

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com, [Cisco Webex Code:15857-23975](https://www.punjab.gov.in)
(Helpline No.0172-2864100)(From 10.00 AM to 04.00PM on working days)



Shri Ajay Sharma, S/o Shri Mangat Ram Sharma,
B -33/2184, Bhagwan Dass Colony, Salem Tabri, Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o GLADA, Ludhiana.

First Appellate Authority,
O/o GLADA, Ludhiana.

....Respondents

AC No. 4209 of 2022

Present: (i) **The Appellant, Shri Ajay Sharma through webex.**
(ii) **Shri Divleen Singh, SDO -cum- PIO through webex.**

ORDER:

1. This case may be read with the reference to the previous order dated 27.10.2022.
2. The case has been heard today in the Commission's office at Chandigarh. Shri Ajay Sharma, appellant states that incomplete information has been supplied to him in relation to para number 2 and no information has been supplied to him in relation to para number 03. He further states that the concerned person was not available in the office when he visited on 21.11.2022. An email dated 21.11.2022 sent by the appellant to the Bench, is taken on record.
3. Shri Divleen Singh, SDO requests for another date by mentioning that the concerned person is on leave from last 15-20 days and hence the RTI applications could not be addressed in totality.
4. Post deliberations, the request made by Shri Divleen Singh, SDO is accepted. The Bench directs the PIO to call the appellant to their office and supply the remaining information to the appellant by hand or through registered post before the next date of hearing.
5. **With the aforesaid directions, the matter is adjourned. Both the concerned parties are directed to attend the hearing on 15.12.2022 at 11.30 am before the Bench at Punjab State Information Commission, Madhya Marg, Sector 16, Chandigarh.** Copy of the order be sent to the concerned parties.

Chandigarh
24.11.2022

Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab

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Shri Ashwani Kumar,
S/o Shri Om Prakash,
R/o F-9, 1186, Street No.05,
Vijay Nagar, Batala Road, Amritsar (M: 8054798600)

.....Appellant

Versus

Public Information Officer

O/o The Municipal Town Planner,
Municipal Corporation, Amritsar.

First Appellate Authority

O/o The Commissioner,
Municipal Corporation, Amritsar.

....Respondents

AC No. 3725 of 2022

Present: (i) **Appellant: Shri Ashwani Kumar through webex.**
(ii) **Respondent / PIO: Shri Vazir Raj, ATP, in person.**

ORDER

1. This case may be read with the reference to the previous order dated 01.11.2022.
2. The case has been heard today in the Commission's office at Chandigarh. Shri Ashwani Kumar, appellant states that partial and irrelevant information has been supplied to him.
3. Shri Vazir Raj, ATP states that the record cannot be supplied to the appellant until Date or File reference related to information sought is not provided to the department.
4. Post deliberations, the Bench directs the PIO concerned to call the appellant to the concerned office and supply the information to the appellant as per his RTI application by hand. In case the information is not available with them then the PIO is directed to file an affidavit on e- stamp paper duly signed by the PIO; and attested by the Notary Public to the effect that the information as available in the official record stands supplied. The PIO should further states that nothing has been concealed therein. The above statement is true and correct. The original affidavit be sent to the Appellant and a copy of the same be sent to the bench of undersigned for record.
5. The reply in relation to show cause notice which has been sent by the department to the Bench through email is accepted and the show cause notice given to the PIO on the previous hearing is **dropped**.
6. With the aforesaid directions, the matter is adjourned. **Both the concerned parties are directed to come up for hearing on 15.12.2022 at 11.30 AM before the Bench at Punjab State Information Commission, Sector 16, Chandigarh.** Copies of the order be sent to the concerned parties.

Sd/-

Chandigarh
24.11.2022

(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab

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Shri Rakesh Kumar Gupta,
Advocate,
8 / 237, Jagraon Road, Mandi Mullanpur,
District Ludhiana.

.....Appellant

Versus

(Regd. Post) **Public Information Officer**
O/o The Principal Secretary,
Local Govt. Punjab, Municipal Bhawan,
Sector 35, Chandigarh.

(Regd. Post) **First Appellate Authority**
O/o The Principal Secretary,
Local Govt. Punjab, Municipal Bhawan, Sector 35,
Chandigarh.

