

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**

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Shri Ashok Kapoor, (M: 98555-56210)  
# 8-C, Kitchlu Nagar,  
Ludhiana-141001.



..... Appellant

**Vs**

Public Information Officer,  
O/o Sub Divisional Magistrate (W),  
Ludhiana.

First Appellate Authority,  
O/o Deputy Commissioner,  
Ludhiana.

.....Respondent

**Appeal Case No. 2913 of 2018**

Present:- Shri Ashok Kapoor, appellant is present.  
Shri Amandeep Singh, Reader to Tehsildar, Ludhiana (W) is present on behalf  
of Shri Navdeep Singh Bhogal, PIO-cum-Tehsildar, Ludhiana (W).

**O R D E R**

Shri Ashok Kapoor, appellant filed RTI application dated 12.04.2018 and sought  
some information from the office of the PIO.

The appellant is present and Shri Amandeep Singh is present on behalf of Shri  
Navdeep Singh Bhogal, PIO-cum-Tehsildar, Ludhiana (W). I have heard both the parties on the  
sought for information.

The PIO should personally come present before the Commission on the next  
date of hearing.

The case is adjourned for further hearing on the Appeal Case for **06.02.2020 at  
11:00 A.M.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab**

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Shri Ashok Kapoor, (M: 98555-56210)  
# 8-C, Kitchlu Nagar,  
Ludhiana-141001.

..... Appellant

**Vs**

Public Information Officer,  
O/o Deputy Commissioner,  
Ludhiana.

First Appellate Authority,  
O/o Deputy Commissioner,  
Ludhiana.

.....Respondent

**Appeal Case No. 2914 of 2018**

Present:- Shri Ashok Kapoor, appellant is present.  
Shri Amandeep Singh, Reader to Tehsildar, Ludhiana (W) is present on behalf  
of Shri Nirmal Singh Shehri, PIO-cum-Suptd., O/o SDM (W), Ludhiana.

**O R D E R**

Shri Ashok Kapoor, appellant filed RTI application dated 16.04.2018 and sought some information from the office of the PIO.

The appellant is present and Shri Amandeep Singh is present on behalf of Shri Nirmal Singh Shehri, PIO-cum-Suptd., O/o SDM (W), Ludhiana.

I have heard both the parties on the sought for information. The appellant stated that he has received the entire information except the enquiry report sent by the SDM (W), Ludhiana vide letter no.811 dated 06.06.2019 to the Deputy Commissioner, Ludhiana for further action on the report. The appellant stated that the PIO has not provided him that what action or order was passed by the Deputy Commissioner, Ludhiana upon the enquiry report sent by the SDM (W), Ludhiana through letter dated 06.06.2019.

So, the PIO is directed that the attested copies of information as mentioned above be provided to the appellant within a week and after providing the information to the appellant get receipt from him that he has received the complete information and he is satisfied. The PIO should personally come present before the Commission on the next date of hearing along with copy of information.

The case is adjourned for further hearing on the Appeal Case for **06.02.2020 at 11:00 A.M.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab**

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Shri Wassan Singh, (M: 70676-00009),  
S/o Shri Ajit Singh,  
# 118, House Fed Complex-1,  
Sector 79, Mohali.

..... Appellant

**Vs**

Public Information Officer,  
O/o Principal Secretary,  
Department of Technical Education & Industrial  
Training, Punjab, Sector 9-A, Chandigarh.

First Appellate Authority,  
O/o Addl. Chief Secretary, Govt. of Punjab,  
Technical Education & Industrial Training,  
Mini Secretariat, Sector 9-A, Chandigarh.

.....Respondent

**Appeal Case No. 3856 of 2019**

Present:- Shri Wassan Singh, appellant is present.  
Smt. Renu Sharma, Sr. Asstt. is present on behalf of Shri Lakhbir Singh, PIO-  
cum-Suptd. O/o Principal Secretary, Department of Technical Education &  
Industrial Training, Punjab.

**O R D E R**

Shri Wassan Singh, appellant filed RTI application dated 19.06.2019 and sought some information from the PIO, O/o Principal Secretary, Department of Technical Education & Industrial Training, Punjab.

The appellant stated that he has brought the list of deficiencies to the notice of the PIO. Some information has been provided to him, but still no information has been provided to him regarding para no. 3 to 6 of the RTI application.

