanjeev Goyal (for the Appellant) 99882-41285  
Gursagar Chahal, PIO-cum-XEN (Respondent) 82840-67800

ORDER:

*(To be read in continuity with earlier orders on 22.6.2022)*

1. The RTI application is dated **10.9.2021** vide which the appellant has sought information **regarding neharbandi and maintenance, work orders etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **11.10.2021** and Second Appeal was filed in the Commission on **10.1.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.6.2022**.

2. Both parties are present. The respondent PIO-cum-XEN, Gursagar Chahal, states that a reply was sent to the appellant vide Letter No. 1293 Dated 18.8.2022, by way of a pointwise reply and a one-page performa. The appellant however, states that he has received nothing so far.

3. The respondent PIO is hereby directed to supply a copy of aforesaid reply along with the appended performa after duly attesting the same, to the appellant forthwith. A copy of the said reply and the appended performa are also to be sent to this Commission by registered post. This must be done immediately. The respondent PIO is reminded that he is under Show Cause Notice issued to him on 22.6.2022 and failure to comply with this Commission's direction today, shall invite penalties as per the RTI Act 2005. This Appeal Case is accordingly **Disposed of.**

**Sd/-**  
**(ASIT JOLLY)**  
State Information Commissioner, Punjab.

Chandigarh  
23.8.2022

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## FINAL ORDER

**Rajinder Kumar Gupta,**  
S/o Sh. Dev Raj Gupta,  
# 33, New Vikas Nagar,  
Baltana, Zirakpur.

Versus

**Public Information Officer,**  
o/o Executive Engineer,  
Canal Department (East Division), Ferozepur.

**First Appellate Authority,**  
Superintendent Engineer,  
Ferozepur Canal Circle, Ferozepur.

### Appeal Case No. 3130 of 2021 (Video Conference Proceedings)

PRESENT:

Avtar Singh (for the Appellant) 98887-16969  
Sukhchain Singh, Clerk (for the Respondent) 62839-94456

ORDER:

*(To be read in continuity with earlier orders on 5.4.2022 and 22.6.2022)*

1. The RTI application is dated **25.1.2021** vide which the appellant has sought information **regarding Gram Panchayat Kahansinghwala by way of cultivators as per cited khasra numbers etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.3.2021** and Second Appeal was filed in the Commission on **9.7.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.6.2022**.

2. Both parties are present. The appellant is represented by Avtar Singh. As per a reply submitted to the Show Cause Notice issued to him on 5.4.2022, the respondent PIO has submitted Letter No. 4410 Dated 1.8.2022, wherein he states that a reply was first sent to the appellant on 7.4.2021 but this was returned by the post office. The appellant was sent an additional reply vide Letter No. 3489-91 Dated 4.7.2022, along with a pointwise reply received from the SDO, Ferozepur. Said reply along with all the appended letters have been handed over to the appellant at this hearing.

3. The respondent PIO is further directed to send a copy of reply to the Show Cause Notice issued to him along with all appended documents to the appellant on his correct address which is **Rajinder Kumar Gupta, S/o Sh. Dev Raj Gupta, # 33, New Vikas Nagar, Baltana, Zirakpur**. This must be done forthwith. This Appeal Case is accordingly **Disposed of**.

**Sd/-**  
**(ASIT JOLLY)**  
State Information Commissioner, Punjab.

Chandigarh  
23.8.2022

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## FINAL ORDER

**Subhash Chander,**  
C/o Shri Tirath Ram,  
R/o Gali No. 2, New Luxmi Nagar,  
Kapurthala – 144 601.

Versus

**Public Information Officer,**  
o/o Divisional Forest Officer,  
NH-354, Shaheed Bhagat Singh Colony,  
Ferozepur- 152002.  
**First Appellate Authority,**  
o/o Conservator of Forests,  
Ferozepur Circle, Deptt. of Forest & Wildlife,  
Near Elementary School, Ferozepur.

## Appeal Case No. 1085 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent  
(Respondent) Absent

ORDER:

*(To be read in continuity with earlier orders on 22.6.2022)*

1. The RTI application is dated **7.6.2021** vide which the appellant has sought information **regarding CAMPA Scheme**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **26.7.2021** and Second Appeal was filed in the Commission on **26.7.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.6.2022**.

2. Both parties are absent. As advised by the Commission at the Hearing on 22.6.2022, the appellant has made a submission stating that while the respondent PIO has provided information pertaining to points 1 and 2 of the RTI application, the information requested at point no. 3 by way of **muster rolls**, has not been given. As per the respondent PIO's reply vide Letter No. 1564 Dated 9.6.2022, the appellant has been informed that the requested muster rolls contain personal and third party information and so cannot be disclosed as per the RTI Act 2005.

3. The Commission has examined the RTI application along with information provided by the respondent PIO vide Letter No. 1564 Dated 9.6.2022, along with some 300 pages by way of information. The Commission upholds the respondent PIO's decision with regard to the muster rolls sought at point no. 3 of RTI application. This Appeal Case is accordingly **Disposed of**.

**Sd/-**  
**(ASIT JOLLY)**  
State Information Commissioner, Punjab.

Chandigarh  
23.8.2022

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## FINAL ORDER

**Prabhjot Singh**, Advocate,  
Chamber No.100, First Floor,  
District Courts, Ludhiana.

### **Versus**

**Public Information Officer**,  
o/o Municipal Council Doraha,  
District Ludhiana.

**First Appellate Authority**,  
o/o Additional Deputy Commissioner (UD),  
Ludhiana.

### **Appeal Case No. 2394 of 2022 (Video Conference Proceedings)**

#### **PRESENT:**

(Appellant) Absent

Lakhmi Chand, Clerk (for the Respondent) 98726-89328

#### **ORDER:**

*(To be read in continuity with earlier orders on **12.7.2022**)*

1. The RTI application is dated **4.8.2021** vide which the appellant has sought information **regarding Letter No. DDSS/S4/2021/2251 Dated 5.4.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **11.10.2021** and Second Appeal was filed in the Commission on **12.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.7.2022**.

2. The appellant is absent but has informed that he has received the requested information. Further, as directed by this Commission, the respondent PIO, represented by Lakhmi Chand, Clerk, has submitted a copy of the reply sent to the appellant vide Letter No. 59 Dated 22.8.2022, along with the requested information and also explaining the delay in furnishing the same.

3. This Appeal Case is accordingly **Disposed of**.

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh  
23.8.2022

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## **FINAL ORDER** **REGISTERED**

**Jagtar Singh,**  
S/o Sh. Harnek Singh,  
Near Dhaliwal Complex, GT Road,  
Mullanpur Dakha, District Ludhiana.

### **Versus**

**Public Information Officer,**  
o/o Municipal Council Mullanpur Dakha,  
District Ludhiana.  
**First Appellate Authority,**  
o/o Additional Deputy Commissioner (UD),  
Ludhiana.

### **Appeal Case No. 2499 of 2022 (Video Conference Proceedings)**

#### **PRESENT:**

Jagtar Singh (Appellant) 94174-10700  
(Respondent) Absent

#### **ORDER:**

*(To be read in continuity with earlier orders on 12.7.2022)*

1. The RTI application is dated **3.11.2021** vide which the appellant has sought information **regarding illegal colonies**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **31.1.2022** and Second Appeal was filed in the Commission on **20.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.7.2022**.

2. At the last hearing on 12.7.2022, a Show Cause Notice was issued to the PIO-cum-Executive Officer, Mullanpur Dakha. Despite this, he remains absent without any intimation. This RTI application was submitted on 3.11.2021, since then the respondent PIO has neither given any reply nor furnished the requested information to the appellant. The respondent PIO had also chosen to ignore this Commission's Notice of Hearing of 20.6.2022 and Order of 12.7.2022.

3. In view of the above, the Commission deems it fit to impose a penalty of Rs. 5,000.00 upon the respondent PIO.

4. **Order:** Keeping all the facts of the case in mind, this is a fit case to invoke Section 20 of RTI Act and impose a penalty on the respondent PIO Section 20(1), which reads as under:

Contd....2

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## Appeal Case No. 2499 of 2022 (Video Conference Proceedings)

*“Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub Section (1) of Section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of 250/- Rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed Twenty Five Thousand Rupees;*

*Provided that the Central Public Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him;*

*Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Information Officer, as the case may be.”*

The onus and responsibility lie on the concerned PIO to ensure the transmission of the complete information to the appellant. The **concerned PIO office of Municipal Council Mullanpur Dakha, Ludhiana**, is hereby held guilty for not providing the information on time as prescribed under Section 7, which is within 30 days of the receipt of the request and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of Rupees Five Thousand (Rs. 5,000.00) is hereby imposed upon the **concerned PIO office of Municipal Council Mullanpur Dakha, Ludhiana**, which be deducted from his salary and deposited in the Punjab Government Treasury under head “0070-Other Administrative Services-60-other Services-800-Other Receipts-86-Fees Under the Right to Information Act.” The **concerned PIO office of Municipal Council Mullanpur Dakha, Ludhiana**, is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan. Copies of this order be sent to the parties through registered post.

5. The respondent PIO is further directed to furnish the requested information by way of pointwise reply and duly attested copies within 15 days of receipt of this Order. This Appeal Case is accordingly **Disposed of**. Copy of Order be conveyed to the registry branch for follow-up of compliance.

Sd/-  
(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh  
23.8.2022

- Cc:
1. Deputy Registrar, PSIC, for follow-up of compliance.
  2. Additional Deputy Commissioner, UD, Ludhiana, for information and necessary action.



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## FINAL ORDER

**Baljeet Singh,**

Civil Engineer, # 64-H, BRS Nagar,  
Ludhiana.

Versus

**Public Information Officer,**

o/o Superintendent Establishment Department,  
Municipal Corporation, Ludhiana.

**First Appellate Authority,**

o/o Commissioner, Municipal Corporation,  
Ludhiana.

### Appeal Case No. 2555 of 2022 (Video Conference Proceedings)

PRESENT:

Baljeet Singh (Appellant) 76965-00015

Tarun Goyal, PIO-cum-Superintendent (Respondent) 99881-54891

ORDER:

*(To be read in continuity with earlier orders on **12.7.2022**)*

1. The RTI application is dated **3.12.2021** vide which the appellant has sought information **regarding beldars working in the MC along with their allocation to various departments,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **30.1.2022** and Second Appeal was filed in the Commission on **25.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.7.2022**.

2. Both parties are present. As per the respondent PIO, a pointwise reply was sent to the appellant vide Letter No. 220 Dated 11.8.2022. The appellant states that he has received the said reply/information and is satisfied with it.

3. This Appeal Case is accordingly **Disposed of.**

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh  
23.8.2022