....Respondents

AC No. 685 of 2021

Present: (i) **Appellant: Shri Rakesh Kumar Gupta, in person.**
(ii) **Respondent / PIO: None.**

ORDER

1. This case may be read with the reference of the previous order dated 01.11.2022.
2. The case has been heard today in the Commission's office at Chandigarh. Shri Rakesh Kumar Gupta, appellant states that nothing has been received after the last hearing of this case and further mentions that he received a call from the department as well relating to today's hearing but they themselves failed to appear before the Bench.
3. Neither the PIO has come present to attend the hearing in person before the Bench nor through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO.
4. **Commission takes a serious view of the casual approach of the Respondent / PIO, as information is still pending and today nobody appears from the department to represent this case.**
5. In view of the foregoing, respondent **PIO, O/o Principal Secretary, Local Govt. Punjab, Municipal Bhawan, Sector 35, Chandigarh is directed to Show Cause in writing or through affidavit under Section 20(1) of the RTI Act,** as to why penalty should not be imposed upon him for wilful delay / denial of the information to the RTI applicant and why compensation should not be awarded to the appellant under Section 19 (8)(b) of the Act for detriment suffered.
6. In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. 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, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

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7. A copy of this order be also sent to the First Appellate Authority i.e. **Principal Secretary, Local Govt. Punjab, Municipal Bhawan, Sector 35, Chandigarh** through registered post for the compliance of this order and to look into the matter as RTI Act, 2005 came into existence to promote transparency and accountability in the working of every public authority, not for the harassment of the public.

8. The Bench directs the PIO concerned to go through the previous order of the Bench dated 01.11.2022. The PIO is also directed to call the appellant on phone and discuss about the information so that the requisite information could be supplied by them in time and PIO concerned is further directed to appear in person along with requisite information and reply to the show cause notice, on the next date of hearing before the bench.

9. With the aforesaid directions, the matter is adjourned. **Both the concerned parties are directed to come up for hearing on 13.12.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2022**

Sd/-
**(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Rakesh Kumar Gupta,
Advocate,
8 / 237, Jagraon Road, Mandi Mullanpur,
District Ludhiana.

.....Appellant

Versus

Public Information Officer
(Regd. Post) O/o The Secretary,
Local Govt. Punjab, Municipal Bhawan,
Sector 35, Chandigarh.

First Appellate Authority
(Regd. Post) O/o The Secretary,
Local Govt. Punjab, Municipal Bhawan, Sector 35,
Chandigarh.

....Respondents

AC No. 861 of 2021

Present: (i) **Appellant: Shri Rakesh Kumar Gupta, in person.**
(ii) **Respondent / PIO: None.**

ORDER

1. This case may be read with the reference of the previous order dated 01.11.2022.
2. The case has been heard today in the Commission's office at Chandigarh. Shri Rakesh Kumar Gupta, appellant states that nothing has been received after the last hearing of this case and further mentions that he received a call from the department as well relating to today's hearing but they themselves failed to appear before the Bench.
3. Neither the PIO has come present to attend the hearing in person before the Bench nor through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO.
4. **Commission takes a serious view of the casual approach of the Respondent / PIO, as information is still pending and today nobody appears from the department to represent this case.**
5. In view of the foregoing, respondent **PIO, O/o Secretary, Local Govt. Punjab, Municipal Bhawan, Sector 35, Chandigarh is directed to Show Cause in writing or through affidavit under Section 20(1) of the RTI Act,** as to why penalty should not be imposed upon him for wilful delay / denial of the information to the RTI applicant and why compensation should not be awarded to the appellant under Section 19 (8)(b) of the Act for detriment suffered.
6. In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. 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, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

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7. A copy of this order be also sent to the First Appellate Authority i.e. **Secretary, Local Govt. Punjab, Municipal Bhawan, Sector 35, Chandigarh** through registered post for the compliance of this order and to look into the matter as RTI Act, 2005 came into existence to promote transparency and accountability in the working of every public authority, not for the harassment of the public.

8. The Bench directs the PIO concerned to go through the previous order of the Bench dated 01.11.2022. The PIO is also directed to call the appellant on phone and discuss about the information so that the remaining information could be supplied by them in time and PIO concerned is further directed to appear in person along with requisite information and reply to the show cause notice, on the next date of hearing before the bench.

9. With the aforesaid directions, the matter is adjourned. **Both the concerned parties are directed to come up for hearing on 13.12.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2022**

Sd/-
**(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Rakesh Kumar Gupta,
Advocate,
8 / 237, Jagraon Road, Mandi Mullanpur,
District Ludhiana.

.....Appellant

Versus

(Regd. Post) **Public Information Officer**
O/o The Director,
Local Govt. Punjab, Municipal Bhawan,
Sector 35, Chandigarh.

(Regd. Post) **Public Information Officer**
O/o The Superintendent, Establishment Branch,
O/o Director, Local Govt. Punjab, Municipal Bhawan,
Sector 35, Chandigarh.

(Regd. Post) **Public Information Officer**
O/o The Superintendent, General Branch,
O/o Director, Local Govt. Punjab, Municipal Bhawan,
Sector 35, Chandigarh.