So, the PIO is directed that the remaining information regarding para no. 3 to 6 of the RTI application be provided to the appellant within 10 days. In case of non compliance of the Order of the Commission a Show Cause Notice will be issued to the PIO on the next date of hearing.

Both the parties to come present on the next date of hearing on **19.02.2020 at 11:00 A.M.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri R.P. Singh, (M: 97790-48083),  
Through Shri Rakesh Kumar Gupta, Advocate,  
3<sup>rd</sup> Floor, Chamber No. 362,  
Court Complex, Ludhiana.

..... Appellant

**Vs**

Public Information Officer,  
O/o Tax Superintendent (Non Technical),  
Zone-D, Municipal Corporation,  
Ludhiana.

First Appellate Authority,  
O/o Commissioner,  
M.C., Ludhiana.

.....Respondent

**Appeal Case No. 3871 of 2019**

Present:- Shri R.P. Singh, appellant is present.  
None present on behalf of Shri Rajiv Bhardwaj, PIO-cum-Tax Superintendent  
(Non Technical), Zone-D, M.C., Ludhiana.

**ORDER**

Shri R.P. Singh, appellant filed RTI application dated 22.07.2019 and sought some information from the PIO, O/o Tax Superintendent (Non Technical), Zone-D, Municipal Corporation, Ludhiana.

The appellant is present today, but none has come present on behalf of the PIO. The appellant stated that incomplete information has been provided to him and he is not satisfied with the information provided to him by the PIO.

On the other hand, though the PIO is absent, but he has sent a copy of letter no. 1604 dated 28.01.2020 and he submitted in the letter that the information was sent to the appellant through letter dated 22.01.2020 against the deficiencies which were disclosed by the appellant and he further submitted in the letter that he is unable to appear before the Bench for today due to some Court case.

Under these circumstance, the appellant is directed that he should visit the office of the PIO, Shri Rajiv Bhardwaj on 03.02.2020 at 10.00 AM and the PIO should hear the appellant regarding the remaining information and provide him the remaining information, if any.

Shri Rajiv Bhardwaj, PIO should personally come present before the Commission on the next date of hearing along with copy of information and in case no further information is available in his office other than the information already provided to the appellant, then he

Contd.p2..

**Appeal Case No. 3871 of 2019**

should submit a duly attested affidavit that the information which was in existence in his office has already been provided to the appellant and except that no other information is available in his office. In case of non compliance of the order of the Commission strict action will be taken against the PIO under the provisions of the RTI Act, 2005.

Both the parties i.e. the appellant as well as the PIO should personally come present for further hearing of the appeal case on **19.02.2020 at 11.00 AM.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri R.P. Singh, (M: 97790-48083),  
Through Shri Rakesh Kumar Gupta, Advocate,  
Third Floor, Chamber No.362,  
Court Complex, Ludhiana.

..... Appellant

**Vs**

Public Information Officer,  
O/o Executive Engineer,  
Operation & Maintenance, Block-D Zone,  
Municipal Corporation, Ludhiana.

First Appellate Authority-cum-  
Commissioner, Municipal Corporation,  
Ludhiana.

.....Respondent

**Appeal Case No. 3172 of 2019**

Present:- Shri R.P. Singh, appellant is present.  
Shri Arshdeep Singh, APIO-cum-SDO is present on behalf of Shri Pardeep Saluja, PIO-cum-XEN, Operation & Maintenance, Block-D Zone, Municipal Corporation, Ludhiana.

**O R D E R**

Shri R.P. Singh, appellant filed RTI application dated 06.06.2019 and sought some information from the PIO, O/o Executive Engineer, Operation & Maintenance, Block-D Zone, Municipal Corporation, Ludhiana.

Shri Arshdeep Singh, APIO-cum-SDO is present on behalf of the PIO and he stated that the sought for information has been provided to the appellant and the appellant is satisfied.

The appellant stated that he has received the sought for information and he is satisfied. He has submitted a duly signed written submission dated 28.01.2020 that he has received the sought for information and he is satisfied and also requested to dispose of his appeal case.

As the information has been provided to the appellant by the PIO and the appellant is satisfied, so the present appeal case is **disposed of and closed**.

