

# PUNJAB STATE INFORMATION COMMISSION

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

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## REGISTERED SHOW CAUSE NOTICE

**Gurdarshan Singh,**  
S/o Roop Singh,  
R/o Vill. Kalwanoo,  
Tehsil Patran,  
Patiala.

Versus

**Public Information Officer,**  
o/o Sub Divisional Magistrate,  
Patran, Patiala.

### Complaint Case No. 1124 of 2021 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Harish Kumar, PIO-cum-Senior Assistant (Respondent) 98149-12332

ORDER:

1. The complainant, **Gurdarshan Singh**, filed this RTI application dated **5.2.2020** and sought information **regarding an application to the office of SDM Patran dated 29.11.2018**, from the PIO o/o **Sub Divisional Magistrate, Patran, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **3.9.2021**. Notice was issued to the parties for first hearing in the Commission on **24.3.2022**.

2. The complainant is absent without intimation. The respondent PIO-cum-Senior Assistant, Harish Kumar, states that the RTI application is incorrectly dated 5.2.2019 whereas it was actually received in his office only in February, 2020, following which it was sent to the office of Tehsildar Patran. The respondent is not able to enlighten the Commission as to the fate of said RTI application after it was sent/transferred to Tehsildar Patran on 10.2.2020. As per the RTI Act 2005, the said application, ought to have been addressed within 30 days after it was filed. As per the respondent's own submission, it is now more than two years since the RTI application was filed to the office of PIO, SDM, Patran.

3. Under the circumstances, This Commission impleads the SDM Patran as the deemed PIO in this Complaint Case and serves him/her this Show Cause Notice.

4. The respondent **PIO-cum-Sub Divisional Magistrate, Patran**, is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **5.2.2020**.

Contd....2

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## **Complaint Case No. 1124 of 2021 (Video Conference Proceedings)**

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and doesnot avail himself of the opportunity of personal hearing on the 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*.” Copies of this order be sent to the parties through registered post.

5. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

### **Information supplied under the RTI Act, 2005**

**Signature of the PIO**

**Name of the PIO**

**Name of the Public Authority**

**Date**

6. **Next hearing on 24.6.2022 at 11.00 am via Video Conference Facility at DC Office, Patiala.**

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

Chandigarh  
24.3.2022

**Cc:** Deputy Commissioner,  
Patiala, for information and further necessary action.

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## REGISTERED SHOW CAUSE NOTICE

**Gurdarshan Singh,**

S/o Roop Singh,

R/o Vill. Kalwanoo,

Tehsil Patran,

Patiala.

Versus

**Public Information Officer,**

o/o Sub Divisional Magistrate,

Patran, Patiala.

### Complaint Case No. 1125 of 2021 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Harish Kumar, PIO-cum-Senior Assistant (Respondent) 98149-12332

ORDER:

1. The complainant, **Gurdarshan Singh**, filed this RTI application dated **5.2.2020** and sought information regarding application given to SDM Patran on 10.4.2017, from the PIO o/o **Sub Divisional Magistrate, Patran, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **3.9.2021**. Notice was issued to the parties for first hearing in the Commission on **24.3.2022**.

2. The complainant is absent without intimation. The respondent PIO-cum-Senior Assistant, Harish Kumar, states that the RTI application is incorrectly dated 5.2.2019 whereas it was in fact received in his office only in February, 2020, following which it was sent to the office of Tehsildar Patran. The respondent is not able to enlighten the Commission as to the fate of said RTI application after it was sent/transferred to Tehsildar Patran. As per the RTI Act 2005, the said application, ought to have been dealt with within 30 days after it was filed. As per the respondents own submission, it is now more than two years since the RTI application was filed to the office of PIO, SDM, Patran.

3. Under the circumstances, This Commission impleads the SDM Patran as the deemed PIO in this Complaint Case and serves him this Show Cause Notice.

4. Under the circumstances, This Commission implead the SDM Patran as the deemed PIO in this Complaint Case and issued him with this Show Cause Notice.

5. The respondent **PIO-cum-Sub Divisional Magistrate, Patran**, is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **5.2.2020**.

Contd....2

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## **Complaint Case No. 1125 of 2021 (Video Conference Proceedings)**

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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*.” Copies of this order be sent to the parties through registered post.

6. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

### **Information supplied under the RTI Act, 2005**

**Signature of the PIO**

**Name of the PIO**

**Name of the Public Authority**

**Date**

7. **Next hearing on 24.6.2022 at 11.00 am via Video Conference Facility at DC Office, Patiala.**

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

24.3.2022

**Cc:** Deputy Commissioner,  
Patiala, for information and further necessary action.

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**Prem Kumar Rattan,**  
H.No.78/8, Park Road,  
Navi Mandi, Dhuri,  
District Sangrur.

Versus

**Public Information officer,**  
o/o District & Session Judge,  
Patiala.  
**First Appellate Authority,**  
District & Session Judge,  
Patiala.

## **Appeal Case No. 3719 of 2021 (Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

Rajiv Sharma, Superintendent (for the Respondent) 98155-72018

Charanjit Singh, Clerk (for the Respondent) 99882-20560

ORDER:

1. The RTI application is dated **4.6.2021** vide which the appellant has sought information **regarding “under consideration” cases of refund of court fees from 2017 to date,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.7.2021** and Second Appeal was filed in the Commission on **17.8.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **24.3.2022**.

2. The appellant is absent without intimation. The respondent PIO, represented by Rajiv Sharma, Superintendent and Charanjit Singh, Clerk from the office of District Session Judge, Patiala have submitted a written reply to the Commission's Notice of Hearing wherein it is stated that the requested information was sent to the appellant vide Letter No. 4445 Dated 6.7.2021 as well as Letter No. 4631 Dated 14.7.2021. Despite this, the appellant filed a Second Appeal to the Commission on 17.8.2021.

3. In view of the respondent's submission, the Commission directs the respondent PIO to submit certified copies of his reply to the appellant along with all the information already provided to him, to this Commission. The respondents have also stated that the appellant has filed a number of similar applications seeking identical/similar information. The respondent is advised to make a submission regarding the aforesaid contention to the Commission in writing along with details of such RTI applications/appeals by the appellant.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Contd....2

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## Appeal Case No. 3719 of 2021 (Video Conference Proceedings)

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 24.6.2022 at 11.00 am via Video Conference Facility at DC Office, Patiala.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

24.3.2022

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**Bhinder Kaur,**

W/o Raj Singh, Vill. Toddarwal,

PO Babarpur Police Station,

Bhadson, Tehsil NMabha,

Patiala.

Versus

**Public Information officer,**

o/o Senior Superintendent of Police,

Patiala.

**First Appellate Authority,**

o/o Inspector General of Police,

Patiala Range, Patiala.

## **Appeal Case No. 3912 of 2021 ( Video Conference Proceedings)**

PRESENT:

Raj Singh (for the Appellant) 98142-41257

ASI, Hakam Singh (for the Respondent) 94643-92733

ORDER:

1. The RTI application is dated **10.5.2021** vide which the appellant has sought information **regarding letters/applications dated 11.2.2021, 15.1.2021, 22.2.2021, and 25.2.2021 along with statements recorded; inquiry report; evidence submitted; final action taken; DDR and a certified copy of Rapat No. 8 dated 31.12.2020,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.7.2021** and Second Appeal was filed with the Commission on **1.9.2021** under Section 19 of the Right to Information Act 2005. Notice was issued to the parties for first hearing in the Commission on **24.3.2022**.
2. Both parties are present. As per a reply received from the respondent PIO vide No. 689 Dated 24.3.2022, the applications cited in the RTI application are still under consideration with the SSP, Patiala and so exemption from disclosure has been sought as per Section 8(1)(h) of the RTI Act 2005. However, as per Letter No. 607 Dated 17.3.2022, the respondent PIO also informs the Commission that 53 pages by way of information have been provided to the appellant on 2.7.2021. The respondent PIO is apparently trying to confuse the issue by claiming exemption under 8(1)(h) after having providing partial information to the appellant. This is in violation of the RTI Act 2005.
3. The respondent PIO is herewith directed to submit a written, pointwise reply to the RTI application along with the requested information pertaining to each of the eight points in the RTI application after duly attesting each page in the format stipulated by the Commission. The above must be submitted to the Commission within 15 days of this hearing.

Contd....2

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## **Appeal Case No. 3912 of 2021 ( Video Conference Proceedings)**

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 26.4.2022 at 11.00 am via Video Conference Facility at DC Office, Patiala.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

24.3.2022

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**Raj Singh,**  
S/o Ishar Singh,  
Village Toddarwal, PO Babarpur,  
Police Station Bhadson, Tehsil Nabha,  
District Patiala.

Versus

**Public Information officer,**  
o/o Senior Superintendent of Police,  
Patiala.  
**First Appellate Authority,**  
o/o Inspector General of Police,  
Patiala Range, Patiala.

## **Appeal Case No. 4017 of 2021 ( Video Conference Proceedings)**

PRESENT:

Raj Singh (Appellant) 98142-41257  
ASI, Hakam Singh (for the Respondent) 94643-92733

ORDER:

1. The RTI application is dated **30.3.2021** vide which the appellant has sought information **regarding a DDRI GDR etc. pertaining to PS Sadar Nabha in Six points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **6.5.2021** and Second Appeal was filed with the Commission on **3.9.2021** under Section 19 of the Right to Information Act 2005. Notice was issued to the parties for first hearing in the Commission on **24.3.2022**.
2. Both parties are present. The appellant is present in person. As per the PIO, a reply was sent vide Letter No. 691 Dated 24.3.2022 (pointwise reply to the RTI application) along with the information. The respondent PIO, represented by ASI Hakam Singh, states that he is in possession of said information and is ready to hand it over to the appellant.
3. The respondent PIO is herewith directed to submit the above said reply along with the information to the Commission at the earliest. Once this is received, the appellant be informed so that he can collect from the office of this Bench at his convenience.
4. **Next hearing on 26.4.2022 at 11.00 am via Video Conference Facility at DC Office, Patiala.**

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

Chandigarh  
24.3.2022

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**Sham Mohan,**

S/o Late Inderjeet Kaushal,

R/o H.No.89, Prem Nagar,

Ambala City.

Versus

**Public Information officer,**

o/o Municipal Corporation,

Patiala.

**First Appellate Authority,**

Commissioner, Municipal Corporation,

Patiala.

## **Appeal Case No. 4155 of 2021 (Video Conference Proceedings)**

PRESENT:

Sham Mohan (Appellant) 98961-57638

Surjit Singh, Superintendent (for the Respondent) 98141-90599

ORDER:

1. The RTI application is dated **19.10.2020** vide which the appellant has sought information **regarding Shop No. 642/2 in two ponths**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.3.2021** and Second Appeal was filed in the Commission on **13.9.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **24.3.2022**.

2. Both parties are present. As per a reply sent by the respondent PIO vide Letter No. 243 Dated 11.3.2022, the information was denied as per Section 8(1)(e) and 8(1)(j) of the RTI Act 2005. The Commission has examined the RTI application in detail. The PIO's decision to deny the requested information is herewith rejected. Both RTI applications received by the respondent PIO vide No. 4869 and 4870 be treated as a single RTI application and the respondent PIO is given a period of 30 days from the date of this Hearing to provide the requested information by way of duly attested copies along with a covering letter.

3. **Next hearing on 24.6.2022 at 11.00 am via Video Conference Facility at DC Office, Patiala.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

24.3.2022

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**Makhan Goyal,**  
S/o Prem Chand,  
Ward No. 14, Sagar Basti,  
Patran, Patiala.

Versus

**Public Information officer,**  
o/o Executive Officer, Nagar Council,  
Patran, Patiala.  
**First Appellate Authority,**  
o/o Additional Deputy Commissioner (UD),  
Patiala.

## **Appeal Case No. 4112 of 2021 ( Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

Sunil Kumar, Junior Assistant from Nagar Council, Patran (Respondent) 98724-58053

ORDER:

1. The RTI application is dated **10.5.2021** vide which the appellant has sought information **regarding the expenditure by Municipal Council, Patran from January 2015 to 8.5.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.7.2021** and Second Appeal was filed with the Commission on **9.9.2021** under Section 19 of the Right to Information Act 2005. Notice was issued to the parties for first hearing in the Commission on **24.3.2022**.

2. The appellant is absent without intimation. The respondent PIO, represented by Sunil Kumar, Junior Assistant from Nagar Council, Patran, states that a reply along with the requested information was sent to the appellant vide Letter No. 783 Dated 13.7.2021.

3. The respondent PIO is herewith directed to submit a copy of said reply and information to the Commission forthwith. The appellant is requested to examine said information and list deficiencies if any in writing to the respondent PIO with a copy to this Commission.

4. **Next hearing on 24.6.2022 at 11.00 am via Video Conference Facility at DC Office, Patiala.**

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

Chandigarh  
24.3.2022

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**Makhan Goyal,**  
S/o Prem Chand,  
Ward No. 14, Sagar Basti,  
Patran, Patiala.

Versus

**Public Information officer,**  
o/o Sub Divisional Magistrate,  
Patran, Patiala.  
**First Appellate Authority,**  
Sub Divisional Magistrate,  
Patran, Patiala.

## **Appeal Case No. 4109 of 2021 ( Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

Harish Kumar, PIO-cum-Senior Assistant (Respondent) 98149-12332

ORDER:

1. The RTI application is dated **10.5.2021** vide which the appellant has sought information **regarding old vehicles from outside states from January 2018 to 8.5.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.7.2021** and Second Appeal was filed with the Commission on **9.9.2021** under Section 19 of the Right to Information Act 2005. Notice was issued to the parties for first hearing in the Commission on **24.3.2022**.

2. The appellant is absent without intimation. As per the respondent PIO-cum-Senior Assistant, Harish Kumar, a reply vide Letter No. 39/RTI Dated 18.5.2021, was sent to the appellant asking him to deposit a sum of Rs. 46.00 in addition to the postal order submitted by him, to receive the information. As per the respondent, the appellant has failed to deposit the sum, which was sought from him within the stipulated 30 days period.

3. The respondent PIO is directed to send a copy of his Letter No. 39/RTI Dated 18.5.2021, to the Commission. The appellant is granted a final opportunity to be heard in person.

4. **Next hearing on 24.6.2022 at 11.00 am via Video Conference Facility at DC Office, Patiala.**

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

Chandigarh  
24.3.2022

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**Makhan Goyal,**  
S/o Prem Chand,  
Ward No. 14, Sagar Basti,  
Patran, Patiala.

Versus

**Public Information officer,**  
o/o Sub Divisional Magistrate,  
Patran, Patiala.  
**First Appellate Authority,**  
Sub Divisional Magistrate,  
Patran, Patiala.

## **Appeal Case No. 4110 of 2021 ( Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

Harish Kumar, PIO-cum-Senior Assistant (Respondent) 98149-12332

ORDER:

1. The RTI application is dated **10.5.2021** vide which the appellant has sought information **regarding the log book of vehicle used by the SDM from January 2018 to 8.5.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.7.2021** and Second Appeal was filed with the Commission on **9.9.2021** under Section 19 of the Right to Information Act 2005. Notice was issued to the parties for first hearing in the Commission on **24.3.2022**.

2. The appellant is absent without intimation. The respondent PIO-cum-Senior Assistant, Harish Kumar, states that a reply vide Letter No. 279 Dated 13.5.2021, was sent to the appellant asking him to deposit a sum of Rs. 750.00 as copying costs for 350 pages of the requested log book. However, since the appellant has not deposited the requested sum, the information has not been provided.

3. The respondent PIO is directed to submit a copy of aforesaid Letter No. 279 Dated 13.5.2021, to this Commission. The appellant is granted a final opportunity to be heard in person.

4. **Next hearing on 24.6.2022 at 11.00 am via Video Conference Facility at DC Office, Patiala.**

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

Chandigarh  
24.3.2022

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**Makhan Goyal,**  
S/o Prem Chand,  
Ward No. 14, Sagar Basti,  
Patran, Patiala.

Versus

**Public Information officer,**  
o/o EO, Nagar Council Patran,  
District Patiala.  
**First Appellate Authority,**  
o/o Additional Deputy Commissioner (UD),  
District Patiala.

## **Appeal Case No. 4111 of 2021 ( Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

1. The RTI application is dated **10.5.2021** vide which the appellant has sought information **regarding grants and expenditure for development works from January 2015 to 8.5.2021,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.7.2021** and Second Appeal was filed with the Commission on **9.9.2021** under Section 19 of the Right to Information Act 2005. Notice was issued to the parties for first hearing in the Commission on **24.3.2022**.

2. The respondent PIO who was present earlier hearing has left the venue of the Video Conference. The appellant is also absent. This appeal case is adjourned to its next hearing.

3. **Next hearing on 24.6.2022 at 11.00 am via Video Conference Facility at DC Office, Patiala.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh  
24.3.2022