

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Sh. Rajnish Bharara,  
#520, Preet Colony, Zirakpur,  
Distt. Mohali-140603.

.....Appellant

Vs.

Public Information Officer  
O/o Punjab State Information Commission,  
Sector-16, Chandigarh.

First Appellate Authority  
O/o Punjab State Information Commission,  
Sector-16, Chandigarh.

.....Respondents

## Appeal Case No. 721 of 2022.

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- None on behalf of the appellant.  
Sh. Sudhir Kumar, SO on behalf of the respondents.

### ORDER

The RTI Application is dated 16.11.2021 vide which the appellant has sought information as enumerated in his RTI Application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) 15.12.2021 and second appeal was filed in the Commission on 04.02.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to parties for today.

2. The appellant has sent the written submissions that he is not in a position to appear before the Commission. Therefore, the case is adjourned.

3. To come up on 22.6.2022 at 12.30 PM at Chandigarh.

sd

Dated: 27.4.2022

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Sh. Daljit Singh,

S/o Sh. Jarnail Singh, House No.6-E,

Khalsa College Colony, Patiala-147001.

.....Appellant

Vs.

Public Information Officer

O/o Director Public Instructions (SE), PB., Mohali.

First Appellate Authority

O/o Director Public Instructions (SE), PB., Mohali.

.....Respondents

## Appeal Case No. 723 of 2022.

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Shri Daljit Singh, appellant.

Shri Gurpreet Singh, \_\_\_\_\_ on behalf of the respondent.

### ORDER

The RTI Application is dated 20.11.2020 vide which the appellant has sought information as enumerated in his RTI Application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) 31.12.2020 and second appeal was filed in the Commission on 04.02.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to parties for today.

2. The respondent has filed the specific reply in this case. However the appellant is not satisfied with the information pertaining to point number 2 and 3 of the RTI application.

3. Accordingly, after deliberations with both the parties the directions are issued to the respondent Public Information Officer to file the specific reply pertaining to Point number 2 and 3 of the RTI application whether the information sought is available in other official files of the public authority. In case the same is not available in the official record then specific undertaking in this regard be sent to the appellant with a copy to the Commission before the next date of hearing.

4. To come up on 31.5.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala/Mohali.

sd

Dated: 27.4.2022

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Sh. Surinder Singh, S/o Sh. Gurbax Singh,  
C/o Chamber No.7019, 7<sup>th</sup> Floor,  
Distt. Court, Ludhiana.

.....Appellant

Vs.

Public Information Officer  
O/o Tehsildar, Ludhiana (East),  
Ludhiana.

First Appellate Authority  
O/o Tehsildar, Ludhiana (East),  
Ludhiana.

.....Respondents

## Appeal Case No. 5304 of 2021.

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Sh. Gurpreet Singh Kaler, Advocate on behalf of the appellant.  
Ms. Rajni Bala on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 31.03.2022.

2. The Advocate on behalf of the appellant submits that the respondents may be directed to make available the records pertaining to mutation number 8251 dated 29 April 2019 which were submitted by Gurmail Kaur wife of Gurbax Singh for his inspection.

3. Accordingly, one last opportunity is granted to the respondent Public Information Officer to make available the records pertaining to the sought information i.e. record related to mutation number 8251 dated 29.4.2019 for the inspection of the appellant before the next date of hearing. He is also directed to supply the document if so identified by the appellant. He is also directed to provide the certified copy of the same under intimation to the Commission failing which penalty provisions will be invoked on the next date of hearing.

4. To come up on 17 May 2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

sd

Dated: 27.4.2022

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Sh. Raj Singh s/o Sh. Inder Singh,  
VPO Walle Shah Uthar (Behak),  
Tehsil & Distt. Fazilka

....Appellant

Vs

Sh. Lakhbir Singh,  
Public Information Officer-cum-  
Block Development and Panchayats Officer,  
Fazilka

First Appellate Authority  
o/o Block Development and Panchayats Officer,  
Fazilka

....Respondents

Appeal Case No. 2783 of 2021  
(Video Conference Proceedings)

Present:- Sh. Raj Singh, appellant.  
None on behalf of the respondents. 9592150133

## ORDER

This order may be read with reference to the previous order dated 24.3.2022 vide which the appellant was directed to establish the public interest involved in seeking the third party information before the next date of hearing to take the matter to its logical end.