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri Suba Singh,  
S/o Shri Harbans Singh,  
Village Gwalia, P.O. Dina Nagar,  
Distt. Gurdaspur.

..... Appellant

**Vs**

Public Information Officer,  
O/o XEN, Gurdaspur Division,  
UBDC, Gurdaspur.

First Appellate Authority,  
O/o Superintendent Engineer,  
UBDC, Canal Circle,  
Amritsar.

.....Respondent

**Appeal Case No. 3878 of 2019**

Present:- Shri Suba Singh, appellant is absent without any intimation to the Commission.  
Shri Karam Singh, Clerk is present on behalf of Shri Jagdish Raj, PIO-cum-XEN,  
Gurdaspur Div. UBDC, Gurdaspur.

**ORDER**

Shri Suba Singh, appellant filed RTI application dated 10.07.2019 and sought some information from the PIO, O/o XEN, Gurdaspur Division, UBDC, Gurdaspur.

The appellant is absent today without any intimation to the Commission. He was also absent on 04.12.2019, 09.01.2020 and today is his third absence without any intimation.

I have gone through the RTI application dated 10.07.2019 and also gone through the Order dated 09.01.2020 and on that date Shri Karam Singh, Clerk was present on behalf of the PIO and he has come present along with 51 pages of attested copies of information to be provided to the appellant. As the appellant was absent, so the PIO was directed that attested copies of sought for information be sent to the appellant through registered post within 2 days and the appellant was further directed that in case he feels some deficiencies in the information which will be sent to him through registered post, then he should bring the deficiencies, if any, in writing to the notice of the PIO within 3 days.

Shri Karam Singh, Clerk is present today and he has submitted a copy of letter no. 50-51/86-A dated 24.01.2020 along with photo copy of postal receipt dated 10.01.2020. Both the papers are taken in the file of the Commission.

I have gone through the copy of letter dated 24.01.2020 and it is submitted by the PIO that the information was sent to the appellant through registered post on 10.01.2020 and the PIO has complied with the order dated 09.01.2020.

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**Appeal Case No. 3878 of 2019**

The respondent further submitted that the appellant has not brought any deficiencies to the notice of the PIO till today. Neither the appellant has come present nor he has sent any mail to the Commission. It means the appellant is satisfied with the information sent to him by the PIO. So the present appeal case is **disposed of and closed**.

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri Rajinder Kumar,  
S/o Shri Diwan Singh,  
VPO Kandela,  
Jind, Haryana.

..... Appellant

**Vs**

Public Information Officer,  
O/o Arya Pratinidhi Sabha, Punjab (Regd.),  
Chowk Kishanpura, Gurudatt Road,  
Jalandhar.

First Appellate Authority,  
O/o Arya Pratinidhi Sabha Punjab (Regd.),  
Chowk Kishanpura, Gurudatt Road,  
Jalandhar.

.....Respondent

**Appeal Case No. 4240 of 2019**

Present:- Shri Rajinder Kumar, appellant is absent without any intimation to the Commission.  
Shri Sudhir Paruthi, Advocate is present on behalf of Shri Sudarshan Sharma, President O/o Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar.

**ORDER**

Shri Rajinder Kumar, appellant filed RTI application dated 08.07.2019 and sought some information from the PIO, O/o Arya Pratinidhi Sabha, Punjab (Regd.), Chowk Kishanpura, Gurudatt Road, Jalandhar.

Shri Rajinder Kumar, appellant is absent without any intimation to the Commission. He was also absent during the last date of hearing i.e. 09.01.2020.

Shri Sudhir Paruthi, Advocate is present on behalf of Shri Sudarshan Sharma, President O/o Arya Pratinidhi Sabha, Punjab(Regd.), Jalandhar and he submitted a Vakalatnama and duly attested affidavit dated 28.01.2020 of Shri Sudarshan Sharma, President of the Sabha. Both the papers are taken in the file of the Commission.

I have gone through the Order dated 09.01.2020 and the appellant was absent on that date and it appears from the case file that the respondent Arya Pratinidhi Sabha, Jalandhar is a private institution and it does not come within the ambit of definition of public authority as defined U/s 2(h) of the RTI Act, 2005. So, an opportunity was granted to the appellant that he should personally come present before the Commission on the next date of hearing along with cogent evidence to prove that the respondent Arya Pratinidhi Sabha, Punjab

Contd..2..

