

Ramandeep Singh Ahluwalia,
Ward No 18, St. No -2,
Kartar Nagar, Amloh Road,
Khanna-141401,
Distt. - Ludhiana (Punjab)

...Appellant

V/s.

Public Information Officer,
O/o The Executive Officer ,
Municipal Council, Amloh Road,
Khanna-141401,
Distt. - Ludhiana (Punjab)

First Appellate Authority,
O/o The Regional Deputy Director,
Urban Local Govt., 1st Floor, Mini Sectt.,
Ferozepur Road, Ludhiana (Punjab)

...Respondents

Appeal Case No. 3253 of 2018

Present : Sh. Ramandeep Singh Ahluwalia, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 28.06.2018. First appeal is dated 19.08.2018. Second appeal has been received in the Commission on 25.09.2018.

On the last date of hearing, held on 12.07.2021,

- i) The appellant stated that information at point no. 05 of the RTI request is still pending.
- ii) Sh. Harmel Singh, Junior Engineer, stated that the concerned official was transferred to the office of Executive Officer, Nagar Council, Roonagar and has now come back from Roopnagar to Khanna and requested for another date in the instant appeal-case.
- iii) Another opportunity was given to the respondent PIO concerned to facilitate the appellant to inspect the related site on 14.07.2021 at 11:00 A. M. so that the appellant could identify the required samples of the material.
- iv) The appellant was advised to visit the office of the respondent PIO on 14.07.2021 at 11:00 A. M. to collect the required samples after inspection of the related site.
- v) The respondent PIO concerned was directed to supply the required samples of the material, which would be identified by the appellant during his visit, to him under intimation to the Commission, failing which action would be initiated against him under the provisions of the RTI Act.
- vi) Another opportunity was given to the appellant to confirm whether he received the required samples of the material or not.

The appellant, Sh. Ramandeep Singh Ahluwalia, who appeared in person in today's hearing, states that he visited the office of the respondent but he was told by the respondent that the related case-file is missing and without file, he is not aware of the samples, which are to be shown to him.

Neither the respondent PIO nor any of his representative is present in today's hearing. He has also not sent any intimation regarding his non-availability. Moreover, the required samples has not been shown to the information seeker even after the directions were given by the Commission vide orders dated 12.07.2021, which reflects that he is trying to inordinate delay in supplying the required information to the information-seeker. The Commission took a serious view of this casual approach of the respondent PIO.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Executive Officer , Municipal Council, Khanna, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant under the provisions of the RTI Act, 2005.

He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed through facility of Software/application 'CISCO Webex Meetings', it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. A copy of this order be sent to him through registered post.

Last opportunity is given to the respondent PIO concerned to facilitate the appellant to inspect the related site after fixing a date mutually so that the appellant could identify the required samples of the material.

The respondent PIO concerned is directed to supply the required samples of the material, which would be identified by the appellant during his visit, to him under intimation to the Commission.

Another opportunity is given to the appellant to confirm whether he received the required samples of the material or not, by the next date of hearing.

A copy of this order be sent through registered post to Principal Secretary to Government of Punjab, Deptt. of Local Government and Director, Local Government, Punjab, Chandigarh to ensure compliance of the above-announced order passed by the Commission and also enure presence of the concerned PIO on the next date fixed through facility of Software/application 'CISCO Webex Meetings'.

The case is adjourned to 30th November, 2021 (Tuesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'

Copies of the orders be sent to the parties.

Date : 27th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

(Regd. Post) The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

(Regd. Post) The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Ajay Kumar Sharma S/o Sh. S. R. Sharma,
M/s Kurali Toll Bridge Co. Pvt. Ltd.,
Office No. 72, Sector 41-B,
Butrela, Chandigarh (U.T.)

....Appellant

V/s

Public Information Officer,
O/o The Executive Engineer,
Central Works Division,
P.W.D. (B & R), Punjab,
Sector 76, S. A. S. Nagar (Punjab)

First Appellate Authority,
O/o The Executive Engineer,
Central Works Division,
P.W.D. (B & R), Punjab,
Sector 76, S. A. S. Nagar (Punjab)

...Respondents

Appeal Case No. 3273 of 2020

Present : Sh. Maninder Arora, Advocate, on behalf of the appellant.
Sh. Amanpreet Singh, Junior Engineer, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 29.06.2020. First appeal is dated 20.08.2020.

