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Sh.Lajpat Rai Garg, S/o Sh.Harbans Lal, B-3/287, Romana Street, Jaito, Distt.Faridkot.

... Appellant

Versus

Public Information Officer, O/o Principal Secretary, Local Govt, Pb, Chandigarh.

First Appellate Authority, O/o Addl, Chief Secretary, Local Govt, Pb, Chandigarh.

...Respondent

Appeal case No.611 of 2020

Present: None for the Appellant

None for the Respondent

ORDER: This order should be read in continuation with the previous order.

The appellant through RTI application dated 05.11.2019 has sought information 08 points regarding action taken on the letters sent by DC Faridkot for taking necessary action against the employees of MC Jaito - action taken on application dated 21.09.2019 and letters sent from 01.12.2017 to 08.02.2018 against Jagmohan Lal and other information as enumerated in the RTI application concerning the office of Addl. Chief Secretary, Local Govt Punjab. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 13.12.2019 which took no decision on the appeal.

The case has already been heard on 26.08.2020, 18.01.2021 and 04.08.2021.

On the date of the last hearing on 04.08.2021, the appellant as per the order of the Commission had sent a typed copy of the RTI application and observed that the reply of the PIO-Local Govt. Ferozepur was different from the information that had been sought in the RTI application since his applications about which he is seeking information are in the custody of the office of Principal Secretary Local Govt. Pb Chandigarh.

The respondent was absent.

Having gone through the RTI application and the reply of the office of Dy. Director Local Govt. Ferozepur, The Commission found that the reply is vague and not in accordance with the RTI application. As per the appellant, the information had been sought from the office of Principal Secretary, Local Govt. Pb Chandigarh and the information lies in the custody of that department.

The PIO-Principal Secretary, Local Govt. Punjab, Chandigarh was impleaded in the case and directed to relook at the RTI application (a copy of which was sent along with the order) and provide point-wise information as per available in their record. If it is in the custody of any other section of the department, the PIO-Principal Secretary procure it from the concerned section /district and provide the sought information as per the RTI Act.

Appeal case No.611 of 2020

Hearing dated 25.10.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot/Mohali.

The appellant is absent and vide letter received in the Commission on 05.10.2021 has sought an adjournment.

The respondent is absent nor is represented.

The case is adjourned. To come up for further hearing on **08.03.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Faridkot. The PIO to appear through VC at DAC Mohali.

Chandigarh Dated 25.10.2021 Sd/-Khushwant Singh State Information Commissioner

CC to PIO-Regional Deputy Director, Local Govt. Punjab, Mall Road, Ferozepur

PUNJAB STATE INFORMATION COMMISSION

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Sh.Gian Chand Goyal New Market, Jaito, District Faridkot.

Versus

Public Information Officer,

O/o Block Primary Education Officer, Jaito, District Faridkot.

First Appellate Authority, District Primary Education Officer, Faridkot.

...Respondent

...Appellant

Appeal case No.3450 of 2020 PRESENT: Sh.Gian Chand as the Complainant

Sh.Dalbir Singh, BPEO for the Respondent

ORDER:

The appellant through RTI application dated 08.08.2020 has sought information regarding the list of Govt Primary Schools in Sub Division Jaito – list of primary teachers – educational certificates of teachers and other information concerning the office of BPEO Jaito. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 17.09.2020 which took no decision on the appeal.

The case came up for hearing first on 18.01.2021 through video conferencing at DAC Faridkot. The respondent present pleaded that the information on points 1, 2 & 3 have been provided but since the information regarding point-4 being 3rd party information, as well as personal information, it is exempt u/s 2(n), 8(1)(j) and 8(1) of the RTI Act. The respondent further informed that the appellant had earlier also sought similar information (educational and experience certificates of teachers) in appeal case No.3860 of 2019 which was disposed of by Sh.Hem Inder Singh, State Information Commissioner on 08.01.2020. The respondent also sent a copy of the order which was received in the Commission on 24.12.2020.

Hearing both the parties, the appellant was directed to convince the Commission that the disclosure of information regarding point-4 has a larger public interest.

On the date of the last hearing on **04.08.2021**, both the parties were absent.

The appellant sent his reply which was taken on the file of the Commission.

Hearing dated 25.10.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant informed that he has already sent his reply as per the order of the Commission. The appellant further claims that the PIO has not supplied the information.

The respondent reiterated his earlier plea that the information on points 1, 2 & 3 have been provided but since the information regarding point-4 being 3rd party information as well as personal information, it is exempt u/s 2(n), 8(1)(j) and 8(1) of the RTI Act.

The case is adjourned. To come up for further hearing on **08.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh Dated 25.10.2021

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Sh Rajinder Singh, S/o Sh Nachhatar Singh, VPO Khemuana, Distt Bathinda.

... Appellant

Versus

Public Information Officer, O/o SSP, Faridkot.

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

...Respondent

Appeal Case No. 3880 of 2020

PRESENT: Sh.Rajinder Singh as the Appellant

Sh.Ramesh Kumar, ASI for the Respondent

ORDER:

The appellant through the RTI application dated 16.03.2020 has sought information regarding a copy of the crime register from the year 2000 and other information as enumerated in the RTI application concerning the office of SSP Faridkot. The appellant was denied the information by the PIO vide letter dated 08.07.2020 on the ground that a crime register was a secret record and hence its details cannot be. provided. Not being satisfied with the reply, the appellant filed a first appeal before the First Appellate Authority on 17.08.2020 which disposed of the appeal on 23.09.2020 upholding the PIO's view.

The case last came up for hearing on 04.08.2021 through video conferencing at DAC Bathinda/Faridkot. As per the appellant, the PIO had wrongfully denied the information since the record relating to FIRs etc. along with status was already available on the internet and hence calling register a secret document was untenable.

After hearing both the arguments, the PIO was directed to send a copy of the record/crime register to the Commission in a sealed cover for the further perusal of this case.

Hearing dated 25.10.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot/Bathinda. The Commission has received a copy of the record from the PIO in a sealed cover which has been taken on the file of the Commission.

The respondent reiterated his earlier plea that the crime register is a secret record and hence its details cannot be provided.

However, the appellant claims that the Bathinda office has already provided a copy of the crime register.

Appeal Case No. 3880 of 2020

The appellant is directed to send a copy of the document that has been provided by the Bathinda office to the commission to analyse the provided document.

The case is adjourned. To come up for further hearing on **08.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot. The appellant is to appear through VC at DAC Bathinda.

Chandigarh Dated:25.10.2021

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Sh. Rajinder Kumar, S/o. Sh. Mehar Chand, Ward NO-2, Supreme Enclave, Near Vishvkarma Bhawan, Link Road. Mansa.

... Appellant

Public Information Officer,

O/o Director, Local Govt, Sector-35-A, Chandigarh.

First Appellate Authority, O/o Director, Local Govt, Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 3216 of 2020

Versus

PRESENT: Sh.Rajinder Kumar as the Appellant

None for the Respondent

ORDER:

The appellant through RTI application dated 30.07.2020 has sought information regarding the decision taken by Director Local Govt on general meeting of NC Mansa – remarks of EO dated 06.03.2020 and other information as enumerated in the RTI application concerning the office of Director Local Govt. Pb Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 31.08.2020 which took no decision on the appeal.

The case came up for hearing on 31.03.2021 through video conferencing at DAC Mansa. As per the appellant, the PIO had not provided the information.

The respondent present pleaded that the information has already been supplied to the appellant vide letter dated 17.08.2020. The respondent also submitted a copy of the information to the Commission which was sent to the appellant along with the order.

The appellant was directed to point out the discrepancies if any, to the PIO with a copy to the Commission and the PIO was directed to remove the same.

On the date of hearing on **16.06.2021**, as per the respondent, the information had been provided to the appellant vide letter dated 17.08.2020.

However, the appellant alleged that the PIO is misleading the court since the document which the respondent claims to have sent along with the letter dated 17.08.2020 is signed by the authorities only on 11.09.2020 and 21.01.2020. The appellant also sent a letter dated 30.04.2020 which was received in the Commission on 04.05.2020 along with a copy of documents signed by the authorities on 11.09.2020 and 21.10.2020.

Appeal Case No. 3216 of 2020

Since there was prima-facie evidence that the PIO might have misled the court, the PIO was issued a show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.

Hearing dated 25.10.2021:

The case has come up for hearing today through video conferencing at DAC Mansa/Mohali. The respondent is absent. The Commission has received the reply from the PIO on 19.08.2021 which has been taken on the file of the Commission.

I have gone through the reply to the show-cause notice. One last opportunity is afforded to the PIO with the direction that the PIO be present personally on the next date of hearing and explain the facts.

To come up for further hearing on **08.03.2022 at 11.00 AM t**hrough video conference facility available in the office of Deputy Commissioner, Mansa. The PIO to appear through VC at DAC Mohali.

Chandigarh
Dated 25.10.2021

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Sh. Rajinder Kumar, S/o. Sh. Mehar Chand, Ward NO-2, Supreme Enclave, Near Vishvkarma Bhawan, Link Road. Mansa.

... Appellant

Versus

Public Information Officer, O/o Director, Local Govt, Sector-35-A, Chandigarh.

First Appellate Authority, O/o Director, Local Govt, Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 3217 of 2020

PRESENT: Sh.Rajinder Kumar as the Appellant

Sh.Amit Kumar, Sr.Assistant for the Respondent

ORDER:

The appellant through RTI application dated 24.07.2020 has sought information regarding FIR No.11 dated 02.08.2017 PC Act 1988 Thana Vigilance Bureau Bathinda against Rajinder Kumar Clerk of NC Mansa – a copy of the letter dated 06.09.2019 – a copy of the letter in reference to which letter dated 06.09.2019 was written – a copy of DO letter dated 16.01.2020 of Punjab Vigilance Bureau and other information as enumerated in the RTI application concerning the office of Director Local Govt. Pb Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 31.08.2020 which took no decision on the appeal.

The case came up for hearing on 31.03.2021 through video conferencing at DAC Mansa. As per the appellant, the PIO had not provided the information.

The respondent present pleaded that the information has already been supplied to the appellant vide letter dated 17.08.2020. The respondent also submitted a copy of the information to the Commission which was sent to the appellant along with the order.

The appellant was directed to point out the discrepancies if any, to the PIO with a copy to the Commission and the PIO was directed to remove the same.

On the date of hearing on **16.06.2021**, as per the appellant, he received the information from the PIO on 20.04.2021 which was incomplete since the PIO had not supplied the information on point1 & 3 and the information on point-2 was not attested. The appellant pointed out the discrepancies vide the letter received in the Commission on 04.05.2021.

A copy of the letter was sent to the PIO with the direction to sort out the discrepancies and provide complete information. If the information is not available on the record, to give in writing on an affidavit that the information that has been provided is true, complete and no other information is available in the record relating to this RTI application.

Hearing dated 25.10.2021:

The case has come up for hearing today through video conferencing at DAC Mansa/Mohali. As per the respondent, discrepancies have been sorted out and the complete information has been provided to the appellant.

The appellant informed that he has received the information on points 1 & 3 but the PIO has not supplied the copy of the letter of vigilance bureau in reference to which letter dated 06.09.2019 was written relating to point-2.

The PIO is directed to provide the information on point-2 if exists in the record. If the information is not available, give it in writing on an affidavit.

To come up for further hearing on **08.03.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Mansa. The PIO to appear through VC at DAC Mohali.

Chandigarh Dated:25.10.2021

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Sh. Rajinder Kumar, S/o Sh. Mehar Chand, Ward NO-2, Supreme Enclave, Near Vishvkarma Bhawan, Link Road, Mansa.

... Appellant

Versus

Public Information Officer,

O/o Director, Local Govt, Sector-35-A, Chandigarh.

First Appellate Authority,

O/o Director, Local Govt, Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 2865 of 2020

Present: Sh.Rajinder Kumar as the Appellant

Sh.Amit Kumar, Sr.Assistant for the Respondent

ORDER:

The appellant through RTI application dated 06.07.2020 has sought information regarding a copy of letter No.149-50 dated 20.01.2020 relating to personal views of EO on the resolution passed in a general meeting of NC Mansa on 17.01.2020 and letter No.216-17 dt.24.01.2020 and other information as enumerated in the RTI application concerning the office of Director Local Govt. Punjab, Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 07.08.2020 which took no decision on the appeal.

The case last came up for hearing on 03.03.2021 through video conferencing at DAC Mansa. The appellant claims that the PIO has not provided the information.

The respondent was absent. The PIO was directed to provide the information within 15 days of the receipt of this order and send a compliance report to the Commission. Failure to comply would attract proceedings under section 20 of the RTI Act.

On the date of hearing on **16.06.2021**, as per the respondent, complete information had been provided to the appellant on 12.03.2021.

As per the appellant, the PIO had not provided the information on point-1.

The PIO was directed to provide information on point-1 within 15 days of the receipt of this order and send a compliance report to the Commission.

Hearing dated 25.10.2021:

The case has come up for hearing today through video conferencing at DAC Mansa/ Mohali. As per the respondent, the information on point-1 has already been supplied to the appellant.

The appellant claims that the document which has been provided is dated 24.01.2020 (amended comments of the EO) whereas the appellant has sought a copy of letter No.149-150 dated 20.01.2021 vide which the EO had given his comments on the resolution passed in the meeting of NC dated 17.01.2020.

Appeal Case No. 2865 of 2020

From the above, it is clear that the PIO is dilly-dallying the information and there is prima-facie evidence of a malafide intention of the PIO on not providing the sought document. The PIO is directed to procure it from the concerned authority under whose custody the document exists and provide it to the appellant.

However, since there is a piece of prima-facie evidence that this document has not been deliberately provided 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. 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 person(s) of the show cause and direct them to appear before the Commission along with the written replies.

To come up for further hearing on **08.03.2022** at **11.00** AM through video conference facility available in the office of Deputy Commissioner, Mansa. The PIO to appear through VC at DAC Mohali.

Chandigarh Dated 25.10.2021

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Sh. Lajpat Rai, S/o Sh . Harbans Lal, H O-B-3/287, Romana Street, Jaito, Distt Faridkot.

Versus

Appeal Case No. 3128 of 2020

... Appellant

Public Information Officer, O/o SDM, Jatio, Faridkot.

First Appellate Authority, O/o SDM, Jatio, Faridkot.

...Respondent

Present: None for the Appellant

Sh.Pal Singh Suptd. for the Respondent

ORDER:

The appellant through the RTI application dated 27.07.2020 has sought information regarding the application forwarded by DC Faridkot – enquiry reports and other information as enumerated in the RTI application concerning the office of SDM Jaito. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 31.08.2020 which took no decision on the appeal.

The case first came up for hearing on 08.03.2022 through video conferencing at DAC Faridkot. The respondent was absent.

Having gone through the RTI application, the Commission observed that the RTI application is not legible. The appellant was directed to send a typed legible copy of the RTI application with a copy to the PIO.

The PIO was directed to provide whatever information is available in the record as per the RTI Act.

On the date of the last hearing on **16.06.2021**, the appellant sent a legible typed copy of the RTI application. As per the appellant, the PIO had not supplied the information.

The respondent was absent on 2^{nd} consecutive hearing nor had complied with the order of the Commission. The PIO was given one more opportunity to provide information to the appellant whatever is available in the record and appear before the Commission on the next date of hearing along with the explanation for the delay in providing the information.

Hearing dated 25.10.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant is absent and vide letter received in the Commission on 05.10.2021 has sought adjournment.

The case is adjourned. To come up for further hearing on **08.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh Dated 25.10.2021

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Sh. Lajpat Rai, S/o Sh . Harbans Lal, H O-B-3/287, Romana Street, Jaito, Distt Faridkot.

Versus

... Appellant

Public Information Officer, O/o SSP, Faridkot.

First Appellate Authority, O/o SSP, Faridkot.

...Respondent

Appeal Case No. 3144 of 2020

Present: None for the Appellant

Sh.Ramesh Kumar, ASI(RTI Cell) O/o SSP Faridkot for the Respondent

ORDER:

The appellant through the RTI application dated 09.06.2020 has sought information regarding complete files/action taken report on the applications filed vide No.413-LR/ASP Jaito 1912.2019, 382/IPC/R ASP 15/10/19. 458-5PC/2019 – SA register of PS Jaito 1.1.2018 to 01.03.2019, 28.05.2019 to 01.07.2019, 21.08.2019 to 31.12.2019, 01.01.2020 to 28.02.2020, 01.05.2020 till date – Case file No.29/2018 dated 03.04.2018, Casefile No.80 dated 30.05.2019 and other information as enumerated in the RTI application concerning the office of SSP Faridkot. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 12.06.2020 which took no decision on the appeal.

The case came up for hearing on 08.03.2022 through video conferencing at DAC Faridkot. As per the respondent, the information has been provided to the appellant vide letter dated 01.03.2021. As per the appellant, the information was incomplete on points 1,3 & 4 and the PIO has not supplied the information on point-2 stating that since the entry register contains some more records relating to security and secrecy documents, it cannot be provided.

Hearing both the parties, the appellant was directed to point out the discrepancies relating to points 1,3 & 4 in writing to the PIO with a copy to the Commission and the PIO was directed to remove the same. Regarding point-2, the appellant was directed to inspect the record on 12.03.2021 at 12.00 Noon and get the relevant information that is permitted under the RTI Act. The PIO was directed to allow inspection of the record to the appellant on the given date and time and provide the information as discussed during the hearing.

On the date of hearing on **16.06.2021**, as per the respondent, the discrepancies on points 1,3 &4 had been sorted out and the information had been supplied to the appellant.

As per the appellant, the PIO provided only a copy of the enquiry report on 413-LR/ASP Jaito dated 19.12.2019 but had not provided information on complaint 382/IPC/R Asp 15.10.2019 and 458-5PC/2019. The appellant further informed that he inspected the record relating to point-2 but the PIO has not supplied the information.

Appeal Case No. 3144 of 2020

As per the respondent, no further information on points 1,3 &4 was available in the record.

The PIO was directed to sort out the discrepancies. If the information is not available, give an affidavit that the information that has been provided on points 1, 3 & 4 is true, complete and no other information is available in the record. The affidavit should be on stamp paper duly attested by Notary Public. Regarding point-2 the respondent was directed to bring the record to the Commission at the next date of hearing.

Hearing dated 25.10.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant is absent and vide letter received in the Commission on 05.10.2021 has sought adjournment.

The case is adjourned. To come up for further hearing on **08.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh Dated 25.10.2021

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... Appellant

Sh. Lajpat Rai, S/o Sh . Harbans Lal, H O-B-3/287, Romana Street, Jaito, Distt Faridkot.

Versus

Public Information Officer,

O/o SSP, Faridkot.

First Appellate Authority,

O/o SSP, Faridkot.

...Respondent

Appeal Case No. 3145 of 2020

Present: None for the Appellant

Sh.Ramesh Kumar, ASI for the Respondent

ORDER:

The case last came up for hearing on 08.03.2022 through video conferencing at DAC Faridkot. The respondent present pleaded that the information has been supplied to the appellant vide letter dated 01.03.2021. As per the appellant, the provided information was incomplete.

Hearing both the parties, the appellant was directed to point out the discrepancies in writing to the PIO with a copy to the Commission and the PIO was directed to remove the discrepancies and provide the information as per the RTI.

On the date of hearing on **16.06.2021**, as per the respondent, the discrepancies were sorted out and the available information had been supplied to the appellant and that no further information was available in their record.

As per the appellant, the information was incomplete.

The PIO was directed to sort out the discrepancies. If the information is not available, give an affidavit that the information that has been provided is true, complete and no other information is available in the record relating to this RTI application. The affidavit should be on stamp paper duly attested by Notary Public.

Hearing dated 25.10.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant is absent and vide letter received in the Commission on 05.10.2021 has sought adjournment.

The case is adjourned. To come up for further hearing on **08.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh Dated 25.10.2021

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Sh.Karamjit Singh, S/o Sh Joginder Singh, Thuthian Wali Road, Near Maal Mandi, Ward NO-1. Mansa.

... Compalainant

Public Information Officer,

O/o Director,
Social Security of Women and Child Development
Deptt, Pb, Chandigarh.

...Respondent

Complaint Case No. 116 of 2021

Present: None for the Appellant

None for the Respondent

ORDER:

The complainant through RTI application dated 01.09.2020 has sought information regarding leave availed by Kuljeet Kaur Anganwari worker Center No.134, Bhatti Basti, Mansa from 01.01.2020 to 22.08.2020 – the name of the person who receives the ration in the centre in place of Kuljeet Kaur and other information as enumerated in the RTI application concerning the office of Director Social Security of Women & Child Development Department Pb Chandigarh. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 15.01.2021.

Versus

On the date of last hearing on 16.06.2021, both the parties were absent. The case was adjourned.

Hearing dated 25.10.2021:

The case has come up for hearing today through video conferencing at DAC Mansa/Mohali. The appellant is absent and vide letter received in the Commission on 29.06.2021 has informed that he has received copies of some information from Child Development Project Officer, Mansa but the information is incomplete.

The respondent is absent on 2nd consecutive hearing nor is represented. There is nothing on record that shows that the PIO has replied RTI application within the time prescribed under the RTI Act. There has been an enormous delay in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO to show cause why penalty be not imposed on him under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time. 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 person(s) of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **08.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mansa. The PIO to appear through video conferencing at DAC Mohali.

Chandigarh Dated 25.10.2021