2. The appellant has not submitted any submissions as per the order dated 24.3.2022. One more opportunity is granted to the appellant to establish the public interest involved in seeking the third party information before the next date of hearing failing which ex-parte decision will be taken, on merit.

3. It is also a fact that none is appearing in this case from the initial stage i.e. on 5.10.2021, 11.11.2021, 30.11.2021, 16.12.2021 and 24.3.2022. Due to absence of the respondent the compensation amounting to Rs.2000/- was awarded on 5.10.2021 in this case, which was enhanced to Rs.3000/- on 11.11.2021. Again due to absence and non submissions by the respondent in this case a show cause notice was issued to the Public Information Officer o/o the Block Development and Panchayats Officer, Fazilka for imposition of penalty. Neither the compensation has been paid nor the information has been supplied to the appellant. Also no reply has been received from the Public Information Officer o/o Block Development and Panchayats Officer, Fazilka. it

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Appeal Case No. 2783 of 2021

-2-

is also fact that the case was earlier heard by the Bench of Sh. Avtar Singh Kaler, State Information Commission and show cause notice was not issued to the Public Information Officer by name for imposition of penalty. Video Conference Facility was introduced for the convenience of general public and for government officials. Viewing the absence of the respondent and dealing with the RTI application by the respondent casually, Sh. Lakhbir Singh, Block Development and Panchayats Officer-cum-Public Information Officer, is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay/denial of the information to the RTI applicant.

In addition to the written reply, the Public Information Officer is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take a note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

4. The perusal of the file also shows that in this case, application for information was filed on 18.02.2021 but after a lapse of more than one year, no reply has been given to the appellant so far. It is, thus apparent from the response of the respondent-PIO that there has been delay in providing the information. Appellant had also suffered financial loss in getting the information. There are systemic deficiencies in the manner of receiving and disposing of applications. The department still does not appear to be properly tuned to the performance of its obligations enshrined under the RTI Act.

5. I am, therefore, of the view that ends of justice would be met by enhancing the compensation in this case from Rs.3000/- to Rs.10,000/- (Rupees ten thousands only) to the Appellant. This amount shall be payable from the State Exchequer before the next date of hearing.

Contd..p/3

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Appeal Case No. 2783 of 2021

-3-

6. To come up on 16.6.2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka

sd

Dated: 27.4.2022

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

CC

Principal Secretary to Govt. of Punjab,  
( By name)  
Department of Rural Dev. & Panchayats,  
Vikas Bhawan, Sector 62, Mohali.

Director, ( By name)  
Rural Dev. & Panchayats Punjab,  
Vikas Bhawan, Sector 62, Mohali.

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Advocate Ravinder Kumar  
H.no. 2, New Harbans Nagar  
New Shiv Mandir jal 144002 9417188119

....Appellant

Vs

Sh. Jatinder Singh,  
Public Information Officer  
o/o The Executive officer,  
Improvement Trust,  
Ranjit Avenue, Amritsar 143001

First Appellate Authority  
o/o The Executive Officer,  
improvement Trust,  
Ranjit Avenue, Amritsar 143001

....Respondent

Appeal Case No. 3151 of 2020

(Video Conference /Telephone/Cisco Webex Proceedings)

Present:- Sh. Ravinder Kumar, Advocate and Sh. Shiv Kumar Sonik, Advocate.  
Shri Sonu Mahendru-cum-Public Information Officer, Sh. Ravinder Kumar, APIO 9915933777 Trust Engineer, Smt. Harjeet Kaur, Supdt. Sh. Vipin Kumar, SDO, APIO, Sh. Deepak Beri, Jr. Assistant dealing assistant on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 15.3.2022.

2. The appellant submits that the respondent has not supplied the information pertaining to Point No. 2,4,5 and 12 of the RTI application. Regarding compensation as has been awarded by the Commission amounting to Rs.25000/-, he submits that the respondent authority has sent the demand draft prepared by a private company i.e. M/s Bedi Trading Co., although it should have been from the funds of the Public Authority/State Exchequer. He has also sent the written submissions in this regard, which are taken on record.

3. Sh. Sonu Mahendru-cum-Public Information Officer submits that he has received the RTI application on 4.6.2020 and sent the same on 10.6.2020 to the concerned APIOs to supply the information. He also submits that he has no fault and the custodians of the record has delayed the matter and requested to withdraw the show cause notice issued to him in this case. He has already sent the written submissions in this regard. Accordingly, after consideration, the show cause notice issued to him in this case is hereby withdrawn.

4. It is also a fact on record that the respondent (Engineering department & Sales Department ) are making the submissions that the information pertaining to

Contd..p/2

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Appeal Case No. 3151 of 2020

-2-

Point No. 2,4,5 & 12 has already been supplied to the appellant but the appellant has sent the written submissions in this case vide letter No. 26.4.2022 that the respondent has not been supplied any information.

5. That the orders dated 15.3.2022 were sent to Sh. Jatinder Singh, Chief Executive Officer-cum-Public Information Officer to comply with the orders related to the compensation awarded in favour of the appellant amounting to Rs.25000/- and supply the complete information in this case. But in this case neither the information has been supplied nor the compensation has been paid from the state exchequer. Rather the compensation has been paid through demand draft prepared from the account of M/s Bedi Trading Company in contravention of the provisions of the RTI Act, 2005.

6. Therefore, Sh. Jatinder Singh, Chief Executive Officer-cum-Public Information Officer is directed to remain present, in person, on the next date of hearing along with the original record pertaining to Point No. 2,4,5 & 12 of the RTI Application to take the matter to its logical end. In addition, he is also directed to file the rejoinder as per the submissions made by the appellant before the next date of hearing. A copy of the submissions made by the appellant is being sent to him along with this order.

7. Sh. Ravinder Kumar Trust Engineer has also filed the reply regarding show cause notice issued to him, which is taken on record and the decision on the same will be taken on the next date of hearing. But no reply has been received from Ms Harjeet Kaur, Supdt. One last opportunity is granted to her to file the reply regarding show cause notice issued to her failing which the decision will be taken on the next date of hearing ex-parte on merit.

8. It is also clarified to the parties concerned that in case of absence of any party in this case on the next date of hearing, the decision will be taken ex-parte, on merit.

9. To come up on 13.6.2022 at 12.30 PM at Chandigarh.

sd

Dated:27.4.2022

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.



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Shri Gurcharan Singh M 9915824200

s/o Shri Dhanna Singh,

Village Rameana, Teh. Jaito,

Distt. Faridkot.

Appellant

Vs

Public Information Officer,

o/o Block and Development Officer,

Jaito, Distt. Faridkot.

First Appellate Authority,

o/o District Dev. And Panchyat Officer,

Faridkot

Respondent`

Appeal case No. 4727 of 2021

(Video Conference Proceedings)

Present:- Sh. Gurcharan Singh, appellant.

Shri Satinderpal Singh, 7009910842, on behalf of the District Development and Panchayat Officer on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 24.3.2022.

2. The respondent submits that the short adjournment in this case may be given to supply the complete information in this case. Accordingly the request of the respondent is accepted and the case is adjourned.

3. He is also directed to supply the complete information in this case before the next date of hearing failing which penalty provision will be invoked on the next date of hearing.

4. To come up on 31 May 2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Faridkot.

sd

Dated: 27.4.2022

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Shri Nishan Singh, S/o Shri Ravinder Singh,

R/o Village Valoor,

Tehsil & Distt. Ferozepur.

.....Complainant

**Vs**

Public Information Officer,

O/o BDPO, Ghal Khurd,

Ferozepur.

.....Respondent

## **Complaint Case No. 16 of 2021**

(Video Conference/Telephone Proceedings)

**Present:-** **None** on behalf of the complainant.

Shri Jasvir Singh Senior Assistant, 8725878686, Shri Jagdeep Singh, Block Development and Panchayats Officer, Sh. Sourav Sharma, APO, Ghal Khurd, and Sh. Balwinder Singh, Panchayat Secretary 9914412211 on behalf of the respondents.

## **ORDER**

This order may be read with reference to the previous order dated 5.4.2022.

2. The respondent submits that the information pertaining to Point Number 1 and 3 of the RTI application is ready and will be sent to the appellant through registered post as he is not available. Regarding information pertaining to Point Number 2 of the RTI application, Shri Sourav Sharma, APO submits that a hardcopy of the information will also be sent to the appellant through registered post. The penalty amounting to Rs.10,000/- (Rupees ten thousands only) has already been imposed in this case upon Shri Balwinder Singh, Panchayat Secretary and he has already filed the reply and the decision on the same will be taken on the next date of hearing. Sh. Jagdeep Singh, Block Development and Panchayats Officer also assured that the complete information will be sent to the appellant through registered post. The case is adjourned for further proceedings.

3. To come up on 31 May, 2022 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ferozepur.

Dated:27.4.2022

sd

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Smt. Neena Gupta, M: 9855014101

#1410, Phase-1, Urban Estate,

Dugri Road, Ludhiana - 141013

.....Appellant

Vs.

Public Information Officer,  
O/o S.D.M. Ludhiana (West),  
Distt. Ludhiana.

First Appellate Authority,  
O/o S.D.M. Ludhiana (West),  
Distt. Ludhiana.

.....Respondents

## **Appeal Case No. 5170 of 2021.**

(Video Conference Proceedings)

Present:- Sh. Sushil Kumar behalf of the appellant at Chandigarh.

Sh. Rajesh Superintendent M 6003000012 on behalf of the respondents

### **ORDER**

This order may be read with reference to the previous order dated 6.4.2022.

2. The representative of the appellant is present today and states that no information has been provided so far. The appellant has also sent an email dated 17.4.2022, which is taken on the record.

3. The representative of the respondents states that the appellant has sought 5 points information and point wise information along with the annexures has already been supplied to the appellant vide letter no. 638/Reader dated 28.9.2021 but the same is available in the case file, without annexures.

4. After hearing both the parties and going through the case file, the reply of point no. 2 is not clear and respondent Public information Officer is hereby directed to submit response after reconsideration and send annexures enclosed with the above said letter to the Commission pertaining to point no. 1,3,4 and 5 of RTI application before the next date of hearing. Also both the parties are directed to remain present on the next date along with the original record/information supplied to take the matter to its logical end.

5. To come up on 20.6.2022 at 12.30 PM at Chandigarh.

Dated: 27.4.2022

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

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Smt. Neena Gupta, M: 9855014101

#1410, Phase-1, Urban Estate,

Dugri Road, Ludhiana - 141013

.....Appellant

Vs.

Public Information Officer,  
O/o S.D.M. Ludhiana (West),  
Distt. Ludhiana.

First Appellate Authority,  
O/o S.D.M. Ludhiana (West),  
Distt. Ludhiana.

.....Respondents

## **Appeal Case No. 5196 of 2021.**

(Video Conference Proceedings)

Present:- Sh. Sushil Kumar behalf of the appellant at Chandigarh.

Sh. Rajesh Superintendent M 6003000012 on behalf of the respondents

### **ORDER**

This order may be read with reference to the previous order dated 6.4.2022.

2. The representative of the appellant is present today. He states that no information has been provided so far. The appellant has also sent an email dated 17.4.2022, which is taken on the record.

3. The representative of the respondents states that the appellant has sought 5 points information and point wise information along with the annexures has already been supplied to the appellant vide letter no. 636/Reader dated 28.9.2021.

4. After hearing both the parties and going through the case file, the reply of point no. 3,4 and 5 is not clear and respondent Public information Officer is hereby directed to submit response after reconsideration of the same and also send annexures enclosed with the above said letter to the Commission pertaining to Point No. 1 and 2 of RTI application before the next date of hearing. Also both the parties are directed to remain present in person along with the original record/information supplied to take the matter to its logical end.

5. To come up on 20.6.2022 at 12.30 PM at Chandigarh.

sd

Dated: 27.4.2022

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Smt. Neena Gupta, M: 9855014101

#1410, Phase-1, Urban Estate,

Dugri Road, Ludhiana - 141013

.....Appellant

Vs.

Public Information Officer,  
O/o S.D.M. Ludhiana (West),  
Distt. Ludhiana.

First Appellate Authority,  
O/o S.D.M. Ludhiana (West),  
Distt. Ludhiana.

.....Respondents

## **Appeal Case No. 5116 of 2021.**

(Video Conference Proceedings)

Present:- Sh. Sushil Kumar behalf of the appellant at Chandigarh.

Sh. Rajesh Superintendent M 6003000012 on behalf of the respondents

### **ORDER**

This order may be read with reference to the previous order dated 6.4.2022.

2. The representative of the appellant states that no information has been provided so far. The appellant has also sent an email dated 17.4.2022, which is taken on the record.

3. After going through the case file, the Commission offered to inspect the concerned case file as some information has been sent by the respondent and is available in the case file. But the representative of the appellant states that he would inspect the file after attending the hearing of some other case in the Commission but he did not come to inspect the case file.

4 In view of the above, both the parties are directed to remain present in person along with the original record/information supplied to take the matter to its logical end.

5. To come up on 20.6.2022 at 12.30 PM at Chandigarh.

sd

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

Dated: 27.4.2022