Second appeal has been received in the Commission on 28.10.2020.

On the last date of hearing, held on 19.07.2021,

- i) Sh. Maninder Arora, Advocate, (representative of the appellant) stated that the appellant did not receive remaining information, moreover, certain deficiencies were pointed out in the information supplied to the respondent PIO vide a letter dated 14.07.2021.
- ii) Another opportunity was given to the respondent PIO concerned to remove the deficiencies, which were pointed out by the appellant vide letter dated 14.07.2021 to him by registered post with a copy to the Commission.
- iii) An opportunity was given to the appellant to confirm whether he received the information or not.

Sh. Maninder Arora, Advocate, who appeared on behalf of the appellant, Sh. Ajay Kumar Sharma in today's hearing, states that incomplete information has been given to him at point no. 01 of the RTI request and whatever information is given to him is uncertified. He also states that no information has been given to him at point no. 02 of the RTI request.

Sh. Amanpreet Singh, Junior Engineer, who appeared on behalf of the respondent PIO in today's hearing, states that the required information has already been given to the appellant only information at point no. 02 is pending as the related case-file is sent to higher authorities for approval and whenever funds would be available, the same information would be given to the appellant.

Nevertheless, the respondent-PIO is directed to supply the copies of the information at point no. 01 after getting it certified and send a reply, in writing, in connection with point no. 02 of the RTI request to the appellant with a copy to the Commission.

An opportunity is given to the appellant to confirm whether he received the information/reply or not.

The case is adjourned to 24th November, 2021 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 27th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Ram Chand Bansal
S/o Sh. Hans Raj,
24944, Street No. 2,
Baba Deep Singh Nagar,
Bathinda- 151001 (Punjab)

...Appellant

V/s

i) Public Information Officer,
(Regd. Post) O/o The State Transport Commissioner, Punjab,
Sector 17, Chandigarh

ii) Public Information Officer,
(Regd. Post) O/o The Secretary,
Regional Transport Authority,
Bathinda(Punjab)

iii) Public Information Officer,
(Regd. Post) O/o The General Manager,
P. R. T. C.,
Bathinda Depot (Punjab)

iv) First Appellate Authority,
O/o The State Transport Commissioner, Punjab,
Sector 17, Chandigarh

...Respondents

Appeal Case No. 1991 of 2019

Present : Sh. Ram Chand Bansal, the appellant in person.
i) Sh. Gurbax Singh, APIO O/o State Transport Commissioner, Punjab,
Chandigarh ;
ii) Sh. Sita Ram, Superintendent O/o P. R. T. C, Bathinda ;
iii) Sh. Raman Sharma, General Manager, O/o P. R. T. C, Bathinda Depot ;
iv) None appeared from O/o Secretary, Regional Transport Authority,
Bathinda.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 22.12.2018. First appeal is dated 06.03.2019. Second appeal has been received in the Commission on 28.05.2019.

On the last date of hearing, held on 19.07.2021,

- i) Ms. Kulwinder Kaur, Superintendent office of State Transport Commissioner, Punjab, Chandigarh and Sh. Harivansh, Data Entry Operator office of Secretary, Regional Transport Authority, Bathinda, stated that whatever information relate to their office already given to the appellant and part information relates with office of General Manager, P. R. T. C, Bathinda.
- ii) Neither the appellant nor respondent PIO or any of his representative of office of General Manager, P. R. T. C, Bathinda Depot was present.
- iii) Another opportunity was given to the concerned parties (i. e. appellant, PIOs or representative of offices of State Transport Commissioner, Punjab, Chandigarh ; Secretary, Regional Transport Authority, Bathinda and General Manager, P. R. T. C, Bathinda Depot to remain present during the proceeding of the instant appeal-case on the date fixed so that facts of this could be cleared.

The appellant, Sh. Ram Chand Bansal, who appeared in person in today's hearing, states that whatever information has been given to him by the respondent PIO is not as per queries raised by him through RTI request.

Sh. Gurbax Singh, APIO of office of State Transport Commissioner, Punjab, Chandigarh, who appeared in today's hearing, states that a reply has been sent to the appellant vide letter no. 24068 dated 24.09.2021. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 24066 dated 24.09.2021, which has been received in the Commission vide Diary No. 21872 dated 24.09.2021. It, alongwith annexure, is taken on record.

Sh. Raman Sharma, General Manager office of P. R. T. C, Bathinda Depot, who appeared in today's hearing, states that the information demanded through RTI request is regarding fixation of rent of buses in Bathinda Bus Stand. He intimates the Commission that General Manager office of P. R. T. C, Bathinda Depot has no authority to fix or enhance the rate of rent or Kilometers of travelling of a vehicle as it (rent/KMs) is already fixed.

Sh. Sita Ram, Superintendent office of P. R. T. C, Bathinda, who appeared in today's hearing, states that a detailed reply has been given to the appellant vide letter no. 4015 dated 17.03.2021 and again vide letter no. 2836 dated 20.09.2021(which has been received in the Commission vide Diary No. 21567 dated 22.09.2021) and a reply vide letter no. 1598 dated 30.07.2021 signed by General Manager-PIO, P. R. T.C., Bathinda, has also been sent to the Commission, which has been received in the Commission vide Diary No. 17138 dated 04.08.2021. It, alongwith annexure, is taken on record.

In today's hearing, neither the respondent PIO nor any of representative of office of Secretary, Regional Transport Authority, Bathinda is present in today's hearing despite the fact that directions were given to the PIO of office of Secretary, Regional Transport Authority, Bathinda to remain present in person during the proceeding of the instant appeal-case on the date of hearing fixed i. e. today 27.09.2021.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Secretary, Regional Transport Authority, Bathinda, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant under the provisions of the RTI Act, 2005.

He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date of hearing fixed in the office of State Information Commission, Punjab, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. A copy of this order be sent to him through registered post.

All the above-said replies reflects that the information demanded by the appellant through RTI request, either relates with office of i) State Transport Commissioner, Punjab, Chandigarh or ii) Secretary, Regional Transport Authority, Bathinda or iii) P. R. T. C, Bathinda Depot or iv) P. R. T. C, Bathinda, hence, Public Information Officers of above-said offices/branches be directed be directed to bring the information (whatever information relate to their office and was already supplied to the appellant) with the relevant official record in the Commission before the bench of the undersigned on the next date of hearing fixed.

The concerned parties (the appellant and PIOs of office of (i) State Transport Commissioner, Punjab, Chandigarh ii) Secretary, Regional Transport Authority, Bathinda iii) P. R. T. C, Bathinda Depot and iv) P. R. T. C, Bathinda are directed to remain present during the proceedings of the instant appeal-case on the next date of hearing fixed in the office of State Information Commission, Punjab so that facts of this case could be cleared or the case would be decided on merits.

The case is adjourned to 02.12.2021 at 12 : 00 Noon for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date : 27th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Jatinder Kumar
C/o Sh. Sachkhand Mishthan Bhandar,
Nehru Gate, NawanShaher (Punjab)

...Appellant

(Regd. Post)

V/s
Public Information Officer,
O/o The Executive Officer,
Municipal Council,
NawanShaher (Punjab)

Encl : Letter dated 17.09.2021

First Appellate Authority,
O/o The Regional Deputy Director,
Urban Local Bodies, Pb.,
Jalandhar (Punjab)

...Respondents

Appeal Case No. 2225 of 2019

Present : Sh. Jatinder Kumar, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 05.03.2019. First appeal is dated 10.04.2019. Second appeal has been received in the Commission on 24.06.2019.

On the last date of hearing, held on 19.07.2021,

- i) The appellant stated that part information i. e. copy of cheque through which payment was made, is still pending.
- ii) The respondent PIO concerned was directed to facilitate the appellant to inspect the relevant official record during his visit 30.07.2021 at 11:00 A. M. to the office so that information could be identified by him and supply the required information to the appellant after inspection.
- iii) The appellant was advised to visit the office of the respondent PIO to inspect the relevant official record on 30.07.2021 at 11:00 A. M. to identify and collect the remaining information or the case would be decided on merits.
- iv) An opportunity was given to the appellant to confirm whether he received the information.

The respondent through a reply vide letter no. 1306 dated 28.07.2021 signed by PIO-cum-Executive Officer, Municipal Council, NawanShaher, which has been received in the Commission through an e-mail, has intimated the Commission that Sh. Bharat Bhushan, the concerned Clerk of Accounts Branch has met with an accident and on medical leave, hence, he (the appellant) can visit the office after 05.08.2021 during office hours. It, alongwith a copy of postal receipt, is taken on record.

The appellant, Sh. Jatinder Kumar, who appeared in person in today's hearing, states that part information i. e. copy of cheque through which payment has been made, is still pending and he has visited the office of the respondent but no information was given to him. He also states that he has pointed deficiencies in the supplied information through a letter dated 17.09.2021, which has been received in the Commission through an e-mail. It is taken on record.

Contd...2/-

As the letter dated 17.09.2021 sent by the appellant is addressed to the Commission and was not sent to the respondent PIO, hence, a copy of the letter dated 17.09.2021 (sent by the appellant) be sent to the respondent-PIO with the directions to supply the remaining information after removing the deficiencies pointed out by the appellant.

An opportunity is also given to the appellant to confirm whether he has received the information.

A copy of this order be sent through registered post to Principal Secretary to Government of Punjab, Deptt. of Local Government and Director, Local Government, Punjab, Chandigarh to ensure compliance of the above-announced order passed by the Commission and also enure presence of the concerned PIO on the next date fixed through facility of Software/application 'CISCO Webex Meetings'.

The case is adjourned to 6th December, 2021 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 27th September, 2021

Encl : Letter dated 17.09.2021

(Sanjiv Garg)
State Information Commissioner
Punjab

(Regd. Post)

The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Jagsir Singh
S/o Sh. Gajjan Singh,
Ward No. 07, Moonak,
Distt.- Sangrur - 148033 (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Panchayat,
Moonak,
Distt.- Sangrur(Punjab)

First Appellate Authority,
O/o The Regional Deputy Director,
Urban Local Bodies, Pb.,
Mini Secretariat, Patiala (Punjab)

...Respondents

Appeal Case No. 2664 of 2021

Present : Sh. Jagsir Singh, the appellant in person.
Sh. Bal Krishan, Executive Officer, in person.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 17.11.2020. First appeal is dated 20.03.2021. Second appeal has been received in the Commission on 08.06.2021.

Sh. Bal Krishan, Executive Officer, who appeared in person in today's hearing, states that the requisite information has already been supplied to the appellant vide letter no. 1005 dated 16.09.2021. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 1005 dated 16.09.2021 signed by himself, which has been received in the Commission vide Diary No. 21845 dated 24.09.2021. It, alongwith annexure, is taken on record.

The appellant, Sh. Jagsir Singh, who appeared in person in today's hearing, states that incomplete information has been given to him by the respondent PIO as he has demanded copy of notice and approval order of competent authority for destruction of house alongwith detail/list of house-goods, which were taken from home.

An opportunity is given to the respondent-PIO concerned to send a copy of order passed by the signing authority(whether orders passed by Sub Divisional Magistrate or Executive Officer) on 15.06.2020 and 28.07.2020 to demolish the home, to the appellant with a copy to the Commission.

The appellant is advised to confirm whether he has received the reply (which would be given by the respondent) or not.

The case is adjourned to 1st December, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 27th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Ramandeep Singh Ahluwalia,
Ward No.18, Street No.2,
Kartar Nagar, Amloh Road,
Khanna - 141401, District Ludhiana (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Chief Engineer/Engineer-in-Chief,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 2740 of 2021

Present : Sh. Ramandeep Singh Ahluwalia, the appellant in person.
Ms. Rajwinder Kaur, Executive Engineer, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 01.01.2021. First appeal is dated 05.02.2021. Second appeal has been received in the Commission on 10.06.2021.

Ms. Rajwinder Kaur, Executive Engineer, who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information has already been supplied to the appellant through registered post.

The appellant, Sh. Ramandeep Singh Ahluwalia, who appeared in person in today's hearing, states that he has not received the above-mentioned information from the respondent till date.

As the respondent PIO has neither sent copy of information (supplied to the appellant) to the Commission nor sent any forwarding letter (through which the information was sent to the appellant), hence, an opportunity is given to the respondent PIO to send the required information again to the appellant through registered post and send a copy of the supplied information (which was supplied to the appellant) with a copy of postal receipt to the Commission, by the next date of hearing.

An opportunity is also given to the appellant to confirm whether he has received the information, which would be sent to him by the respondent PIO and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned by the next date of hearing.

The case is adjourned to 30th November, 2021 (Tuesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 27th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Jatinder Kumar
C/o Sachkhand Mishthan Bhandar,
Nehru Gate, Nawanshaher (Punjab)

....Appellant

V/s

(Regd. Post)

Public Information Officer,
O/o The Director,
Deptt. of Local Government, Punjab,
L G – III Branch,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

Encl : RTI Request
First Appellate Authority,
O/o The Under Secretary,
Deptt. of Local Government, Punjab,
L G – III Branch, Municipal Bhawan,
Sector 35 - A, Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 2778 of 2021

Present : Sh. Jatinder Kumar , the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.
The RTI request is dated 29.01.2021. First appeal is dated 26.04.2021. Second appeal has
been received in the Commission on 16.06.2021.

The appellant, Sh. Jatinder Kumar, who appeared in person in today's hearing, states that
no information has been supplied to him by the respondent PIO so far.

Neither the respondent PIO nor any of his representative is present in today's hearing. He
has also not sent any intimation regarding his non-availability. Moreover, the requisite information has also
not been supplied by the respondent PIO to the information seeker till date.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to
Public Information Officer concerned of office of Director Deptt. of Local Government, Punjab, as to hy
penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant
under the provisions of the RTI Act, 2005.

He may note that in case he does not file his submission and does not avail himself of the
opportunity of personal hearing on the next date fixed through facility of Software/application 'CISCO Webex
Meetings', it will be presumed that he has nothing to say and the Commission shall proceed to take further
proceedings against him ex-parte. A copy of this order be sent to him through registered post.

The respondent PIO concerned is also directed to supply the certified copies of the
required information to the appellant as per queries raised by him through RTI request, through registered
post or e-mail with a copy to the Commission by the next date of hearing.

An opportunity is also given to the appellant to point out deficiencies, if any, in the
information supplied to him, in writing, to the respondent PIO so that the same could be removed.

The case is adjourned to 6th December, 2021 (Monday) at 11:00 A. M. for hearing
through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

(Sanjiv Garg)

Date : 27th September, 2021

State Information Commissioner
Punjab

Encl : RTI Request

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Satish Kapoor,
133/7,
Dhawan Colony,
Ferozepur City (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Executive Engineer,
Water Supply And Sewerage Division,
Ferozepur (Punjab)

First Appellate Authority,
O/o The Executive Engineer,
Water Supply And Sewerage Division,
Ferozepur (Punjab)

...Respondents

Appeal Case No. 2806 of 2021

Present : None on behalf of the appellant.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 23.01.2021. First appeal is dated 31.03.2021. Second appeal has been received in the Commission on 16.06.2021.

Neither the appellant, Sh. Satish Kapoor nor the respondent is present in today's hearing. They have also not sent any intimation regarding their non-availability

After examining the documents placed in the case-file, it is found that RTI is addressed to office of Executive officer, Nagar Council, Ferozepur and through a letter no. 397 dated 02.02.2021, RTI request of the appellant was transferred under 6(3) of the RTI Act to the PIO office of Executive Engineer, Water Supply And Sewerage Division, Ferozepur and a copy of the same was sent to the appellant. It is placed in the case-file.

Nevertheless, another opportunity is given to both the parties (appellant and the respondent PIO) to represent this case in person or through their representative, on the next date fixed for hearing through facility of Software/application 'CISCO Webex Meetings' so that the facts of this case could be cleared or the case would be decided on merits.

The case is adjourned to 1st December, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 27th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Bittu
S/o Sh. Om Kumar,
Village – Bholapur Jhabewal,
P.O. Ramgarh,
District – Ludhiana - 141123 (Punjab)

.... Complainant

V/s

Public Information Officer,
O/o The Senior Superintendent of Police,
Sangrur (Punjab)

...Respondents

Complaint Case No. 700 of 2021

Present : None on behalf of the complainant.
Sh. Kuldeep Singh, A. S.I., on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 28.04.2021. The complaint has been received in the Commission on 07.06.2021.

Sh. Kuldeep Singh, A. S.I., who appeared on behalf of the respondent PIO in today's hearing, states that the complainant has demanded copy of FIR, list of accused, list of accused, who are arrested and who are still not arrested but he has not mentioned the 'Police Post' in District Sangrur under whom the FIR was lodged, even then the required information of three pages has been given to the complainant through registered post. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 83 dated 24.08.2021 signed by Senior Superintendent of Police, Sangrur, which has been received in the Commission through an e-mail. It, alongwith a copy of postal receipt, is taken on record.

The complainant, Sh. Bittu, is not present in today's hearing.

After examining the documents placed on record, it is found that in response to the RTI request, the required information/reply as demanded through RTI request has been supplied to the complainant.

Moreover, according to para 30 and 31 of the judgment passed by the Hon'ble Supreme Court of India in Civil Appeal no. 10787 to 10788 of 2011 in a case ; Chief Information Commissioner & another V/s State of Manipur and another before Ld. Judges - Sh. Asok Kumar Ganguly and Gyan Sudha Misra, the Commission could not allow to information seeker(complainant) to have access of the information under Section 18 of the RTI Act, 2005 ;

Accordingly, the Commission could not allow access to the information to the Information seeker in a complaint case as the only remedy available to the information-seeker is given in Section 19 of the RTI Act and he (the complainant) has not exhausted the channel of approaching First Appellate Authority under Section 19 of the RTI Act.

Contd...2/-

Hence, the instant complaint case is **remanded to First Appellate Authority**, who is Deputy Inspector General of Police, Patiala Range, Patiala, with the directions to decide the case as per provisions of the RTI Act, after giving due opportunity to the parties concerned, examining the evidences, documents placed on record/submitted by the parties concerned and subsequently pass a speaking order within forty five days from the receipt of this order. **A copy of the RTI request of the applicant be also enclosed for ready reference of First Appellate Authority, who will treat it as first appeal. A copy of this order be sent to him through registered post**

If concerned First Appellate Authority will not announce any order in the instant complaint case within forty five days or after decision/announcement of First Appellate Authority, if the complainant would not be satisfied with the decision/announcement (which would be announced) by the First Appellate Authority, he is free to approach the Commission by way of second appeal.

Copies of the orders be sent to the parties.

Date : 27th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

(Regd. Post)

The Deputy Inspector General of Police,
Patiala Range,
Patiala (Punjab)

Encl : RTI Request



Sandeep Singh
S/o Sh. Kashmir Singh,
Village – Muazam,
Teh. & Distt. - Fazilka - 152123 (Punjab)

.... Complainant

V/s

Public Information Officer,
O/o The Executive Engineer(Rural),
Punjab Water Supply
And Sanitation,
Near ITI Fazilka (Punjab)

...Respondents

Complaint Case No. 740 of 2021

Present : None on behalf of the complainant.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 07.04.2021. The complaint has been received in the Commission on 09.06.2021.

Neither the complainant, Sh. Sandeep Singh nor the respondent is present in today's hearing.

The respondent through a reply vide letter no. 792 dated 01.09.2021 signed by Sub Divisional Engineer, Water Supply And Sanitation, Sub Division – 01, Fazilka, which has been received in the Commission vide Diary No. 19842 dated 03.09.2021, has intimated the Commission that the required information has been given to the appellant vide letter no.791 dated 01.09.2021. It, alongwith a copy of supplied information, is taken on record.

Nevertheless, an opportunity is given to the appellant to confirm whether he has received the information (which has been supplied by respondent PIO) or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned or it would be assumed that the complainant has received the required information and is satisfied with the information supplied to him by the respondent PIO.

Another opportunity is also given to both the parties (appellant and the respondent PIO) to represent this case in person or through their representative, on next date fixed for hearing through facility of Software/application 'CISCO Webex Meetings' or the case would be decided on merits.

The case is adjourned to 1st December, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 27th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

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N. K. Sayal,
"Punjab Sayal Street,
Sirhind,
Distt. – Fatehgarh Sahib - 140406 (Punjab)

V/s

....Appellant

- i) Public Information Officer,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh
- ii) Public Information Officer,
O/o The Superintendent,
(Establishment Branch)
O/o The Director,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh
- (Regd. Post)
- Encl : RTI request

- iii) Public Information Officer,
O/o The Chief Vigilance Officer,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Director,
Deptt. of Local Government, Punjab,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 2824 of 2021

Present : Sh. N. K. Sayal , the appellant in person.
Sh. Navdeep Sharma, Chief Sanitary Inspector (Vigilance Cell), on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 05.12.2020. First appeal is dated 05.03.2021. Second appeal has been received in the Commission on 17.06.2021.

The appellant, Sh. N. K. Sayal, who appeared in person in today's hearing, states that no information has been supplied to him by the respondent PIO so far

Sh. Navdeep Sharma, Chief Sanitary Inspector (Vigilance Cell), who appeared on behalf of the respondent PIO in today's hearing, states that the information sought through RTI request relates with office of Superintendent, Establishment Branch of Local Government, Punjab and the RTI request of the appellant has been forwarded to that office vide letter no. 3310 dated 02.09.2021. He also intimates the Commission that a reply has also been sent to the Commission vide letter no. 3310 dated 02.09.2021 signed by Superintendent-cum-PIO, C. V. O.(Vigilance Cell), which has been received in the Commission through an e-mail. It, alongwith annexure, is taken on record.

As the information demanded by the appellant through RTI request, relates with Establishment Branch of Local Government, Punjab, hence, Public Information Officer-cum-Superintendent, Establishment Branch of Local Government, Punjab be impleaded as necessary party in this case. A copy of this order be sent to him/her alongwith RTI request through registered post with the directions to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request with a copy to the Commission, by the next date of hearing.

The Public Information Officer-cum-Superintendent, Establishment Branch of Local Government, Punjab is also directed to represent this case in person on the next date of hearing fixed through facility of Software/application 'CISCO Webex Meetings' to clear the facts of this case.

The concerned parties (i) the appellant and (ii) PIO-cum-Superintendent (Establishment Branch) are directed to remain present during the proceedings of the instant appeal-case on the next date of hearing fixed through facility of Software/application 'CISCO Webex Meetings' to clear the facts of this case.

A copy of this order be sent to Public Information Office of office of Chief Vigilance Officer of Director, Local Government, Punjab for intimation with the directions to remain present in person or represent this case through his representative on the next date of hearing fixed through facility of Software/application 'CISCO Webex Meetings'.

The case is adjourned to 24th November, 2021 (Wednesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 27th September, 2021

Encl : RTI request

(Sanjiv Garg)
State Information Commissioner
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'



Jiwan Garg
S/o Sh. Om Parkash Garg,
H. No. B-1/473-A, Ward No. 23,
Opp. Old Bombay Palace,
Jakhal Road, SUNAM,
Distt. – Sangrur (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Hon'ble District and Session Judge,
Sangrur (Punjab)

First Appellate Authority,
O/o The Hon'ble District and Session Judge,
Sangrur (Punjab)

...Respondents

Appeal Case No. 2899 of 2021

Present : None on behalf of the appellant.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 18.08.2020. First appeal is dated 20.10.2020. Second appeal has been received in the Commission on 11.06.2021.

The appellant, Sh. Jiwan Garg, through a letter dated 23.09.2021, which has been received in the Commission through an e-mail, has intimated the Commission that he is unable to attend today's hearing and requested for an adjournment in this case. It is taken on record.

The respondent through a reply vide letter no. 6509 dated 20.09.2021 signed by District and Session Judge, Sangrur, which has been received in the Commission vide Diary No. 21485 dated 21.09.2021, has intimated the Commission that a detailed reply has been given to the appellant vide letter no. 6510 dated 20.09.2021. It, alongwith a copy of reply, is taken on record.

Nevertheless, an opportunity is given to the appellant send a written submission as counter-reply to the concerned PIO by registered post well in time with a copy to the Commission so that a re-joinder could be filed by the respondent PIO concerned, by the next date of hearing.

Another opportunity is also given to both the parties (appellant and the respondent PIO) to represent this case in person or through their representative, on next date fixed for hearing through facility of Software/application 'CISCO Webex Meetings' so that the facts of this case could be cleared or the case would be decided on merits.

The case is adjourned to 22nd November, 2021 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 27th September, 2021

(Sanjiv Garg)
State Information Commissioner
Punjab

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