(Regd. Post) **First Appellate Authority**
O/o The Director,
Local Govt. Punjab, Municipal Bhawan, Sector 35,
Chandigarh.

....Respondents

AC No. 862 of 2021

Present: (i) **Appellant: Shri Rakesh Kumar Gupta, in person.**
(ii) **Respondent / PIO: None.**

ORDER

1. This case may be read with the reference of the previous order dated 01.11.2022.
2. The case has been heard today in the Commission's office at Chandigarh. Shri Rakesh Kumar Gupta, appellant states that nothing has been received after the last hearing of this case and further mentions that he received a call from the department as well relating to today's hearing but they themselves failed to appear before the Bench.
3. Neither the PIO has come present to attend the hearing in person before the Bench nor through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO.
4. **Commission takes a serious view of the casual approach of the Respondent / PIO, as information is still pending and today nobody appears from the department to represent this case.**
5. In view of the foregoing, respondent **PIO, O/o Director, Local Govt. Punjab, Municipal Bhawan, Sector 35, Chandigarh is directed to Show Cause in writing or through affidavit under Section 20(1) of the RTI Act,** as to why penalty should not be imposed upon him for wilful delay / denial of the information to the RTI applicant and why compensation should not be awarded to the appellant under Section 19 (8)(b) of the Act for detriment suffered.



6. In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. 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, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

7. A copy of this order be also sent to the First Appellate Authority i.e. **Director, Local Govt. Punjab, Municipal Bhawan, Sector 35, Chandigarh** through registered post for the compliance of this order and to look into the matter as RTI Act, 2005 came into existence to promote transparency and accountability in the working of every public authority, not for the harassment of the public.

8. The Bench directs the PIO concerned to go through the previous order of the Bench dated 01.11.2022. The PIO is also directed to call the appellant on phone and discuss about the information so that the remaining information could be supplied by them in time and PIO concerned is further directed to appear in person along with requisite information and reply to the show cause notice, on the next date of hearing before the bench.

9. With the aforesaid directions, the matter is adjourned. **Both the concerned parties are directed to come up for hearing on 13.12.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2022**

Sd/-
**(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**



Shri K.N.S Sodhi,
1634, Sector 70, Mohali.

.....Appellant

Versus

Public Information Officer
O/o Director, Local Govt. Punjab,
Municipal Bhawan, Sector 35, Chandigarh.

Public Information Officer
O/o Commissioner,
Municipal Corporation, SAS Nagar, Mohali.

First Appellate Authority
O/o Director, Local Govt. Punjab,
Municipal Bhawan, Sector 35, Chandigarh.

....Respondents

AC No. 1286 of 2022

Present: (i) **Shri K.N.S Sodhi, appellant, in person.**
(ii) **Shri Sunil Kumar Sharma, PIO –cum – Executive Engineer, O/o MC, SAS Nagar, Shri Dharminder, SDO, from MC SAS Nagar and Shri Vikas Kumar, Senior Assistant, MSC Branch from O/o Director Local Govt, Chandigarh, in person.**

ORDER

1. This case may be read with the reference of the previous order dated 01.11.2022.
 2. The case has been heard today in the Commission's office at Chandigarh. Shri Sunil Kumar, PIO hands over the information to the appellant as well as a copy of the same to the Bench vide endorsement number 286 dated 23.11.2022 during the hearing, which is taken on record. He further mentions that he will look into the records again to check if there is any more additional information left relating to this RTI application.
 3. Shri K.N.S Sodhi, appellant states that he seeks some time to go through the supplied information and further requests the Bench to go through his submission dated 22.11.2022 which has already been sent to the Bench through post.
 4. Post deliberations, the request of the appellant is accepted and appellant is directed to point out deficiencies, if any, to the concerned PIO along with a copy to the Commission within five days from today. The Bench directs the PIO to supply the requisite information to the appellant after removing the deficiencies (if pointed out by the appellant) through registered post within twenty days along with a copy to the Commission through email.
 5. Shri Vikas, Senior Assistant from MSC Branch requests for exemption from future hearings relating to this case.
 6. The request of Shri Vikas, Senior Assistant is accepted and the PIO O/o Director Local Govt. Punjab is exempted for further hearing relating to this case. Apart from that all the concerned persons relating to this case are directed to appear personally before the bench along with all the requisite record on the next hearing.
 7. With the aforesaid directions, the matter is adjourned. **All the concerned parties are directed to come up for hearing on 15.12.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.**
- Copies of the order be sent to the concerned parties.

Chandigarh
24.11.2022

Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab



Shri K.N.S Sodhi,
1634, Sector 70, Mohali.

