



Sh.Yogesh Mahajan S/o Sh.Kuldeep Raj Mahajan,
Opposite Water Tank, Municipal Market,
Mission Road,Pathankot.

...Appellant

Versus

Public Information Officer,
O/o XEN, Water Supply and Sanitation,
Division, Garhshankar.

First Appellate Authority,
O/o SE, Water Supply and Sanitation,
Circle, Hoshiarpur

...Respondent

Appeal Case No. 1471 of 2020

PRESENT: Sh.Yogesh Mahajan as the appellant
Sh.Prem Chand , Assistant for the Respondent

ORDER:

The case first came up for hearing 08.12.2020 through video conferencing at DAC Hoshiarpur. Both the parties were absent. The appellant through email informed that the PIO has not supplied the information.

The Commission observed that the appellant in this instance is someone who files a large number of RTI applications, but had not made any appearance in front of this bench of the commission and only communicated via an email in a set template. Even though the commission had offered various opportunities to the appellant to appear via video conferencing, as the appellant in the set template shown continuous inability to attend the hearings at the commission, the appellant had chosen to remain a recluse and communicate via emails only. The Commission felt it is prudent to put a face to the appellant, especially someone who files a slew of RTI applications but prefers not to appear and only send emails informing whether he has received the information, or not. Hence, the Commission directed the appellant to appear personally at the next hearing to take this case forward.

The case was adjourned.

On the date of the hearing on **19.05.2021**, **both** the parties were absent again. The case was adjourned.

Hearing dated 25.08.2021:

The case has come up for hearing today through video conferencing at DAC Pathankot/Hoshiarpur. As per the respondent, the information has been sent to the appellant on 24.08.2021.

The appellant has not received the information.

Since the information has been sent on 24.08.2021, the appellant is directed to point out the discrepancies in the information once received, to the PIO with a copy to the Commission. The PIO is directed to remove the same and provide the complete information.

To come up for further hearing on **01.12.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, **Hoshiarpur**. The appellant to appear through VC at DAC, **Pathankot**.



Sh.Yogesh Mahajan S/o Sh.Kuldeep Raj Mahajan,
Opposite Water Tank, Municipal Market,
Mission Road,Pathankot.

...Appellant

Versus

Public Information Officer,
O/o XEN, Water Supply and Sanitation,
Division, Garhshankar.

First Appellate Authority,
O/o SE, Water Supply and Sanitation,
Circle Hoshiarpur.

... Respondent

Appeal Case No. 1475 of 2020

PRESENT: Sh.Yogesh Mahajan as the appellant
Sh.Prem Chand , Assistant for the Respondent

ORDER:

The case first came up for hearing on 08.12.2020 through video conferencing at DAC Hoshiarpur. Both the parties were absent. The appellant through email informed that the PIO has not supplied the information.

The Commission observed that the appellant in this instance is someone who files a large number of RTI applications, but had not made any appearance in front of this bench of the commission and only communicated via an email in a set template. Even though the commission had offered various opportunities to the appellant to appear via video conferencing, as the appellant in the set template shown continuous inability to attend the hearings at the commission, the appellant had chosen to remain a recluse and communicate via emails only. The Commission felt it is prudent to put a face to the appellant, especially someone who files a slew of RTI applications but prefers not to appear and only send emails informing whether he has received the information, or not. Hence, the Commission directed the appellant to appear personally at the next hearing to take this case forward.

The case was adjourned.

On the date of hearing on **19.05.2021**, **both** the parties were again absent. The case was adjourned.

Hearing dated 25.08.2021:

The case has come up for hearing today through video conferencing at DAC Pathankot/Hoshiarpur. As per the respondent, the information has been sent to the appellant on 24.08.2021.

The appellant has not received the information.

Since the information has been sent on 20.08.2021, the appellant is directed to point out the discrepancies in the information once received, to the PIO with a copy to the Commission. The PIO is directed to remove the same and provide the complete information.

To come up for further hearing on **01.12.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, **Hoshiarpur**. The appellant to appear through video conferencing in the office of Deputy Commissioner, **Pathankot**.

Sd/-

Chandigarh
Dated:25.08.2021

(Khushwant Singh)
State Information Commissioner



Sh.Yogesh Mahajan S/o Sh. Kuldeep Raj Mahajan,
Opposite Water Tank, Municipal Market,
Mission Road, Pathankot.

...Appellant

Versus

Public Information Officer,
O/o XEN, Water Supply and Sanitation,
Division-2, Hoshiarpur.

First Appellate Authority,
O/o SE, Water Supply and Sanitation,
Circle Hoshiarpur.

.....Respondent

Appeal Case No. 1267 of 2020

PRESENT: Sh.Yogesh Mahajan as for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 06.01.2020 has sought information regarding grants received/utilized - comparative statements approved by competent authority for works by E-tendering/online undertaken during 07.01.2018 to 06.01.2020 – comparative statements approved by competent authority for works by tender/offline work undertaken from 07.01.2018 to 06.01.2020 – copies of sanction letter for the work of CSR to all SDE and other information from the office of Xen, Water Supply and Sanitation Division No.2, Hoshiarpur. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 05.02.2020 which took no decision on the appeal.

The case last came up for hearing on 08.12.2020 through video conferencing at DAC Hoshiarpur. Both the parties were absent. The appellant through email informed that the PIO has not supplied the information.

The Commission observed that the appellant in this instance is someone who files a large number of RTI applications, but had not made any appearance in front of this bench of the commission and only communicated via an email in a set template. Even though the commission had offered various opportunities to the appellant to appear via video conferencing, as the appellant in the set template shown continuous inability to attend the hearings at the commission, the appellant had chosen to remain a recluse and communicate via emails only. The Commission felt it is prudent to put a face to the appellant, especially someone who files a slew of RTI applications but prefers not to appear and only send emails informing whether he has received the information, or not. Hence, the Commission directed the appellant to appear personally at the next hearing to take this case forward.

The case was adjourned.

On the date of the hearing on **19.05.2021**, **both** the parties were again absent. The case was adjourned.

Hearing dated 25.08.2021:

The case has come up for hearing today through video conferencing at DAC Pathankot/Hoshiarpur. As per the appellant, the PIO has not supplied the information.

The respondent is absent on 3rd consecutive hearing nor has supplied the information. There has been an enormous delay of one year and seven months in providing the information and the PIO is not appearing before the Commission. 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 raising excess fee than the actual information provided.** 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 supply the information to the appellant within 10 days of the receipt of the order.

The case is adjourned. To come up for further hearing on **01.12.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, **Hoshiarpur**. The appellant to appear through VC at DAC, **Pathankot**.

Chandigarh
Dated:25.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh.Yogesh Mahajan S/o Sh.Kuldeep Raj Mahajan,
Opposite Water Tank, Municipal Market,
Mission Road,Pathankot.

...Appellant

Versus

Public Information Officer,
O/o XEN,Water Supply and Sanitation,
Division-2, Hoshiarpur.

First Appellate Authority,
O/o SE,Water Supply and Sanitation Circle,
Hoshiarpur

.....Respondent

Appeal Case No. 1275 of 2020

PRESENT: Sh.Yogesh Mahajan as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 06.01.2020 has sought information regarding works undertaken/carried out during 06.08.2018 to 06.01.2019 in Sub Division Garhiwal, Tanda, Sub Division No.3 & 4 Hoshiarpur – copies of work order book in all divisions from 06.01.2018 to 06.01.2019 – comparative statements of other works and other information from the office of SE Water Supply and Sanitation Circle, Hoshiarpur. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 05.02.2020 which took no decision on the appeal.

The case last came up for hearing on 08.12.2020 through video conferencing at DAC Hoshiarpur. Both the parties were absent. The appellant through email informed that the PIO has not supplied the information.

The Commission observed that the appellant in this instance is someone who files a large number of RTI applications, but had not made any appearance in front of this bench of the commission and only communicated via an email in a set template. Even though the commission had offered various opportunities to the appellant to appear via video conferencing, as the appellant in the set template shown continuous inability to attend the hearings at the commission, the appellant had chosen to remain a recluse and communicate via emails only. The Commission felt it is prudent to put a face to the appellant, especially someone who files a slew of RTI applications but prefers not to appear and only send emails informing whether he has received the information, or not. Hence, the Commission directed the appellant to appear personally at the next hearing to take this case forward.

The case was adjourned.

On the date of hearing on **19.05.2021**, **both** the parties were again absent. The case was adjourned.

Hearing dated 25.08.2021:

The case has come up for hearing today through video conferencing at DAC Pathankot/ Hoshiarpur. The appellant informed that he received the information on 12.05.2021 but the information was incomplete and the deficiencies were pointed out to the PIO on 14.05.2021. However, the PIO has not removed the discrepancies and has not supplied the complete information.

The respondent is absent on 3rd consecutive hearing without any legitimate reasons for the absence. There has been an enormous delay of one year and seven months in providing the information and the PIO is not appearing before the Commission. 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 raising excess fee than the actual information provided.** 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 sort out the discrepancies and provide complete information to the appellant within 10 days of the receipt of the order.

The case is adjourned. To come up for further hearing on **01.12.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, **Hoshiarpur**. The appellant to appear through VC at DAC, **Pathankot**.

Chandigarh
Dated:25.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Karnail Singh, S/o Sh Chhanga Singh,
New Azad Nagar,
Ferozpur City.

... Complainant

Versus

Public Information Officer,
O/o Naib Tehsildar, Mamdot,
Distt. Ferozpur.

...Respondent

Complaint Case No. 114 of 2021

**PRESENT: Sh.Karnail Singh as the Complainant
None for the Respondent**

ORDER:

The complainant through RTI application dated 26.11.2020 has sought information regarding the name of officers present during demarcation of the land of village Lakha Singh Wala bearing khewat No.393 by revenue department on 07.08.2020 relating to unauthorized mining – a copy of rule under which patwari signed the demarcation report and submitted to Mining Officer Ferozpur – a copy of demarcation report of village Lakha Singh Wala from 01.01.2020 to 01.11.2020 along with maps – a copy of movement register - name & address of the owners of land present during demarcation and other information as enumerated in the RTI application from the office of Tehsildar Ferozpur which transferred the same to Naib Tehsildar Mamdot, Distt. Ferozpur u/s 6(3) of the RTI Act. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 15.01.2021.

The case last came up for hearing on 28.06.2021 through video conferencing at DAC Ferozpur. The complainant claimed that the PIO has not provided the information.

The respondent was absent without any legitimate reasons for the absence. Since there has been an enormous delay of more than seven months in attending to the RTI application and the Tehsildar had not responded to the RTI application, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

The PIO-Naib Tehsildar, Mamdot was again directed to provide whatever information is available on record.

Hearing dated 25.08.2021:

The case has come up for hearing today through video conferencing at DAC Ferozpur. As per the appellant, the PIO has not supplied the information.

The respondent is absent on 2nd consecutive hearing nor has filed a reply to the show-cause notice as well as not provided the information.

Complaint Case No. 114 of 2021

Keeping the above-mentioned facts of the case, it is clear that the PIO-Naib Tehsildar Mamdot, District Ferozepur 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-Naib Tehsildar, Mamdot is hereby issued through Senior Superintendent of Police, Ferozepur for his presence before the Commission on 27.10.2021.

To come up for further hearing on **27.10.2021 at 11.00 AM.**

Chandigarh
Dated :25.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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

In case:Karnail Singh V/s Public Information Officer, Naib Tehsildar
Mamdot, District Ferozepur

COMPLAINT CASE NO. 114 OF 2021

UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005

Next Date of Hearing :**27.10.2021**

To

**The Senior Superintendent of Police,
Ferozepur**

Whereas The PIO- Naib Tehsildar Mamdot, District Ferozepur 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 PIO- Naib Tehsildar Mamdot to appear before the undersigned at Red Cross Building, Near Rose Garden, Sector 16, Chandigarh on **27.10.2021** at **11.00 A.M.**

**Chandigarh
Dated: 25.08.2021**

**(Khushwant Singh)
State Information Commissioner**



Sh. Karnail Singh, S/o Sh Chhanga Singh,
New Azad Nagar,
Ferozpur City.

... Complainant

Versus

Public Information Officer,
O/o Naib Tehsildar, Mamdot,
Distt Ferozpur.

...Respondent

Complaint Case No. 113 of 2021

PRESENT: Sh.Karnail Singh as the Complainant
None for the Respondent

ORDER:

The complainant through the RTI application dated 02.12.2020 has sought information regarding action taken on the application dated 26.02.2020(Diary No.421 dt.27.02.2020) relating to providing false documents – present status of the application and other information as enumerated in the RTI application from the office of SDM Mamdot which transferred the same to Naib Tehsildar, Mamdot Distt.Ferozpur on 09.12.2020. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 15.01.2021.

The case last came up for hearing on 28.06.2021 through video conferencing at DAC Ferozpur. The appellant informed that he had filed an RTI application with the office of SDM(Civil)Ferozpur which transferred the same to Naib Tehsildar, Mamdot on 09.12.2020 but the Naib Tehsildar has not provided any information.

The respondent was absent without any legitimate reasons for the absence. Since there has been an enormous delay of more than six months in attending to the RTI application and the Naib Tehsildar had not responded to the RTI application transferred by SDM Ferozpur on 09.12.2020, 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-Naib Tehsildar, Mamdot was again directed to provide whatever information exists in the record and action taken on the complaint of the appellant.

Hearing dated 25.08.2021:

The case has come up for hearing today through video conferencing at DAC Ferozpur. As per the appellant, the PIO has not supplied the information.

The respondent is absent on 2nd consecutive hearing nor has filed a reply to the show cause notice as well as not provided the information.

The PIO is given one last opportunity to appear before the Commission on the next date of hearing and file reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say in the matter and the decision will be taken ex-party.

To come up for further hearing on **27.10.2021 at 11.00 AM.**

Chandigarh
Dated :25.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Mahinder Singh, S/o. Sh Jagir Singh,
R/o Village Baaj Singh Wala,
Dakhli Talli Saida Sahoo,
Tehsil & Distt Ferozepur.

... Appellant

Versus

Public Information Officer,
O/o Tehsildar,
Ferozepur.

First Appellate Authority,
O/o SDM,
Ferozepur.

...Respondent

Appeal Case No. 521 of 2021

PRESENT: None for the Appellant
Sh.Lakhwinder Singh, Tehsildar Feorzepur for the Respondent

ORDER:

The appellant through RTI application dated 23.09.2020 has sought information regarding the assessment of compensation provided in the year 2019 for the year 2016-17 and 2017-18 by Patwar Circle Masteki and other information as enumerated in the RTI application from the office of DC Ferozepur which transferred the RTI application to Tehsildar Ferozepur. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 24.10.2020 which took no decision on the appeal.

The case first came up for hearing on 31.03.2021 through video conferencing at DAC Ferozepur. As per counsel for the appellant, the PIO asked the appellant to specify the information whereas the appellant wanted the entire record.

The respondent was absent. The PIO was directed to provide information to the appellant as per the RTI application and send a compliance report to the commission.

On the date of the last hearing on **28.06.2021**, both the parties were absent.

Since there has been an enormous delay of more than nine months in providing the information and the respondent was absent on 2nd consecutive hearing nor has complied with the order of the Commission, 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-Tehsildar, Ferozepur was again directed to provide the information within ten days of the receipt of the order and send a compliance report to the Commission.

Hearing dated 25.08.2021:

The case has come up for hearing today through video conferencing at DAC Ferozepur. The respondent present pleaded that the information has already been provided to the appellant vide letter dated 09.12.2020.

The respondent has also sent a reply to the show cause through email which has been taken on the file of the Commission. In the reply, the PIO has mentioned that he could not attend the hearing due to their deployment in the second wave of the corona epidemic.

Appeal Case No. 521 of 2021

The appellant is absent.

As per the respondent, the information was provided on 09.12.2020. However, having gone through the record, it is observed that the appellant had filed an appeal case on 21.01.2021 and on the date of the first hearing on 31.03.2021, Ms.Shweta, the advocate who appeared on behalf of the appellant informed that no information was provided by the PIO but her client was merely asked to specify the information whereas the appellant wanted the entire record.

The PIO is directed to resend the information to the appellant as per the RTI application with a copy to the Commission, as well as clarify the above contention of the appellant's counsel.

The decision on show cause will be taken on the next date of hearing.

To come up for further hearing on **01.12.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ferozepur.

Chandigarh
Dated :25.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner