

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
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Dr. Sandeep Kumar Gupta,
1722, Sector-14, Hisar.

... Appellant

Versus

Public Information Officer,
O/o Commissioner, Municipal Corporation,
Ludhiana.

First Appellate Authority,
O/o Commissioner, Municipal Corporation,
Ludhiana.

...Respondent

Appeal Case No. 165 of 2019

Present: None for for the appellant
Sh.Satish Kumar, ATP (bldg Branch), MCLudhiana for the Respondent

ORDER:

The case was first heard on **10.04.2019**. The respondent present pleaded that the information has been provided to the appellant vide letter dated 05.10.2018. The respondent also submitted a reply of the PIO which was taken on the file of the Commission. The Commission observed that the PIO has provided the information on point-1 and denied the information on point-2 by stating that the information is under fiduciary relationship, it cannot be supplied as no larger public interest involved in disclosure of such information and is exempted under section section 8(e) of the RTI Act.

The appellant was absent to plead his case. The appellant was directed to appear personally or through a representative to satisfy the Commission that there lies a larger public interest in revealing this information.

The case was again heard on **11.06.2019**. The appellant vide email has sent his reply that the disclosure of information has a larger public interest. The reply was taken on the file of the Commission. The representative appeared on behalf of the appellant further stated that a lot of universities have been declared invalid by the Hon'ble Supreme Court, and disclosure of information will help them to identify the officials appointed and working in the department with fake degrees. The case was adjourned.

On the next date of hearing on **06.08.2019**, the appellant was absent. The case was adjourned.

The case was last heard on **13.11.2019**. Both the parties were absent. The case was adjourned.

Appeal Case No. 165 of 2019

Hearing dated 25.02.2020:

In the earlier hearings, the appellant was directed to appear personally to satisfy the Commission that there lies a larger public interest in revealing this information.

The appellant is absent on 3rd consecutive hearing. The appeal case is dismissed for non persuasion of the case.

The case is **disposed off and closed.**

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Devan Munjal,
Ward No-19, Street NO-4, Roop Nagar,
Gidderbaha, Distt Sri Mukatsar Sahib.

... Appellant

Versus

Public Information Officer,
O/o Tehsildar, Gidderbaha,
Distt. Sri Mukatsar Sahib.

First Appellate Authority,
O/o SDM, Gidderbaha,
Distt. Sri Mukatsar Sahib.

...Respondent

Appeal Case No. 1227 of 2019

PRESENT: Sh.Devan Munjal as the Appellant
Sh.Charan Singh, Jr Assistant O/o Tehsildar Gidderbaha for the
Respondent

ORDER:

The case was first heard on 31.07.2019. The appellant claimed that the PIO has not provided the information. The respondent was absent. The commission received an email from the PIO stating that the appellant has been asked to get copies of NOCs regarding point-1 from the Sewa Kendra by depositing requisite fee and the information regarding point-2 has been sent to the appellant.

Having gone through the reply, the Commission observed that information is incomplete since the appellant in point-2 has asked for RTI applications which were replied within the prescribed time of 30 days. The PIO had also not replied regarding points-3 & 4. The appellant was directed to inspect the record regarding point-1 by visiting the office of PIO by fixing a mutually convenient date and time and get the relevant information. The PIO was directed to allow inspection of record and provide the information regarding point-1, in the form it exists.

Due to an enormous delay of 10 months in attending to the RTI application, the PIO was issued a **show cause notice Section 20 of the RTI Act and directed to** file reply on an affidavit. The PIO was again directed to provide the information to the appellant within 10 days.

The case was last heard on **28.11.2019**. The respondent present pleaded that the information has been supplied to the appellant vide letter dated 02.09.2019. The appellant claimed that despite order of the Commission as well as direction of the First Appellate Authority, the PIO has not allowed the inspection of record pertaining to the information regarding point-1. The PIO had also sent wrong and misleading information regarding points-2, 3 & 4.

Hearing both the parties, the Commission directed the PIO to relook at the RTI application and provide complete information on points 2,3& 4. Regarding point-1, the PIO to bring original record to the Commission at the next date of hearing. The PIO was also directed to appear personally and file detailed reply to the show cause notice.

Hearing dated 25.02.2020:

The appellant claims that the PIO has not provided the information on points 2 & 3. The PIO is absent but has preferred to send a representative with the record which is not as per the information sought in point-1. The Information regarding points 2 & 3 has not been provided. The PIO has also chosen not to respond to the show cause notice and appear. Despite direction of the Commission, the PIO has not provided the information.

Keeping the above-mentioned facts of the case, it is clear that the PIO is flouting the spirit of the RTI Act continuously. The PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission the Information Commission is empowered to issue warrants to Under Section 18(3) of the RTI Act. A bailable Warrant of the PIO-Tehsildar Gidderbaha, District Sri Mukarsar Sahib is hereby issued through Senior Superintendent of Police, Sri Mukatsar Sahib for his presence before the Commission on **08.04.2020**.

The PIO is also directed to provide information on all three points and allow the inspection of record to the appellant regarding point-1. The First Appellate Authority, SDM, Gidderbaha is also directed to ensure compliance of this order.

To come up for further hearing on **08.04.2020 at 11.00 AM**.

Chandigarh
Dated:25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

**BAILABLE WARRANT OF PRODUCTION
BEFORE
SHRI KHUSHWANT SINGH
STATE INFORMATION COMMISSIONER, PUNJAB
AT CHANDIGARH**

In case:Devan Munjal V/s Public Information Officer, Tehsildar Gidderbaha

APPEAL CASE NO.1227 of 2019

UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005

Next Date of Hearing :08.04.2020

To

**The Senior Superintendent of Police,
Sri Mukatsar Sahib**

Whereas the Tehsildar, Gidderbaha has failed to appear before the State Information Commissioner, Punjab despite the issuance of notice/summon in the above mentioned appeal case. Therefore, you are hereby directed to serve this bailable warrant to the Tehsildar Gidderbaha to appear before the undersigned at Red Cross Building, Near Rose Garden, Sector 16, Chandigarh on **08.04.2020 at 11.00 AM.**

**Chandigarh
Dated: 25.02.2020**

**Sd/-
(Khushwant Singh)
State Information Commissioner**

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Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1564 of 2019

PRESENT: Sh.K.N.S.Sodhi as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 14.12.2018 has sought information regarding land allotted under Institutional Land Policy by GMADA in Sector 70 to Guruwara Guru Nanak Darbar Property No.11 - Memorandum of articles, approval of land, site plan and other information concerning the office of GMADA Mohali. The appellant was not satisfied with the reply of the PIO vide letter dated 30.01.2019 stating that the information sought by the appellant is specified and the appellant was asked to inspect the record and get relevant information after which the appellant filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal.

The case was last heard on 25.11.2019. The representative appeared on behalf of the appellant informed that the appellant had inspected some of the files produced by the PIO on 01.11.2019 and specified the required documents. The representative however, sought adjournment for further hearing in the month of Feb.2020. The case was adjourned.

Hearing dated 25.02.2020:

The appellant informed that he had inspected the record and specified the information to the PIO but the PIO has not provided the information.

The respondent is absent. The PIO is directed to provide the information as specified by the appellant within 15 days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **01.04.2020 at 11.00 AM.**

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1565 of 2019

PRESENT: Sh.K.N.S.Sodhi as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 14.12.2018 has sought information regarding land allotted under Institutional Land Policy by GMADA in Sector 70 to Army Housing Co-op comprising Memorandum of articles, approval of land, site plan and other information concerning the office of GMADA Mohali. The appellant was not satisfied with the reply of the PIO vide letter dated 30.01.2019 stating that the information sought by the appellant is specified and the appellant was asked to inspect the record and get relevant information after which the appellant filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal.

The case was last heard on 25.11.2019. The representative appeared on behalf of the appellant informed that the appellant had inspected some of the files produced by the PIO on 01.11.2019 and specified the required documents. The representative however, sought adjournment for further hearing in the month of Feb.2020. The case was adjourned.

Hearing dated 25.02.2020:

The appellant informed that he had inspected the record and specified the information to the PIO but the PIO has not provided the information.

The respondent is absent. The PIO is directed to provide the information as specified by the appellant within 15 days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **01.04.2020 at 11.00 AM.**

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1566 of 2019

PRESENT: Sh.K.N.S.Sodhi as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 14.12.2018 has sought information regarding land allotted under Institutional Land Policy by GMADA in Sector 70 to Shimla Chandigarh Diocese Society comprising Memorandum of articles, approval of land, site plan and other information concerning the office of GMADA Mohali. The appellant was not satisfied with the reply of the PIO vide letter dated 30.01.2019 stating that the information sought by the appellant is specified and the appellant was asked to inspect the record and get relevant information after which the appellant filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal.

The case was last heard on 25.11.2019. The representative appeared on behalf of the appellant informed that the appellant had inspected some of the files produced by the PIO on 01.11.2019 and specified the required documents. The representative however, sought adjournment for further hearing in the month of Feb.2020. The case was adjourned.

Hearing dated 25.02.2020:

The appellant informed that he had inspected the record and specified the information to the PIO but the PIO has not provided the information.

The respondent is absent. The PIO is directed to provide the information as specified by the appellant within 15 days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **01.04.2020 at 11.00 AM.**

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1567 of 2019

PRESENT: Sh.K.N.S.Sodhi as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 14.12.2018 has sought information regarding land allotted under Institutional Land Policy by GMADA in Sector 70 to Citizen Welfare Council comprising Memorandum of articles, approval of land, site plan and other information concerning the office of GMADA Mohali. The appellant was not satisfied with the reply of the PIO vide letter dated 30.01.2019 stating that the information sought by the appellant is specified and the appellant was asked to inspect the record and get relevant information after which the appellant filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal.

The case was last heard on 25.11.2019. The representative appeared on behalf of the appellant informed that the appellant had inspected some of the files produced by the PIO on 01.11.2019 and specified the required documents. The representative however, sought adjournment for further hearing in the month of Feb.2020. The case was adjourned.

Hearing dated 25.02.2020:

The appellant informed that he had inspected the record and specified the information to the PIO but the PIO has not provided the information.

The respondent is absent. The PIO is directed to provide the information as specified by the appellant within 15 days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **01.04.2020 at 11.00 AM.**

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1568 of 2019

PRESENT: Sh.K.N.S.Sodhi as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 14.12.2018 has sought information regarding land allotted under Institutional Land Policy by GMADA in Sector 70 to Sarang Sahit Ram Gatham - Memorandum of articles, approval of land, site plan and other information concerning the office of GMADA Mohali. The appellant was not satisfied with the reply of the PIO vide letter dated 30.01.2019 stating that the information sought by the appellant is specified and the appellant was asked to inspect the record and get relevant information after which the appellant filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal.

The case was last heard on 25.11.2019. The representative appeared on behalf of the appellant informed that the appellant had inspected some of the files produced by the PIO on 01.11.2019 and specified the required documents. The representative however, sought adjournment for further hearing in the month of Feb.2020. The case was adjourned.

Hearing dated 25.02.2020:

The appellant informed that he had inspected the record and specified the information to the PIO but the PIO has not provided the information.

The respondent is absent. The PIO is directed to provide the information as specified by the appellant within 15 days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **01.04.2020 at 11.00 AM.**

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1569 of 2019

PRESENT: Sh.K.N.S.Sodhi as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 14.12.2018 has sought information on 13 points regarding land allotted under Institutional Land Policy by GMADA in Sector 70 comprising land policy, various amendment adopted by GMADA, provision for sale/transfer and other information concerning the office of GMADA Mohali. The appellant was not satisfied with the reply of the PIO vide letter dated 30.01.2019 stating that the information sought by the appellant is specified and the appellant was asked to inspect the record and get relevant information after which the appellant filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal.

The case was last heard on 25.11.2019. The representative appeared on behalf of the appellant informed that the appellant had inspected some of the files produced by the PIO on 01.11.2019 and specified the required documents. The representative however, sought adjournment for further hearing in the month of Feb.2020. The case was adjourned.

Hearing dated 25.02.2020:

The appellant informed that he had inspected the record and specified the information to the PIO but the PIO has not provided the information.

The respondent is absent. The PIO is directed to provide the information as specified by the appellant within 15 days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **01.04.2020 at 11.00 AM.**

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1570 of 2019

PRESENT: Sh.K.N.S.Sodhi as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 14.12.2018 has sought information regarding land allotted under Institutional Land Policy by GMADA in Sector 70 to Nari Niketan comprising memorandum of articles, approval of land, site plan and other information concerning the office of GMADA Mohali. The appellant was not satisfied with the reply of the PIO vide letter dated 30.01.2019 stating that the information sought by the appellant is specified and the appellant was asked to inspect the record and get relevant information after which the appellant filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal.

The case was last heard on 25.11.2019. The representative appeared on behalf of the appellant informed that the appellant had inspected some of the files produced by the PIO on 01.11.2019 and specified the required documents. The representative however, sought adjournment for further hearing in the month of Feb.2020. The case was adjourned.

Hearing dated 25.02.2020:

The appellant informed that he had inspected the record and specified the information to the PIO but the PIO has not provided the information.

The respondent is absent. The PIO is directed to provide the information as specified by the appellant within 15 days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **01.04.2020 at 11.00 AM.**

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1625 of 2019

PRESENT: Sh.K.N.S.Sodhi as the Appellant
None for the Respondent

ORDER:

The case was last heard on 14.11.2019. The respondent present pleaded that the appellant has already inspected some of the files and the appellant can inspect the other files by fixing a mutually convenient date and time. The representative appeared on behalf of the appellant had agreed for the same.

The case was last heard on **27.01.2020**. The appellant claimed that after inspection of the record on 01.11.2019, he had flag marked the information required by him but the PIO had not supplied the information. The respondent present was not been able to reply on the submission of the appellant.

Keeping the above in view, the PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit**. The PIO was again directed to provide the information to the appellant within 10 days.

Hearing dated 25.02.2020:

The appellant informed that despite order of the Commission, the PIO has not provided the information. The respondent is absent nor has responded to the show cause notice.

The PIO is given one last opportunity to file reply to the show cause notice otherwise the Commission will be constrained to take action against the PIO as per provisions of section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **01.04.2020 at 11.00 AM**.

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Rakesh Kumar Gupta,
8/237, Jagraon Road, Mandi Mullanpur,
Distt Ludhiana.

.....Appellant.

Versus

Public Information Officer,
DFSC, Ludhiana (West),
Zone-D, Municipal Corporation Building,
Sarabha Nagar, Ludhiana

First Appellate Authority,
The Director, Food, Civil Supplies & Consumer Affairs,
Anaj Bhawan, Sector-39-C,
Chandigarh.

.... Respondent

Appeal Case No. 1669 of 2018

Present: None for the Appellant
Sh.Jaswinder Singh Inspector O/o DFSC and Sh.Darbara Singh, AFSSO Raikot
on behalf of the Respondent

ORDER:

The case was first heard on **06.08.2018**. Sh.Jaswinder Singh from the office of DFSC was present. The respondent present pleaded that the information being third party information cannot be provided since the third parties had not given their consent. Having gone through the merits of the case, the claim of the PIO that the information is third party information was not fully justified. The PIO was directed to provide the point-wise information to the appellant in accordance with the RTI Act.

The case was again heard on **23.10.2018**. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and informed that the information is incomplete.

Having gone through the RTI application and hearing both the parties, the PIO was directed to relook at the RTI application and send reply to the point No. 1 on an affidavit. The information regarding points 2, 4, 5, 6 & 9 be provided as per RTI application. Regarding point No.7, to provide certified copy of details of penalty. Regarding point No.8, to forward application to the PIO, Market Committee.

The case came up for hearing on **04.12.2018**. The respondent from the office of Market Committee has brought the information regarding point No.8 and handed over to the appellant. The appellant received the same and is satisfied. Regarding points 2,4,5,6 &9, the respondent from the office of DFSC pleaded that since the paddy season is going on, they are busy in the procurement of paddy and sought adjournment. The adjournment was granted. The PIO was directed to provide information as per earlier order which still stands.

The case was again heard on **26.02.2019**. The appellant was absent and vide email informed that the PIO has not provided the information as per order of the Commission. The PIO was directed to comply with the earlier order of the Commission which still stands.

Appeal Case No. 1669 of 2018

The case was further heard on **07.05.2019**. The appellant was absent and vide email informed that the PIO has not provided the information as per order of the Commission. The respondent present from the office of Mandi Board informed that the information concerning them has already been provided.

The PIO-DFSC was directed to comply with the earlier order which still stands and provide the information to the appellant within 15 days and send a compliance report to the Commission, otherwise the Commission will be constrained to take action against the PIO as per provisions of the RTI Act.

The case was again heard on **05.08.2019**. The appellant was absent nor had sent any communication whether he had received the information or not. The case was adjourned.

The case was last heard on **13.11.2019**. The respondent present from the office of DFSC informed that the concerned third party had filed a writ petition in the Punjab & Haryana High Court against the order of the Commission and the status of the writ petition is awaited. The appellant was absent and vide email sought adjournment.

Having gone through the file, the Commission observed that during the intervening period of hearing, the 3rd party M/s Ram Kirpa Rice Mills filed a writ petition No.21424 of 2019 in the Punjab & Haryana High Court and challenged the order dated 07.05.2019 passed by the Commission in this appeal case. The said CWP had been dismissed by Punjab & Haryana High Court on 13.08.2019.

. The PIO was given one last opportunity to comply with the order of the Commission and provide the information to the appellant within 10 days.

Hearing dated 25.02.2020:

The appellant is absent and vide email has sought exemption. In the same email, the appellant has informed that the PIO has not provided the information.

It has been brought to the notice of the Commission that M/s Ram Kirpa Rice Mills (about whom the information was sought), has approached the Hon'ble High Court against the Commission's order and the Hon'ble High Court has issued a notice of motion for 15.05.2020.

Since the matter is in the Hon'ble High Court, the case is **sine die** till the decision of the Hon'ble High Court

Chandigarh
Dated: 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: The PIO, Distt.Mandi Officer,
District Mandi Bhawan, Gill Road,
Ludhiana.

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Sh. Tahaf Bains, S/o Sh.Dipender Singh,
1562, Sector-18-D, Chandigarh.

.....Appellant

Versus

Public Information Officer,
O/o Sub Registrar, Jalalabad,
Distt.Fazilka..

First Appellate Authority,
O/o SDM, Jalalabad,
Distt. FAzilka.

..Respondent

Appeal Case No. 3838 of 2018

Present: None for the Appellant
Sh.Rohit Kumar Jr. Assistant O/o Tehsldar Jalalabad for the Respondent

Order:

The case was first heard on 05.03.2019. Since the PIO denied the information stating that the information is in question form and it cannot be provided, the appellant filed first appeal before the First Appellate Authority which disposed off the appeal on 20.08.2018 with the order that the information is third party information.

The appellant claimed that he being a co-parcener and legal heir as per law, is legally entitled to a share in the coparcenary property of his father and fore-fathers and for implementing that right, he requires details of the property. The respondent was absent. The PIO was directed to appear personally on the next date of hearing and explain the reasons for not providing the information in accordance with the RTI Act.

The case was again heard on **26.03.2019**. The respondent present pleaded that the information sought by the appellant is not specific and is third party information. The respondent further pleaded that the appellant has not provided the vasika number of the property. The appellant had provided only the mutation numbers of the property to the respondent, which makes it difficult for the public authority to trace the sought information.

After having gone through the arguments of the case, the Commission found both the pleas of the PIO untenable. The Commission observed that since the appellant is a co-parcener and legal heir in the property, he has every right to access the information. The PIO was directed to provide the information to the appellant as sought in the RTI application before the next date of hearing.

The case was again heard on **24.04.2019**. The respondent present brought the Vasika numbers and informed that on the basis of these vasika numbers, the appellant can get the information from the Sewa Kendra by depositing requisite fee. The appellant said that since they have asked the information under RTI Act, they are not to go to the Sewa Kendra and the information be provided under the RTI Act. The respondent was directed to raise the fee under the RTI Act within a week and provide the information before the next date of hearing.

Appeal Case No. 3838 of 2018

The case was again heard on **12.06.2019**. The respondent present pleaded that in compliance with the order of the Commission, the information on 24 Vasika Numbers out of 35 have been provided to the appellant and they shall provide information of the remaining vasika number. The respondent further informed that the information on remaining 7 vasika numbers (55, 639,649,761,3434, 5617, 5619, 6436, 04, 09) had to be provided by the office of Deputy Commissioner, Fazilka. The PIO-DC Fazilka was impleaded in the case and directed to provide the information of each vasika.

The case was again heard on **31.07.2019**. The appellant informed that he was asked by the PIO vide letter dated 08.07.2019 to get the information from the concerned Sewa Kendra by depositing requisite fee as prescribed under the rules. The respondent present submitted an application signed by the Deputy Commissioner, Fazilka vide which the Deputy Commissioner pleaded for review of order dated 12.06.2019 and for direction to the appellant to obtain certified copies of the information in accordance with the rules & regulations/instructions of Punjab Govt.

Having gone through the review petition, the Commission was of the considered view that the applicant had applied for information under the RTI Act 2005, and the same should be made available in the form which the appellant has asked, as well as fee be charged under the form the applicant has asked for the information, unless barred by law, which is not the case in the matter. The plea of the Deputy Commissioner was not accepted. The PIO was directed to provide remaining information to the appellant under RTI Act within ten days of receipt of this order by charging the requisite fee as prescribed under the RTI Act. PIO also to certify the copies of information already provided, and carry the official stamp at the next date of hearing for attesting the copies of the information, if any, left uncertified.

The case was last heard on **19.12.2019**. The respondent brought partial information (Vasika Nos.5617, 5619 & 3434) which was taken on the file of the Commission. The appellant was asked to come to the Commission any time and collect the same. The respondent however, pleaded that two vasika Nos 55 & 761 are not registered and these numbers can be wrong. The respondent further pleaded that the remaining vasika nos 09, 639, 649, 6436 & 04 would be provided to the appellant within 15 days after getting these attested from the competent authority. The PIO was directed to send certified copies of the remaining information to the appellant within 10 days through registered post.

Hearing dated 25.02.2020:

The respondent has brought remaining vasika Nos. 09, 639, 649, 6436 & 04 which are taken on the file of the Commission. The appellant is absent. The appellant is directed to collect the same from the office of the Commission.

To come up for further hearing on **27.04.2020 at 11.00 AM.**

Chandigarh
Dated: 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-Deputy Commissioner,
Fazilka.

Note: The appellant appeared late and collected all the vasika submitted by the respondent. The appellant however, pointed out some discrepancy in the information. To be discussed on the next date of hearing.

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Sh. Rakesh Jindal,
11, Saff Colony,
Govt Polytechnic, Delhi by Pass,
Near GJUS & T, Hishar.

... Appellant

Versus

Public Information Officer,
O/o EO, MC,
Fazilka.

First Appellate Authority,
O/o Deputy Director, Local Bodies,
Ferozepur.

...Respondent

Appeal Case No. 2931 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 22.05.2019 has sought information regarding progress report of his application submitted on 21.01.2019 in connection with property No.3993 situated in Janglian Street, Fazilka and other information concerning the office of EO-MC Fazilka. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 26.06.2019 which took no decision on the appeal.

The case was last heard on 17.12.2019. Both the parties were absent. The Commission received a letter on 06.12.2019 from the PIO stating that the information has been supplied to the appellant vide letter dated 31.05.2019 and a copy submitted to the Commission. The appellant vide letter received in the Commission on 10.12.2019 informed that the PIO has not provided the complete information. The PIO was directed to relook at the RTI application and if any other document that is available on the progress of the application, be provided.

Hearing dated 25.02.2020:

The case has come up for hearing today through video conference facility available in the office of **Deputy Commissioner, Fazilka**. The appellant is absent. The appellant vide email has informed the he has received the information but the information is not certified.

The respondent is absent. The Commission has received a letter diary No.3721 on 25.02.2020 from the PIO stating that they are again sending the certified copies of the information to the appellant. The PIO is directed to send certified copies of the information to the appellant within a week.

With the above order, the case is **disposed off and closed**.

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Rakesh Jindal,
11, Saff Colony,
Govt Polytechnic, Delhi by Pass,
Near GJUS & T, Hishar.

... Appellant

Versus

Public Information Officer,
O/o EO, MC,
Fazilka.

First Appellate Authority,
O/o Deputy Director, Local Bodies,
Ferozepur.

...Respondent

Appeal Case No. 2932 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 22.05.2019 has sought information regarding order passed on his representation and personal appearance on 02.05.2018 relating to public publication on 08.03.2018 in Sarhad Kesari in the matter of Usha Jindal in property No.3993 situated in Janglian Street, Fazilka and other information concerning the office of EO-MC Fazilka. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 26.06.2019 which took no decision on the appeal.

The case was last heard on 17.12.2019. Both the parties were absent. The Commission received a letter on 06.12.2019 from the PIO stating that the information has been supplied to the appellant vide letter dated 14.06 and a copy submitted to the Commission. The appellant vide letter received in the Commission on 10.12.2019 informed that the PIO has not provided the complete information. The PIO was directed to relook at the RTI application and provide the complete information to the appellant.

Hearing dated 25.02.2020:

The case has come up for hearing today through video conference facility available in the office of **Deputy Commissioner, Fazilka**. The appellant is absent. The appellant vide email has informed the he has received the information but the information is not certified.

The respondent is absent. The Commission has received a letter diary No.3721 on 25.02.2020 from the PIO stating that they are again sending the certified copies of the information to the appellant The PIO is directed to send certified copies of the information to the appellant within a week.

With the above order, the case is **disposed off and closed**.

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Charan Dass, S/o Sh Phul Chand C/o Sh Roshan Lal,
Street NO-4-5, Satwa Chowk, New Suraj Nagri,
Abohar, Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o EO, NC,
Abohar, Distt Fazilka.

First Appellate Authority,
O/o Deputy Director,
Local Govt, Ferozepur.

...Respondent

Appeal Case No. 2944 of 2019

PRESENT: Sh.Charan Dass as the Appellant
Mrs.Rita Rani for the Respondent

ORDER:

The appellant through RTI application dated 07.05.2019 has sought information on 10 points regarding order passed by the NC Abohar and circulated by EO-NC relating to promotion of the applicant and other information concerning the office of EO-Abohar. The appellant was not satisfied with the information by the PIO vide letter dated 19.06.2019 after which the appellant filed a first appeal before the First Appellate Authority on 24.06.2019 which disposed off the appeal on 24.07.2019 with the direction to the PIO to provide the complete information to the appellant.

The case was last heard on 17.12.2019. The appellant claimed that the PIO has not provided the complete information. The respondent was absent. The PIO was directed to relook at the RTI application and send point-wise reply and provide all the information that has been sought.

Hearing dated 25.02.2020:

The respondent present pleaded that the information has been provided to the appellant on 19.06.2019. The appellant stated that the information is incomplete since the PIO has not provided the copy of order for not considering the case of yearly increments regarding point-1, copy of high court decision regarding point-3 and order for not processing the pension case of the appellant.

Having gone through the RTI application, reply of the PIO and hearing both the parties, the PIO is directed to suitably reply all the points of the RTI application on an affidavit.

The case is adjourned. To come up for further hearing on **07.04.2020 at 11.00 AM** through video conference facility available in the office of **Deputy Commissioner, Fazilka**. Copy of order be sent to both the parties through registered post.

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Charan Dass, S/o Sh Phul Chand C/o Sh Roshan Lal,
Street NO-4-5, Satwa Chowk, New Suraj Nagri,
Abohar, Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o EO, NC,
Abohar, Distt Fazilka.

First Appellate Authority,
O/o Deputy Director,
Local Govt, Ferozepur..

...Respondent

Appeal Case No. 2945 of 2019

PRESENT: Sh.Charan Dass as the Appellant
Mrs.Rita Rani for the Respondent

ORDER: The appellant through RTI application dated 13.05.2019 has sought information regarding resolution No.46 passed on 13.09.2018 and resolution No.78 dated 26.11.2018 relating to posting in account branch and entry in service and other information concerning the office of EO-NC,Abohar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 24.06.2019 which disposed off the appeal on 24.07.2019 with the direction to the PIO to provide the complete information to the appellant.

The case was last heard on 17.12.2019. The appellant claimed that despite direction of the First Appellate Authority, the PIO has not provided the complete information.

The respondent was absent. The Commission observed that there has been enormous delay in providing the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed** to file reply on an affidavit. The PIO was again directed to provide complete information to the appellant within 10 days.

Hearing dated 25.02.2020:

The respondent present pleaded that the information has been provided to the appellant. The appellant informed that he has received the information on points 2 & 3 only.

Having gone through the RTI application and hearing both the parties, the PIO is directed to suitably reply all the remaining points of the RTI application on an affidavit.

The Commission further observes that the PIO has not sent reply to the show cause notice. The PIO is directed to appear personally on the next date of hearing and submit reply to the show cause notice on an affidavit otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **07.04.2020 at 11.00 AM** through video conference facility available in the office of **Deputy Commissioner, Fazilka.** Copy of order be sent to both the parties through registered post

Chandigarh
Dated 25.02.2020

Sd/-
(Khushwant Singh)
State Information Commissioner