

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh. Jatinder Kumar,
C/o Sachkhand Mishthan Bhandar,
Nehru Gate, Nawanshehar.

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Local Govt Department,
Sector-35-A, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Local Govt Department,
Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 2717 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through the RTI application dated 27.11.2019 has sought information regarding action taken on application dated 22.08.2019 filed for postponing the action of dismissal vide resolution No.426 dated 10.07.2019 till hearing the applicant and other information as enumerated in the RTI application from the office of Principal Secretary Department of Local Govt.Pb Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 27.07.2020 which took no decision on the appeal.

The case came up for hearing first on 25.02.2021 through video conferencing at DAC Nawanshahar. Both the parties were absent.

The appellant vide email informed that the PIO has not provided the information. The PIO was directed to provide the information within 15 days and send a compliance report to the Commission otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act. The PIO was also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

Hearing dated 24.05.2021:

The case has come up for hearing today through video conferencing at DAC Nawanshahar. The appellant is absent and vide email has sought exemption due to an illness. The appellant in the email has informed that the PO has not provided the information.

The respondent is absent on 2nd consecutive hearing nor has communicated any legitimate reasons for the absent. The PIO has also not complied the order of the Commission to supply the information.

Appeal Case No. 2717 of 2020

There has been an enormous delay of one year and six months in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time as well as for non-appearance.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide the information to the appellant within 10 days of the receipt of the order.

To come up for further hearing on **01.09.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Nawanshahar. The PIO to appear through VC at DAC Mohali.

Chandigarh
Dated:24.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Jatinder Kumar,
C/o SachkhandMishthanBhandar,
Nehru Gate, Nawanshehar.

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Local Govt Department,
Sector-35-A, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Local Govt Department,
Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 2718 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 04.11.2019 has sought information regarding action taken on application dated 23.09.2019 filed for not releasing the retirement benefits to Sh.Dharmotam Kumar ,Municipal Engineer till completion of enquiry and other information as enumerated in the RTI application from the office of Principal Secretary Department of Local Govt.Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 27.07.2020 which took no decision on the appeal.

The case first came up for hearing on 25.02.2021 through video conferencing at DAC Nawanshahar. Both the parties were absent.

The appellant vide an email informed that the PIO has not provided the information. The PIO was directed to provide the information within 15 days and send a compliance report to the Commission otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act. The PIO was also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

Hearing dated 24.05.2021:

The case has come up for hearing today through video conferencing at DAC Nawanshahar. The appellant is absent and vides an email has sought exemption due to illness. The appellant in the said email has further informed that the PO has not provided the information.

The respondent is absent on 2nd consecutive hearing nor has communicated any legitimate reasons for the absent. The PIO has also not complied the order of the Commission to supply the information.

Appeal Case No. 2718 of 2020

There has been an enormous delay of one year and six months in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time as well as for non-appearance.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide the information to the appellant within 10 days of the receipt of the order.

To come up for further hearing on **01.09.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Nawanshahar. The PIO to appear through VC at DAC Mohali.

Chandigarh
Dated:24.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Sanjeev Goyal S/o Sh Ashok Kumar,
148, Model Town, Phase-1,
Near TV Tower, Bathinda.

... Complainant

Versus

Public Information Officer,
O/o DC,
Bathinda .

...Respondent

Complainant case No.405 of 2020

PRESENT: Sh.Sanjeev Goyal as the Complainant
Smt.Salochna Devi, Suptd-O/o DC Bathinda for the Respondent

ORDER:

The complainant through RTI application dated 27.01.2020 has sought information on 12 points regarding joining of Deputy Commissioner at Bathinda along with his visits to Cattle pond Harraipur – the name of employees accompanied with DC while on tour to Harraipur – log books of vehicles deputed for the visit to Har Raipur - cattle that died in cattle pond Har Raipur from 01.04.2019 – record register of cattle died in Har Raipur from 01.01.2018 and other information as enumerated in the RTI application from the office of DC Bathinda. The complainant was not satisfied with the reply of the PIO dated 11.02.2020 after which the complainant filed a complaint in the Commission on 03.07.2020.