.....Appellant

Versus

Public Information Officer
O/o Director, Local Govt. Punjab,
Municipal Bhawan, Sector 35, Chandigarh.

Public Information Officer
O/o Commissioner,
Municipal Corporation, SAS Nagar, Mohali.

First Appellate Authority
O/o Director, Local Govt. Punjab,
Municipal Bhawan, Sector 35, Chandigarh.

....Respondents

AC No. 1287 of 2022

Present: (i) **Shri K.N.S Sodhi, appellant, in person.**
(ii) **Shri Sunil Kumar Sharma, PIO –cum – Executive Engineer, O/o MC, SAS Nagar, Shri Gurwinder Singh, SDO, from MC SAS Nagar and Shri Vikas Kumar, Senior Assistant, MSC Branch from O/o Director Local Govt, Chandigarh, in person.**

ORDER

1. This case may be read with the reference to the previous order dated 01.11.2022.
 2. The case has been heard today in the Commission's office at Chandigarh. Shri Sunil Kumar, PIO hands over the information to the appellant as well as a copy of the same to the Bench vide endorsement number 289 dated 23.11.2022 during the hearing, which is taken on record. He further mentions that he will look into the records again to check if there is any additional information left relating to this RTI application.
 3. Shri K.N.S Sodhi, appellant states that he seeks some time to go through the supplied information and further requests the Bench to go through his submission dated 22.11.2022 which has already been sent to the Bench through post.
 4. Post deliberations, the request of the appellant is accepted and appellant is directed to point out deficiencies, if any, to the concerned PIO along with a copy to the Commission within five days from today. The Bench directs the PIO to supply the requisite information to the appellant after removing the deficiencies (if pointed out by the appellant) through registered post within twenty days along with a copy to the Commission through email.
 5. Shri Vikas, Senior Assistant from MSC Branch requests for exemption from future hearings relating to this case.
 6. The request of Shri Vikas, Senior Assistant is accepted and the PIO O/o Director Local Govt. Punjab is exempted for further hearing relating to this case. Apart from that all the concerned persons relating to this case are directed to appear personally before the bench along with all the requisite record on the next hearing.
 7. With the aforesaid directions, the matter is adjourned. **All the concerned parties are directed to come up for hearing on 15.12.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.**
- Copies of the order be sent to the concerned parties.

Chandigarh
24.11.2022

Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab



Shri K.N.S Sodhi,
1634, Sector 70, Mohali.

.....Appellant

Versus

Public Information Officer
O/o Director, Local Govt. Punjab,
Municipal Bhawan, Sector 35, Chandigarh.

Public Information Officer
O/o Commissioner,
Municipal Corporation, SAS Nagar, Mohali.

First Appellate Authority
O/o Director, Local Govt. Punjab,
Municipal Bhawan, Sector 35, Chandigarh.

....Respondents

AC No. 1285 of 2022

Present: (i) **Shri K.N.S Sodhi, appellant, in person.**
(ii) **Shri Sunil Kumar Sharma, PIO –cum – Executive Engineer, O/o MC, SAS Nagar, Shri Sandeep Saini, SDO, from MC SAS Nagar and Shri Vikas Kumar, Senior Assistant, MSC Branch from O/o Director Local Govt, Chandigarh, in person.**

ORDER

1. This case may be read with the reference to the previous order dated 01.11.2022.
 2. The case has been heard today in the Commission's office at Chandigarh. Shri Sunil Kumar, PIO hands over the information to the appellant as well as a copy of the same to the Bench vide endorsement number 288 dated 23.11.2022 during the hearing, which is taken on record. He further mentions that he will look into the records again to check if there is any more additional information left relating to this RTI application.
 3. Shri K.N.S Sodhi, appellant states that he seeks some time to go through the supplied information and further requests the Bench to go through his submission dated 22.11.2022 which has already been sent to the Bench through post.
 4. Post deliberations, the request of the appellant is accepted and appellant is directed to point out deficiencies, if any, to the concerned PIO along with a copy to the Commission within five days from today. The Bench directs the PIO to supply the requisite information to the appellant after removing the deficiencies (if pointed out by the appellant) through registered post within twenty days along with a copy to the Commission through email.
 5. Shri Vikas, Senior Assistant from MSC Branch requests for exemption from future hearings relating to this case.
 6. The request of Shri Vikas, Senior Assistant is accepted and the PIO O/o Director Local Govt. Punjab is exempted for further hearing relating to this case. Apart from that all the concerned persons relating to this case are directed to appear personally before the bench along with all the requisite record on the next hearing.
 7. With the aforesaid directions, the matter is adjourned. **All the concerned parties are directed to come up for hearing on 15.12.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.**
- Copies of the order be sent to the concerned parties.

Chandigarh
24.11.2022

Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab