

# **PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, NEAR ROSE GARDEN,**

**SECTOR 16, CHANDIGARH.**

Ph: 0172-2864115, Email: - [psic25@punjabmail.gov.in](mailto:psic25@punjabmail.gov.in)

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## **APPEAL CASE NO. 585 OF 2022**

Shri Amarjit Singh Dhamotia, (98887 10031)  
R/o # 1331-5, Vishwakarma Bhawan,  
Down Canal Road, Simlapuri, Ludhiana - 141003

...Appellant

Versus

**Public Information Officer,**  
O/o Chairperson,  
Punjab State Human Rights Commission,  
Sector - 34 A, Chandigarh.

**First Appellate Authority**  
O/o Chairperson,  
Punjab State Human Rights Commission,  
Sector - 34 A, Chandigarh.

...Respondents

**PRESENT:** None for the Parties.

### **ORDER:**

The RTI application is dated 01.11.2021 vide which the Appellant has sought information as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (hereinafter FAA) on 03.12.2021 and Second Appeal was filed in the Commission on 25.01.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and Notice of hearing was issued to the parties for 27.05.2022.

2. The Appellant is absent and the PIO is also absent for today's hearing, inspite of the Notice/Orders of the Commission.

3. Today is the first date of hearing and both the parties are not present today. Hence, an opportunity is given to the parties to appear before the Commission and present their case.

4. The case is adjourned to **04.07.2022 at 12:00PM** in the Commission. Copies of the orders be sent to the parties.

**Chandigarh**  
**27.05.2022**

Sd/-  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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## **APPEAL CASE NO. 3152 OF 2021**

Shri Iqbal Singh, (99157 51994)  
S/o Shri Jagjit Singh,  
R/o V.P.O. Puhalla Patti, Gurbaksh,  
Tehsil Nathana, District Bathinda.

...Appellant

Versus

**Public Information Officer,**

O/o Block Development & Panchayat Officer,  
Nathana, District Bathinda.

**First Appellate Authority**

O/o Block Development & Panchayat Officer,  
Nathana, District Bathinda.

...Respondents

**PRESENT:** Shri Iqbal Singh, Appellant.  
Shri Rupinder Kumar, Superintendent (94659 44982) along with Shri Nazam Singh, V.D.O. – cum – PIO Gram Panchayat Puhla for the Respondents (78147 65952)

**ORDER:**

This order may be read with reference to the previous order dated 06.05.2022.

2. The Respondent appears in person and states that available information has already been supplied to appellant and he also filed a reply in this regard.
3. On the asking of the Bench, the appellant confirms to his satisfaction the receipt of information and states that he has not received the amount of compensation.
4. In view of the above, Shri Nazam Singh is exempted from further hearings in the Commission.

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## **APPEAL CASE No. 3152 OF 2021**

5. The Bench observes that information stands supplied to the appellant. But, as regards the compensation amount, Shri Rupinder Kumar, Superintendent is unable to give any satisfactory reply and has misbehaved in the Court, which is viewed adversely. Therefore, a **SHOW CAUSE NOTICE** under Section 20(1) of the RTI Act is issued to Shri Rupinder Kumar, Superintendent O/o Block Development & Panchayat Officer, Nathana, District Bathinda as Deemed PIO and as to why penalty should not be imposed upon him for willful delay in supplying the information to the RTI applicant.

The Deemed PIO is directed to file an affidavit in response to the Show Cause Notice and appear personally on the next date fixed, otherwise it will be presumed that he has nothing to say and the Commission shall initiate ex-parte proceeding.

6. In view of the above, the PIO neither the supplied the complete information in time to the appellant nor the amount of compensation awarded by the Commission has been paid to him so far and further mis-behaved by his subordinate in the Court. The Commission takes a serious view of this matter and is constrained to enhance the amount of compensation is constrained to enhance the amount of compensation from Rs. 3000/- to Rs. 5000/- (Rs. Five Thousand only). Shri Raja Singh, B.D.P.O, Block Nathana, District Bathinda is directed to make the payment of the awarded compensation, before the next date of hearing by way of Demand Draft in favour of the appellant i.e Iqbal Singh. A compliance report in this regard be sent to the Commission accordingly. In case of failure to do so, penal consequences shall follow.

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## **APPEAL CASE No. 3152 OF 2021**

7. The case is adjourned to **27.06.2022 at 12:00PM** in the Commission. Copies of the orders be sent to the parties.

**Chandigarh  
27.05.2022**

Sd/-  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

**Copy to intimation and Necessary action:-** (Regd. Post)

**Shri Raja Singh,**  
PIO – cum – Block Development & Panchayat Officer,  
Block Nathana, District Bathinda.

**Shri Rupinder Kumar,**  
Superintendent – cum – Deemed PIO,  
O/o Block Development & Panchayat Officer,  
Nathana, District Bathinda.

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## **APPEAL CASE NO. 3756 OF 2021**

Advocate Tejinder Singh, (90410 04313)  
Civil Court, Tehsil Complex,  
Backside Sanjh Kender,  
Phillaur -144410 (Jalandhar)

...Appellant

Versus

**Public Information Officer,**  
O/o Sub Registrar,  
Ropar.

**First Appellate Authority**  
O/o Sub Divisional Magistrate,  
Ropar.

...Respondents

**PRESENT:** None on behalf of the Appellant.  
Shri Harbans Singh, Tehsildar – cum – PIO (81468 47700)

## **ORDER:**

This order may be read with reference to the previous order dated 11.05.2022.

2. The PIO appears in person and states that requisite information/reply has already been sent to the appellant vide letter dated 03.02.2022 and after that no observation has been received from him.

3. The Appellant is absent for today's hearing in the Commission. He was also absent on the last hearings dated 22.12.2021, 09.03.2022 and 11.05.2022.

4. After deliberations on RTI application of the appellant, the PIO is directed to supply the available information pertaining to his RTI application. In case no information is available in the official record, then PIO is directed to file an Affidavit stating point wise position with regard to each point and produce the same before the Bench, on the next date of hearing, failing which penal consequences shall follow.

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**APPEAL CASE NO. 3756 OF 2021**

5. He is further directed to file a reply in support of **Show Cause Notice** issued **to him vide order dated 11.05.2022**, failing which penalty provision will be initiated against him.

6. The matter is adjourned for **04.07.2022 at 12:00PM** in the Commission.  
Copies of the orders be sent to the parties.

Chandigarh  
27.05.2022

Sd/-  
(Amrit Partap Singh Sekhon)  
State Information Commissioner  
Punjab

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## **APPEAL CASE NO. 4194 OF 2021**

Shri Gurcharan Singh, (98140 40348)  
S/o Shri Darshan Singh,  
R/o Village & Post Office Bhudan,  
Tehsil Malerkotla – 148023 (Sangrur)

...Appellant

Versus

**Public Information Officer,**  
O/o Additional Director General of Police,  
NRI Wing, S.A.S Nagar (Mohali).

**First Appellate Authority**  
O/o Inspector General of Police,  
Patiala Range, Patiala.

**Public Information Officer,**  
O/o Bureau of Investigation, Punjab,  
Punjab Police Headquarter,  
Sector – 9, Chandigarh.

...Respondents

**PRESENT:** Shri Gurcharan Singh, Appellant.  
HC Sukhdev Singh on behalf of the Respondents (98556 80456)

### **ORDER:**

This order may be read with reference to the previous order dated 04.05.2022.

2. The Respondent appears in person and produce point – wise reply before the Bench. The same is handed over to the appellant during the hearing.

3. The Appellant, after going through the reply submitted by the respondent expresses his dissatisfaction.

4. In view of the above, the PIO O/o NRI Wing, Punjab Police is directed to bring the original record pertaining to RTI application of the appellant, on the next date of hearing.

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## **APPEAL CASE NO. 4194 OF 2021**

5. The PIO O/o Bureau of Investigation, Punjab is directed to provide the available information pertaining to RTI application. In case no information is available in the official record, then PIO is directed to file an Affidavit in this regard and produce the same before the Bench, on the next date of hearing.

6. The PIO O/o NRI Wing, Punjab Police is also directed to bring the relevant record pertaining to RTI application. In case no information is available in the official record, then PIO is directed to file an Affidavit in this regard and produce the same before the Bench, on the next date of hearing, failing which penal consequences shall follow.

7. The matter is adjourned for **27.06.2022 at 12:00PM** in the Commission.

Copies of the orders be sent to the parties.

**Chandigarh**  
**27.05.2022**

Sd/-  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**



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## **APPEAL CASE NO. 4407 OF 2021**

Smt. Kiran Sharma, (79730 81420)  
W/o Late Shri Jagdish Sharma,  
Street No. 42, Preet Nagar,  
Shimlapuri, Ludhiana.

...Appellant

Versus

**Public Information Officer,**  
O/o Director General of Police,  
Sector – 9, Chandigarh.

**First Appellate Authority**  
O/o Director General of Police,  
Sector – 9, Chandigarh.

...Respondents

**PRESENT:** None on behalf of the Appellant.  
Shri Ravi Kumar, Constable on behalf of the Respondents (99156 03000)

## **ORDER:**

This order may be read with reference to the previous order dated 23.02.2022.

2. The Appellant is not present today. However, he has sent an e-mail stating that due to his ill-health, he shall not be able to attend the hearing today. Copy of the same is taken on record whereas the Respondent appears in person and files his written reply.

3. After going through the reply, it is found to be incorrect. Therefore, he is directed to file point-wise reply, before the next date of hearing, failing which penal consequences shall follow.

4. The case is adjourned to **04.07.2022 at 12:00PM** in the Commission. Copies of the orders be sent to the parties.

**Chandigarh**  
**27.05.2022**

Sd/-  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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## **APPEAL CASE NO. 4894 OF 2021**

Shri Deepak Kalia, (81980 00785)  
R/o # 31, Kailash Nagar,  
Jalandhar.

...Appellant

Versus

**Public Information Officer,**  
O/o Sub Divisional Magistrate -1,  
Jalandhar.

**First Appellate Authority**  
O/o Sub Divisional Magistrate – 1,  
Jalandhar.

...Respondents

**PRESENT:** None for the parties.

### **ORDER:**

This order may be read with reference to the previous order dated 18.02.2022.

2. The Appellant is absent for today's hearing before Bench and he was also absent on the last hearing dated 18.02.2022. However, he has emailed to the Bench stating therein that his case be transferred to some other Bench.

3. The PIO is absent for today's hearing in the Commission and he was also absent on the last hearing dated 18.02.2022. However, he has emailed to the Bench stating therein that due to death of relative of the dealing clerk, he is unable to attend today's hearing in the Commission and requests for an adjournment. A warning is given to the PIO/APIO that no low level officer should appear for the next date of hearing.

4. Further, I have gone through the contents of letter, in which, the reasons for transfer of case are not substantial. To deal with such kind of transfer applications various courts have held:-

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## APPEAL CASE NO. 4894 OF 2021

*"Hon'ble Allahabad High Court in Application No.111257 of 2014 in C.M.W.P. No.5822 of 2014 dated 27.3.2014 "held that the application is thoroughly improper and lacking in substance. Such uncalled for aspersions against the Bench must be deprecated". Rejected."*

5. Against the above said order of the Division Bench in S.L.P. one of the respondents moved the Hon'ble Supreme Court of India on 10.3.2014 that the Presiding Judge of D.B. should recuse himself from the case. The Hon'ble Supreme Court declined the request for transfer as well.

6. Hon'ble Supreme Court in **Jaswant Singh vs. Virender Singh 1995 Supp (1) SCC 384** has also held that "it is most unbefitting for an advocate to make imputations against the Judge only because he does not get the expected result, which accordingly to him is the fair and reasonable result available to him. Judges cannot be intimidated to seek favourable orders...."

7. In a subsequent decision in **Chetak Construction Ltd. V. Om Prakash and others, (1998) 4 SCC 577**, the Supreme Court while adverting to these observations held thus:

*"Indeed, no lawyer or litigant can be permitted to browbeat the Court or malign the presiding officer with a view to get a favourable order. Judges shall not be able to perform their duties freely and fairly if such activities were permitted and in the result administration of justice would become a causality and rule of law would receive a setback."*

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## **APPEAL CASE NO. 4894 OF 2021**

*The Judges are obliged to decide cases impartially and without any fear or favour. Lawyers and litigants cannot be allowed to "terrorize" or "intimidate" Judges with a view to "secure" orders which they want. This is basic and fundamental, and no civilized system of administration of justice can permit it. We certainly, cannot approve of any attempt on the part of any litigant to go "forum-shopping". A litigant cannot be permitted "choice" of the "forum" and every attempt at "forum-shopping" must be crushed with a heavy hand."*

8. Keeping in view, the contents of transfer application, facts of the case and case law on the subject, the transfer application is rejected. The Appellant is directed to desist from making such transfer applications.

9. The case is adjourned to **04.07.2022 at 12:00PM** in the Commission. Copies of the orders be sent to the parties.

**Chandigarh**  
**27.05.2022**

Sd/-  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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## **APPEAL CASE NO. 5293 OF 2021**

Advocate Tejinder Singh, (90410 04313)  
Civil Court, Tehsil Complex,  
Backside Sanjh Kender,  
Phillaur -144410 (Jalandhar)

...Appellant

Versus

**Public Information Officer,**  
O/o Sub Registrar,  
Kharar, District S.A.S. Nagar (Mohali)

**First Appellate Authority**  
O/o Sub Divisional Magistrate,  
Kharar, District S.A.S. Nagar (Mohali)

...Respondents

**PRESENT:** None on behalf of the Appellant.  
Ms. Rajni Bala, Sr. Assistant on behalf of the Respondents (88472 77054)

### **ORDER:**

This order may be read with reference to the previous order dated 22.04.2022.

2. The Appellant is absent for today's hearing in the Commission. He was also absent on the last hearing dated 22.04.2022 also.

3. The Respondent appears in person and orally states that requisite information/reply has already been sent to the appellant and after that, no observation has been received from him.

4. After deliberations on RTI application of the appellant, the PIO is directed to supply the available information pertaining to his RTI application. In case no information is available in the official record, then PIO is directed to file an Affidavit stating point wise position with regard to each point and produce the same before the Bench, on the next date of hearing, failing which penal consequences shall follow.

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**APPEAL CASE NO. 5293 OF 2021**

5. The matter is adjourned for **04.07.2022 at 12:00PM** in the Commission.

Copies of the orders be sent to the parties.

**Chandigarh  
27.05.2022**

Sd/-  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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## **APPEAL CASE NO. 5393 OF 2021**

Smt. Satvir Kaur, (83878 95309)  
D/o Shri Sukhminder Singh,  
R/o # 13, HMH, Bhadrakali Road,  
Amarpura Thedi, Hanumangarh Town – 335513 (Rajasthan)

...Appellant

Versus

**Public Information Officer,**  
O/o Commandant, 13<sup>th</sup> Battalion, P.AP.  
New Secretariat, Sector -1, Chandigarh.

**First Appellate Authority**  
O/o Inspector General of Police,  
Armed BNJ, Punjab, Jalandhar.

...Respondents

**PRESENT:** Smt. Satvir Kaur, Appellant (On Telephone).  
Shri R.S. Kahlon, P.P.S., D.S.P. (98725 50585) along with ASI Sanjiv Abrol  
for the Respondents (78147 65952)

### **ORDER:**

This order may be read with reference to the previous order dated  
04.04.2022.

2. The Appellant on telephone reiterates her earlier version that no  
information has been provided to her whereas the Respondent appears in person and  
orally reiterates his earlier version that Armed Wing is out of the purview of RTI Act, 2005.

3. After deliberations on RTI application of the appellant, the PIO is directed to  
supply the available information pertaining to her RTI application. In case no information  
is available in the official record, then PIO is directed to file an Affidavit stating point wise  
position with regard to each point and produce the same before the Bench, on the next  
date of hearing, failing which penal consequences shall follow.

4. The case is adjourned to **04.07.2022 at 12:00PM** in the Commission. Copies  
of the orders be sent to the parties.

**Chandigarh**  
**27.05.2022**

Sd/-  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**