The case first came up for hearing on 03.02.2021 through video conferencing at DAC Bathinda. The respondent present from the office of BDPO pleaded that the RTI application was transferred to them by the DC office and the information concerning them relating to points 4 to 10 has been provided to the appellant and the appellant has received the same.

The appellant however, pleaded that the information on points 1, 2 3, 11 & 12 has not been provided. As per record, the PIO-DC Bathinda had asked the appellant to deposit requisite fee of Rs.68/- for information relating to point-11 which was not deposited by the appellant.

The case was sent back to the PIO- DC Bathinda to provide the sought information to the appellant on points 1,2,3, & 12. Regarding point 11 ,the appellant was directed to deposit the requisite fee of Rs.68/- as demanded by the PIO vide letter dated 11.02.2020 and get the information.

Hearing dated 24.05.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda. As per the respondent, the information has been provided to the appellant on 05.02.2021 and 19.02.2021.

As per appellant, the information on point-2 & 12 has not been provided and the information provided on point-11 is not legible.

Complainant case No.405 of 2020

Hearing gone through the RTI application and hearing both the parties, the PIO is directed to provide the following information:

- Point-2 - To provide details of officials, if any accompanied with the Deputy Commissioner during his visit to Har Raipur
- Point-12 - As per the respondent, the complaints received from the appellant were sent to MC Bathinda since the matter related to them. The PIO is directed to give this in writing to the appellant.
- Point-11 - PIO to provide legible copies of information.

The rest of the information stands provided.

To come up for compliance on **01.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated: 24.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Sukhwinder Singh, S/o Sh.Shamsher Singh,
Village Chouke, Tehsil Maur,
Distt. Bathinda.

Complainant.

Versus

Public Information Officer,
O/o J.E, Nagar Panchayat, Chouke,
Tehsil Maur, Distt.Bathinda.

...Respondent

Complaint Case No. 458 of 2020

PRESENT: None for the appellant
None for the Respondent

ORDER:

The complainant through RTI application dated 08.01.2020 has sought information regarding order issued for manufacturing bakery products in residential houses in village Koke – instalments released – documents asked for the construction of houses for poor people – work completed from 01.01.2019 to 31.12.2019 and other information as enumerated in the RTI application from the office of JE, Nagar Panchayat, Chauke, Tehsil Maur, Distt.Bathinda. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 21.07.2020.

The case first came up for hearing on **03.02.2021** through video conferencing at DAC Bathinda. Both the parties were absent.

The PIO was directed to provide the information to the complainant within 15 days.

The case was adjourned. A copy of the order was sent to the DC Bathinda with the direction to ensure that the concerned PIO provide the information to the complainant as per the RTI Act.

Hearing dated 24.05.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda. Both the parties are absent.

The Commission has received a copy of letter from the APIO-O/o DC Bathinda vide which the APIO has sent the notice of the Commission to the Joint Deputy Director, Local Govt. Bathinda and BDPO Bathinda with the direction to attend the hearing in the Commission on 24.05.2021 since the Nagar Panchayat Chauke after denotifying, has been converting into Gram Panchayat.

From the above, it appears that the information lies in the custody of BDPO-Bathinda or Joint Deputy Director, Local Govt. Bathinda. A copy of the RTI application is being sent to PIO-BDPO Bathinda and PIO-Joint Deputy Director, Local Govt. Bathinda and the PIOs are directed to look at the RTI application and provide the information to the complainant.

To come up for further hearing on **01.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated:24.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

- CC to: 1. Deputy Commissioner,
Bathinda.**
- 2. PIO-BDPO, Bathinda.**
- 3. PIO-Joint Director, Local Govt.
Bathinda.**



Sh.Sukhwinder Singh, S/o Sh.Shamsher Singh,
Village Chouke, Tehsil Maur,
Distt.Bathinda.

Complainant.

Public Information Officer,
O/o J.E,
Nagar Panchayat, Chouke,
Tehsil Maur, Distt.Bathinda.

...Respondent

Complaint Case No. 459 of 2020

PRESENT: None for the appellant
None for the Respondent

ORDER:

The complainant through RTI application dated 08.01.2020 has sought information regarding tender called from 01.01.2019 to 31.12.2019 - amount deposited in the bank - works undertaken and completed from 01.01.2019 to 31.12.2019 and other information as enumerated in the RTI application from the office of JE, Nagar Panchayat, Chauke, Tehsil Maur, Distt.Bathinda. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 21.07.2020.

The case first came up for hearing on **03.02.2021** through video conferencing at DAC Bathinda. Both the parties were absent.

The PIO was directed to provide the information to the complainant within 15 days.

The case was adjourned. A copy of the order was sent to the DC Bathinda with the direction to ensure that the concerned PIO to provide information to the complainant as per the RTI Act.

Hearing dated 24.05.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda. Both the parties are absent.

The Commission has received a copy of letter from the APIO-O/o DC Bathinda vide which the APIO has sent the notice of the Commission to the Joint Deputy Director, Local Govt. Bathinda and BDPO Bathinda with the direction to attend the hearing in the Commission on 24.05.2021 since the Nagar Panchayat Chauke after denotifying, has been converting into Gram Panchayat.

Complaint Case No. 459 of 2020

From the above, it appears that the information lies in the custody of BDPO-Bathinda or Joint Deputy Director, Local Govt. Bathinda. A copy of the RTI application is being sent to PIO-BDPO Bathinda and PIO-Joint Deputy Director, Local Govt. Bathinda and the PIOs are directed to look at the RTI application and provide the information to the complainant.

To come up for further hearing on **01.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated:24.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

- CC to: 1. Deputy Commissioner,
Bathinda.**
- 2. PIO-BDPO, Bathinda.**
- 3. PIO-Joint Director, Local Govt.
Bathinda.**



Sh.Narinderpal Singh, S/o Sh. Amrik Singh,
R/o Presently Residing,
Police Line Quarter NO-1, (New),
Faridkot.

...Appellant.

Public Information Officer,
O/o DC,
Bathinda.

First Appellate Authority,
DC,
Bathinda.

...Respondent

Appeal Case No. 1866 of 2020

PRESENT: Sh.Narinder Pal Singh as the appellant
Sh.Kewal Krishan, Sr. Assistant O/c DC Bathinda for the Respondent

ORDER:

The appellate through an RTI application dated 09.01.2020 has sought information regarding documents submitted by Sh.Tehal Singh alias Bhupinder Singh s/o Arjan Singh for transfer of 12 bore gun No.47983 (License No.1266/Bathinda) in his name in 1993-1994 from the office of DC Bathinda. The appellant was not satisfied with the reply of the PIO dated 05.02.2020 after which the appellant filed first appeal before the First Appellate Authority on 24.02.2020 which took no decision on the appeal.

The case first came up for hearing on 03.02.2021 through video conferencing at DAC Bathinda. The appellant claimed that the PIO has denied the information stating that the information is 3rd party.

The case is adjourned.

Hearing dated 24.05.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda.

The respondent present pleaded that since the information is 3rd party information and the 3rd party has not given its consent to disclose the information, it cannot be provided.

The respondent is directed to file a suitable reply that whether the provisions of section 11 were followed as described in the RTI Act.

The case is adjourned.

To come up for further hearing on **01.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated:24.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Madan Lal, S/o Sh. Om Parkash,
Jain Niwas, MCB Zone-2,
H NO-10803 Street No-18,
Parinda Road 18, Guru Teg Bahadur Nagar,
Bathinda.

....Appellant.

Public Information Officer,
O/o MC,
Bathinda.

First Appellate Authority,
O/o Commissioner, MC,
Bathinda.

...Respondent

Appeal Case No. 1804 of 2020

PRESENT: Sh.Madan Lal as the appellant
None for the Respondent

ORDER:

The appellate through RTI application dated 03.03.2020 has sought information regarding copies of documents received from Madaan Nursing Home on the basis of which the birth date i.e. 03.10.1991 of the applicant was recorded in the birth record register of the MC at No.4061 dated 08.10.1991, from the office of MC Bathinda. The appellant was not satisfied with the information provided by the PIO vide letter dated 12.05.2020 after which the appellant filed first appeal before the First Appellate Authority on 18.05.2020 which took no decision on the appeal.

The case last came up for hearing on 03.02.2021 through video conferencing at DAC Bathinda. The appellant claimed that the PIO has not provided the information that has been sought in the RTI Act.

The respondent present pleaded that the record is not available since it is 30 years old.

The PIO was directed to give this in writing on an affidavit that the record is not available along with the reasons for non traceability of the asked record.

Hearing dated 24.05.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda. The appellant claims that the PIO has not provided the information.

The respondent is absent nor has communicated any legitimate reasons for the absence. The commission has received a reply of the PIO on 01.03.2021 which has been taken on the file of the Commission.

Appeal Case No. 1804 of 2020

In the reply, the PIO has stated that the information has been provided to the appellant and no further information is available in their record.

The reply of the PIO is varying and mismatches with the order of the Commission. In the last order, the PIO was directed to give in writing on an affidavit that the record is not available along with the reasons for non-traceability of the asked record.

The PIO is directed to file suitable reply on an affidavit and appear personally before the Commission on the next date of hearing.

To come up for further hearing on **01.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated:24.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Gurinder Singh, S/o Sh.Harmek Singh,
R/o Bhagta Bhaika, Tehsil Phul,
Distt. Bathinda.

....Appellant.

Versus

Public Information Officer,
O/o SSP,
Bathinda.

First Appellate Authority,
O/o IGP, Bathinda Range,
Bathinda.

...Respondent

Appeal Case No. 2070 of 2020

PRESENT: Sh.Gurinder Singh as the appellant
Sh.Sanjeev Singla,DSP(Hq) Bathinda for the Respondent

ORDER:

The appellate through RTI application dated 09.01.2020 has sought information regarding log book of public vehicle No.Pb-03-AP-8204 from 01.10.2018 to 30.04.2019 from the office of SSP Bathinda. The appellant was denied the information by the PIO vide letter dated 04.03.2020 stating that the said vehicle being the Govt vehicle allotted to Police Station Nakhan is being used for secret duties and for investigation of complicated cases and disclosure of information may hamper the investigation, after which the appellant filed first appeal before the First Appellate Authority on 17.02.2020 which disposed off the appeal on 29.05.2020 upholding the decision of the PIO. On not being satisfied with the decision of the First Appellate Authority, the appellant filed 2nd appeal in the Commission.

The case first came up for hearing on 03.02.2021 through video conferencing at DAC Bathinda.

Having gone through the reply, the Commission observed that the PIO-SSP had denied the sought information blanketly and the first appellant has upheld the PIO's decision without invoking or using support of the exemptions provided under Section 8 of the RTI.

The PIO was directed to file a suitable reply again. The PIO was also directed to send a sample of the log book in a sealed cover to the Commission.

Hearing dated 24.05.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda. The respondent present reiterated his earlier view that the vehicle being the Govt vehicle allotted to Police Station Nakhan is being used for secret duties and for investigation of complicated cases and disclosure of information may hamper the investigation.

Appeal Case No. 2070 of 2020

The Commission has again received a reply from the PIO along with a sample of the log book, which has been taken on the file of the Commission.

The case is adjourned. To come up for further hearing on **01.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated:24.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Gurinder Singh, S/o ShHarmek Singh,
R/o BhagtaBhaika, Tehsil Phul,
DisttBathinda.

...Appellant.

Versus

Public Information Officer,
O/o SSP,
Bathinda.

First Appellate Authority,
O/o IGP, Bathihnda Range,
Bathinda.

...Respondent

Appeal Case No. 2071 of 2020

PRESENT: Sh.Gurinder Singh as the appellant
Sh.Sanjeev Singla,DSP(Hq) Bathinda for the Respondent

ORDER:

The appellate through RTI application dated 18.01.2020 has sought information regarding log book of public vehicle No.Pb-03W-5989 from 01.10.2018 to 30.10.2019 from the office of SSP Bathinda. The appellant was not provided with the information after the appellant filed first appeal before the First Appellate Authority on 17.02.2020 which disposed of the appeal 29.05.2020 with the decision that the information cannot be provided since the vehicle was being used by the officers for enquiries of some complicated cases and the disclosure of information may hamper the investigation. On not being satisfied with the decision of the First Appellate Authority, the appellant filed 2nd appeal in the Commission.

The case first came up for hearing on 03.02.2021 through video conferencing at DAC Bathinda.

Having gone through the reply, the Commission observed that the PIO-SSP had denied the sought information blanketly and the first appellant has upheld the PIO's decision without invoking or using support of the exemptions provided under Section 8 of the RTI.

The PIO was directed to file a suitable reply again. The PIO was also directed to send a sample of the log book in a sealed cover to the Commission.

Hearing dated 24.05.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda. The respondent present reiterated his earlier view that the vehicle being the Govt vehicle allotted to Police Station Nakhan is being used for policing and investigation of complicated cases, and disclosure of information may hamper investigations as well as reveal information, which will be detrimental to policing.

Appeal Case No. 2071 of 2020

The Commission has received a reply from the PIO along with a sample of the logbook which has been taken on the file of the Commission.

The case is adjourned. To come up for further hearing on **01.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated:24.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Gurinder Singh, S/o Sh.Harneek Singh,
R/o Bhagta Bhaika,
Tehsil Phul, Distt. Bathinda.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Bathinda.

First Appellate Authority,
O/o IGP,
Bathinda Range, Bathinda.

...Respondent

Appeal Case No. 2076 of 2020

PRESENT: Sh.Gurinder Singh as the Appellant
Sh.Sanjeev Singla, DSP (HQ) Bathinda for the Respondent

ORDER:

The appellant through RTI application dated 09.01.2020 has sought information regarding log book of vehicle No.Pb-12-AG-0414 from 01.10.2018 to 30.04.2019 from the office of SSP Bathinda. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 13.02.2020 which disposed off the appeal on 29.05.2020 with the decision that the information cannot be provided since the vehicle was being used by the officers for enquiries of some complicated cases and the disclosure of information may hamper the investigation.

The case first came up for hearing on 10.02.2021 through video conferencing at DAC Bathinda. The Commission received a reply from the PIO on 09.02.2021 which was taken on the file of the Commission.

Having gone through the reply, the Commission observed that the PIO-SSP has denied the sought information blanketly and the first appellant has upheld the PIO's decision without invoking or using support of the exemptions provided under Section 8 of the RTI.

The PIO was directed to file a suitable reply again.

Hearing dated 24.05.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda. The respondent present reiterated the earlier view that the vehicle being a police vehicle allotted to Police Station Nakhani is being used for policing and investigation of complicated cases, and disclosure of information may hamper investigations as well as reveal information, which will be detrimental to policing.

The Commission has again received a reply from the PIO along with a sample of the log book which has been taken on the file of the Commission.

Appeal Case No. 2076 of 2020

Having gone through the sample of log book and hearing both the parties, the appellant is directed to specify a particular date and time of the vehicle used.

The case is adjourned. To come up for further hearing on **01.09.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated:24.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner