

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Angoori Rani, W/o Late Hem Raj,
2650, Ward No. 12 (New No. 263),
Sector 8, Serve No. B020-01536,
Near Dushehra Ground,
Kharar, Mohali.

Versus

Public Information Officer,
o/o Executive Officer,
Nagar Palika, Kharar.

Complaint Case No. 98 of 2020 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Rajneesh Sood, PIO-cum-EO (Respondent) 94780-24054

Anil Kumar, Junior Engineer (for the Respondent) 97804-10300

ORDER:

(To be read in continuity with earlier orders on **12.6.2020, 20.8.2020, 26.11.2020, 28.1.2021, 9.9.2021, 30.11.2021, and 10.2.2022**)

1. The complainant, **Angoori Rani**, filed this RTI application dated **29.11.2019** and sought information **by way of copies of letters dated 1.8.2016 and 24.1.2017 and action taken on said letters** from the **PIO o/o Executive Officer, Nagar Palika, Kharar**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **23.1.2020**. The case was last heard on **10.2.2022**.

2. The complainant is absent. The respondent PIO-cum-EO, Rajneesh Sood, states that, as directed by the Commission, a pointwise reply sent to the complainant vide Letter No. 56 Dated 22.4.2022. A copy of the same was emailed to the Commission but has not been received yet.

3. The respondent PIO is directed to send a copy of said reply/information by registered post to the Commission. The complainant is granted one opportunity to be heard in response to PIO's reply.

4. **Next hearing on 10.8.2022 at 11.00 am via Video Conference Facility at DC Office, Mohali.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
27.4.2022

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Harsimran Saini,
7518/8, St.No.10-B,
Daba Colony,
Ludhiana – 141 003

Versus

Public Information officer,
o/o Chief Secretary,
Labour Department,
Punjab, Chandigarh.

Complaint Case No. 1140 of 2021 (Video Conference Proceedings)

PRESENT:

Harsimran Saini (Complainant) 98760-68080
(Respondent) Absent

ORDER:

1. The complainant, **Harsimran Saini**, filed this RTI application dated **14.7.2021** and sought **information Regarding an inquiry conducted by the Director of Fctories in 2021**, from the **PIO o/o Principal Secretary, Labour Department, Pb., Chandigarh**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **9.9.2021**. Notice was issued to the parties for first hearing in the Commission on **27.4.2022**.
2. The respondent PIO is absent without intimation. However, in a reply to this Commission's Notice, vide No. 1/312789/2022 Dated 1.2.2022, the respondent PIO has sought exemption from supplying the requested information as per Section 8(1)(h) and 8(1)(j) of RTI Act 2005.
3. However, during deliberations at this hearing, it has emerged that the enquiry cited in the RTI application was ordered and conducted on a complaint by the complainant Harsimran Saini who is now keen to know the fate of his complaint.
4. The respondent PIO is herewith directed to demonstrate in writing as to why the requested information should not be disclosed in the larger public interest. The respondent PIO is also directed to appear in person at the next hearing.
5. **Next hearing on 10.8.2022 at 11.00 am via Video Conference Facility at DC Office, Mohali.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
27.4.2022

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REGISTERED SHOW CAUSE NOTICE

Shishpal Singh,
S/o Balbir Singh,
21, Malkit Avenue, Barewal Road,
Near Shri Guru Ram Rai School,
Ludhiana.

Versus

Public Information officer,
o/o Chief Engineer,
Water Resources Department, Punjab,
Sector-18-B, Chandigarh.

First Appellate Authority,
o/o Chief Engineer,
Water Resources Department, Punjab,
Sector-18-B,
Chandigarh.

Appeal Case No. 4783 of 2021 (Video Conference Proceedings)

PRESENT:

Shishpal Singh (Appellant) 81460-78620

Kamaljeet Singh, Senior Assistant (for the Respondent) 94171-25498

ORDER:

1. The RTI application is dated **10.7.2021** vide which the appellant has sought information **regarding a Government Order of 1977 to regularize the service of Sukhwant Singh Saini and a certified copy of the letter issued by the government to regularize his service,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **30.8.2021** and Second Appeal was filed in the Commission on **21.10.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **27.4.2022**.

2. Both parties are present. The appellant is present in person. As per a reply submitted by the respondent PIO to the appellant vide Letter No. 496-97 dated 17.2.2022, the requested information has been denied as third party and personal information.

3. The Commission has examined the RTI application and is of the view that the requested information is neither third party or personal information. This Commission deems it fit to issue the respondent PIO with this Show Cause Notice.

4. The respondent **PIO-cum-XEN, Manoj Kumar Bansal,** is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **10.7.2021**.

Contd....2

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Appeal Case No. 4783 of 2021 (Video Conference Proceedings)

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

5. The respondent PIO is directed to submit a written reply to the RTI application along with duly certified copies of the requested information with a copy to this commission within 10 days of receipt of this order.

6. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

7. **Next hearing on 10.8.2022 at 11.00 am via Video Conference Facility at DC Office, Mohali.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
27.4.2022

Cc: Chief Engineer,
Water Resources Department,
Punjab, Sector 18, Chandigarh, for information and further necessary action.

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Madhya Marg, Sector 16, Chandigarh.

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Prem Sagar,
58, Main Bazar, Sawan Nagar,
Amritsar – 143 001

Versus

Public Information officer,
o/o Admin Officer-2, Irrigation Works, Punjab,
Sector-18, Chandigarh.

First Appellate Authority,
o/o Superintendent Engineer,
Inter State Waters, Irrigation Works, Punjab,
SCO 45/1, Sector-17-E, Chandigarh.

Appeal Case No. 4802 of 2021 (Video Conference Proceedings)

PRESENT:

Prem Sagar (Appellant) (via Cisco Webex) 79730-24457
Rajinder Kumar, Senior Assistant (for the Respondent) 95921-25777

ORDER:

1. The RTI application is dated **17.5.2021** vide which the appellant has sought information **regarding approval accorded by the Chief Engineer,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.6.2021** and Second Appeal was filed in the Commission on **22.10.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **27.4.2022**.

2. Both parties are present. The appellant is present via Cisco Webex. The respondent PIO, represented by Rajinder Kumar, Senior Assistant, has submitted a copy of a letter sent to the appellant vide No. 936 Dated 17.3.2022, wherein he has been informed that the information is more than 20 years old and the concerned file is not traceable in the record. The respondent has also mentioned that the same information has already been supplied to the appellant in 2011.

3. The respondent PIO-cum-Admin Officer-2 **Davinder Singh**, is herewith directed to initiate the due process to report/reconstruct the missing/untraceable record. This must be intimated to the Commission within 30 days of receipt of this Order. The respondent PIO is additionally directed to submit a duly notarized affidavit stating his contention at today's Hearing that the requested information/file is missing/untraceable. The original affidavit must be handed over to the appellant with a copy to this Commission.

4. **Next hearing on 10.8.2022 at 11.00 am via Video Conference Facility at DC Office, Mohali.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
27.4.2022

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Inderpal Singh,
S/o Surjit Singh,
240, Block B, Ahluwalia Colony,
Jamalpur Awana, Ludhiana.

Versus

Public Information officer,
o/o Punjab Agro Foodgrains Corporation, PB,
Chandigarh.

First Appellate Authority,
o/o Punjab Agro Foodgrains Corporation, PB,
Chandigarh.

Appeal Case No. 5031 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Sewak Singh, PIO-cum-Associate Manager Food Processing (for the Respondent) 98766-99789

ORDER:

1. The RTI application is dated **4.8.2021** vide which the appellant has sought information **regarding the action taken against Punjab Agro Foodgrains Corporation employees in the Rs. 24 Crore Scam**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **8.9.2021** and Second Appeal was filed in the Commission on **2.11.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **27.4.2022**.

2. The appellant is absent without intimation. The respondent PIO has submitted copy of a reply sent to the appellant vide Letter No. 499 Dated 21.4.2022 along with the requested information. On examination of the same, the Commission finds that none of the pages have been attested.

3. The respondent PIO is herewith directed to attest each page of the information provided and sent it to the appellant under intimation to this Commission. The appellant is requested to examine the information and list deficiencies, if any.

4. **Next hearing on 10.8.2022 at 11.00 am via Video Conference Facility at DC Office, Mohali.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
27.4.2022

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Surinder Singh,
S/o Santokh Singh,
1381, Baba Farid Nagar,
Village Kaleighunupur, Chheharata,
Amritsar.

Versus

Public Information officer,
o/o Punjab Mandi Board,
Sector 65 A, Mohali.
First Appellate Authority,
o/o Punjab Mandi Board,
Sector 65 A, Mohali

Appeal Case No. 4700 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Govinder Kaur, APIO-cum-Superintendent (for the Respondent) 98886-43118

Jaswinder Singh, Senior Assistant (for the Respondent) 75089-11036

ORDER:

1. The RTI application is dated **15.7.2021** vide which the appellant has sought information **regarding the Inquiry Report on Executive Engineer R.P. Agnihotri and a certified copy of his subsequent suspension order etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.8.2021** and Second Appeal was filed in the Commission on **13.10.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **27.4.2022**.

2. The appellant is absent but has intimated the Commission of his inability to attend this hearing. In a reply to this Commission's Notice, vide Letter No. 89 Dated 19.1.2022, the respondent PIO has submitted copy of a report received from the Establishment Officer (Construction) vide Letter No. 16129 Dated 13.9.2021, wherein the information was denied as third party information. The PIO has also informed the Commission that at a hearing on 23.9.2021, the First Appellate Authority, also upheld the PIO's decision to deny information as third party information.

3. While the Commission is inclined to concur that the respondent PIO's decision that the requested information has in fact third party and personal information, which is exempt as per Section 8(1)(j) of the RTI Act 2005, the appellant who is absent today is given one opportunity to be heard in person on this matter.

4. **Next hearing on 10.8.2022 at 11.00 am via Video Conference Facility at DC Office, Mohali.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
27.4.2022

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Surinder Singh,
S/o Santokh Singh,
1381, Baba Farid Nagar,
Village Kaleighunupur, Chheharata,
Amritsar.

Versus

Public Information officer,
o/o Executive Engineer,
Punjab Mandi Board, Amritsar.
First Appellate Authority,
o/o Punjab Mandi Board,
Sector-65-A, Mohali

Appeal Case No.5204 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Govinder Kaur, APIO-cum-Superintendent (for the Respondent) 98886-43118

Jaswinder Singh, Senior Assistant (for the Respondent) 75089-11036

ORDER:

1. The RTI application is dated **26.7.2021** vide which the appellant has sought information **regarding the Supervisor's Orders of 20.3.2001, 21.3.2001 and 15.4.2001 etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.9.2021** and Second Appeal was filed in the Commission on **17.11.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **27.4.2022**.

2. As pointed out in a letter to the Commission by PIO, o/o Punjab Mandi Board, Mohali, the Commission's Notice of Hearing was incorrectly addressed and should actually be addressed to the PIO-cum-XEN, Punjab Mandi Board, Amritsar.

3. Notice with Second Appeal be resent to the PIO-cum-XEN, Punjab Mandi Board, Amritsar.

4. **Next hearing on 11.8.2022 at 11.00 am via Video Conference Facility at DC Office, Amritsar.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
27.4.2022

Encl: 1. Copy of Notice.
2. Copy of Second Appeal.
3. Copy of RTI application with complete set.

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Nalin Tayal,
179-B, Model Town Extension,
Ludhiana-141002.

Versus

Public Information officer,
o/o Divisional Forest Officer (Wild Life),
Department Of Forest & Wild Life, Preservation,
Roopnagar.

First Appellate Authority,
o/o Conservator of Forests (Wildlife),
Shivalik Hills Circle, Mohali.

Appeal Case No. 4570 of 2021 (Video Conference Proceedings)

PRESENT:

Nitin Tayal (for the Appellant)

Bikramjit Singh, APIO-cum-Superintendent (for the Respondent) 77173-22422

ORDER:

1. The RTI application is dated **10.7.2021** vide which the appellant has sought information as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **10.8.2021** and Second Appeal was filed in the Commission on **6.10.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **27.4.2022**.

2. Both parties are present. The appellant is represented by his brother Nitin Tayal in person. The respondent PIO, represented by Bikramjit Singh, APIO-cum-Superintendent, is herewith directed to submit a written, pointwise reply to the RTI application within 15 days of receipt of this order.

3. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

4. **Next hearing on 10.8.2022 at 11.00 am via Video Conference Facility at DC Office, Mohali.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
27.4.2022

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REGISTERED SHOW CAUSE NOTICE

Harbinder Singh,
S/o Lal Singh,
R/o Village Phide Khurd, PO Wandar Jatana,
Tehsil Kotkapura, District Faridkot.

Versus

Public Information officer,
o/o Assistant Labour Commissioner,
Mohali.
First Appellate Authority,
o/o Assistant Labour Commissioner,
Mohali.

Appeal Case No. 5149 of 2021 (Video Conference Proceedings)

PRESENT:
(Appellant) Absent
(Respondent) Absent

ORDER:

1. The RTI application is dated **25.3.2021** vide which the appellant has sought information **regarding the award in favour of 13 employees in 2004 and 2005 etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **29.4.2021** and Second Appeal was filed in the Commission on **15.11.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **27.4.2022**.

2. Both parties are absent. This RTI application was submitted on 25.3.2021 and there has been no reply from the respondent PIO till date. The Commission deems it fit to issue the respondent PIO-cum-Assistant Labour Commissioner, Mohali, with this Show Cause Notice.

3. The respondent **PIO-cum-Assistant Labour Commissioner, Mohali, Harpreet Singh,** is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **25.3.2021**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

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Appeal Case No. 5149 of 2021 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 10.8.2022 at 11.00 am via Video Conference Facility at DC Office, Mohali.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

27.4.2022

Cc: Labour Commissioner,
Mohali, for information and further necessary action.

PUNJAB STATE INFORMATION COMMISSION

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Sarabjit Singh,
S/o Gurdeep Singh,
VPO Gumanpura,
Tehsil & District Amritsar.

Versus

Public Information officer,
o/o Chief Forest Conservator, Punjab,
Forest Bhawan, Sector-68,
Mohali.

First Appellate Authority,
o/o Secretary, Forest Department, Punjab,
Chandigarh.

Appeal Case No. 5104 of 2021 and 5111 of 2021 (Heard together via Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Vishal Verma, APIO-cum-Forest Guard (for the Respondent) 81949-40444

ORDER:

1. The RTI application is dated **28.6.2021** vide which the appellant has sought information **regarding action on the applications/complaints dated 12.9.2009 and 25.7.2019 against DFO Amritsar, S.S. Sahota**, as enumerated in his RTI applications. First Appeal was filed with the First Appellate Authority (FAA) on **18.8.2021** and Second Appeal was filed in the Commission on **10.11.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **27.4.2022**.

2. The appellant is absent. The respondent PIO, represented by Vishal Verma, APIO-cum-Forest Guard from the office of Secretary, Forest, Chandigarh, has, in a reply vide letter No. 549 dated 18.4.2022, submitted copies of the reply/information sent to the appellant. The appellant is herewith given an opportunity to list deficiencies and be heard in person at the next hearing.

3. **Next hearing on 11.8.2022 at 11.00 am via Video Conference Facility at DC Office, Amritsar.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
27.4.2022