(Regd.), Jalandhar is a public authority and it comes within the ambit of definition of public authority as envisaged U/s 2(h) of the RTI Act, 2005. In case the appellant would not come present and would not produce any evidence in favour of his contention that the Arya Pratinidhi Sabha is a public authority, then the Case will be disposed of on the next dated of hearing.

In spite of the order passed by the Commission on the last date of hearing when a direction was issued to the appellant to prove and present the evidence in support of his contention that the Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar is a public authority, the appellant has neither come present today nor he has sent any evidence in support of his contention.

On the other hand Shri Sudhir Paruthi, Advocate has come present on behalf of the respondent and he has submitted a duly attested affidavit dated 28.01.2020 and it is submitted in the affidavit that the respondent Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar is a private body and is not getting any financial help from the Govt. and does not come within the ambit of definition of public authority.

The appellant is duty bound to prove that the respondent Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar is a public authority, but he has not produced any evidence in support of his contention, nor he has come present before the Commission today.

I am of the view that the Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar is a private body as per the affidavit submitted by the President of Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar and it is not getting any financial help from the Govt. Therefore, the Right to Information Act does not apply to the respondent Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar. So, no RTI application lies. Hence, the present appeal case is **disposed of and closed.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri Rajinder Kumar,  
S/o Shri Diwan Singh,  
VPO Kandela,  
Jind, Haryana.

..... Appellant

**Vs**

Public Information Officer,  
O/o Arya Pratinidhi Sabha, Punjab (Regd.),  
Chowk Kishanpura, Gurudatt Road,  
Jalandhar.

First Appellate Authority,  
O/o Arya Pratinidhi Sabha Punjab (Regd.),  
Chowk Kishanpura, Gurudatt Road,  
Jalandhar.

.....Respondent

**Appeal Case No. 4241 of 2019**

Present:- Shri Rajinder Kumar, appellant is absent without any intimation to the Commission.  
Shri Sudhir Paruthi, Advocate is present on behalf of Shri Sudarshan Sharma, President O/o Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar.

**ORDER**

Shri Rajinder Kumar, appellant filed RTI application dated 08.07.2019 and sought some information from the PIO, O/o Arya Pratinidhi Sabha, Punjab (Regd.), Chowk Kishanpura, Gurudatt Road, Jalandhar.

Shri Rajinder Kumar, appellant is absent without any intimation to the Commission. He was also absent during the last date of hearing i.e. 09.01.2020.

Shri Sudhir Paruthi, Advocate is present on behalf of Shri Sudarshan Sharma, President O/o Arya Pratinidhi Sabha, Punjab(Regd.), Jalandhar and he submitted a Vakalatnama and duly attested affidavit dated 28.01.2020 of Shri Sudarshan Sharma, President of the Sabha. Both the papers are taken in the file of the Commission.

I have gone through the Order dated 09.01.2020 and the appellant was absent on that date and it appears from the case file that the respondent Arya Pratinidhi Sabha, Jalandhar is a private institution and it does not come within the ambit of definition of public authority as defined U/s 2(h) of the RTI Act, 2005. So, an opportunity was granted to the appellant that he should personally come present before the Commission on the next date of hearing along with cogent evidence to prove that the respondent Arya Pratinidhi Sabha, Punjab

Contd..2..

(Regd.), Jalandhar is a public authority and it comes within the ambit of definition of public authority as envisaged U/s 2(h) of the RTI Act, 2005. In case the appellant would not come present and would not produce any evidence in favour of his contention that the Arya Pratinidhi Sabha is a public authority, then the Case will be disposed of on the next dated of hearing.

In spite of the order passed by the Commission on the last date of hearing when a direction was issued to the appellant to prove and present the evidence in support of his contention that the Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar is a public authority, the appellant has neither come present today nor he has sent any evidence in support of his contention.

On the other hand Shri Sudhir Paruthi, Advocate has come present on behalf of the respondent and he has submitted a duly attested affidavit dated 28.01.2020 and it is submitted in the affidavit that the respondent Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar is a private body and is not getting any financial help from the Govt. and does not come within the ambit of definition of public authority.

The appellant is duty bound to prove that the respondent Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar is a public authority, but he has not produced any evidence in support of his contention, nor he has come present before the Commission today.

I am of the view that the Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar is a private body as per the affidavit submitted by the President of Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar and it is not getting any financial help from the Govt. Therefore, the Right to Information Act does not apply to the respondent Arya Pratinidhi Sabha, Punjab (Regd.), Jalandhar. So, no RTI application lies. Hence, the present appeal case is **disposed of and closed.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri Darshan Singh, Retd. Warehousing Manager, (M: 98727-20760),  
H.No. 513, Ward No.1, Surjeet Nagar,  
Morinda, Distt. Roopnagar.



..... Complainant

**Vs**

Public Information Officer,  
O/o Punjab State Warehousing Corporation,  
Sector 17, Chandigarh.

.....Respondent

**Complaint Case No. 983 of 2019**

Present:- Shri Darshan Singh, complainant/applicant is present.  
Smt. Taranjit Kaur Bajwa, PIO, O/o Punjab State Warehousing Corporation,  
Chandigarh is present.

**ORDER**

Shri Darshan Singh, complainant/applicant filed RTI application dated 25.06.2019 and sought some information from the office of the PIO.

The complainant/applicant stated that he has received the information which is provided to him today by the PIO.

I have gone through the order dated 09.01.2020. The appellant filed RTI application on 25.06.2019 and he sought some information from the office of the PIO. A show cause notice was issued to Smt. Taranjit Kaur Bajwa PIO that why no reply/information has been sent to the complainant/applicant within the stipulated period of 30 days, so why you may not be penalized under the provisions of the RTI Act, 2005.

The PIO has filed reply to the complaint filed by the complainant/applicant vide letter no.963 dated 09.01.2020 and today the PIO has filed reply to the show cause notice through duly attested affidavit dated 28.01.2020 along with copy of letter no. 1014 dated 28.01.2020 and copy of letter no. 1592 dated 27.01.2020, copy of order dated 9.01.2020 and copy of order dated 03.01.2019 passed by Shri Satwant Singh Johal, IAS(retd.) being the appellate authority. Copies of these order has been provided to the complainant-applicant.

The complainant/applicant, Shri Darshan Singh is satisfied with the information, which is today provided to him by the PIO.

I have gone through the reply submitted by the PIO to the complaint filed by the complainant/applicant through letter no.983 dated 09.01.2020 and also gone through the reply to the Show Cause Notice submitted by the PIO through duly attested affidavit dated 28.01.2020 and also gone through the other papers submitted by the PIO. An opportunity of personal hearing is afforded to Smt. Tarnajit Kaur Bajwa, PIO.

Contd..p2..

**Complaint Case No. 983 of 2019**

It is submitted by the PIO that the RTI application was filed by the complainant/applicant on 25.06.2019 and a letter was written by the PIO Bearing UO letter no.15271 dated 23.07.2019 to the concerned branch regarding the information sought by the complainant/applicant and the complainant/applicant was informed through letter dated 23.07.2019 that the matter is still under consideration before the appellate authority and in the meantime the sought for information cannot be provided.

I have also gone through the affidavit/reply dated 28.01.2020 filed by Smt. Taranjit Kaur Bajwa, PIO which she submitted as reply to the Show Cause Notice and it is submitted in the reply that the RTI application was received in the office of the PIO on 25.06.2019 and the same was forwarded to the concerned branch on 26.06.2019 and a reminder was given on 08.07.2019 and the case file was under process due to which there has been delay in providing the information to the complainant/applicant. It is further submitted that the delay is due to the procedure adopted by the concerned branch in circulating the copy of order under appeal and the deponent is not personally responsible for the delay and due to aforesaid reason, the deponent may not be penalized and lenient view may kindly be taken. It is further submitted in the reply that the information related with para nos. 1 and 2 of the RTI application has been supplied by the concerned branch and is submitted to the complainant/applicant. The complainant/applicant is present and he stated that he is satisfied with the information.

After going through the reply to the Show Cause Notice and after the perusal of the case file and also personally hearing the PIO on the delayed supply of the information to the complainant/applicant, I am satisfied from the reply submitted by the PIO. Though the information has been provided late after the stipulated period, but the PIO took the matter before the concerned branch on 26.06.2019. The information though is delayed but not due to acts of the State Public Information Officer.

Therefore, I am convinced with the reply filed by the PIO, Smt. Taranjit Kaur Bajwa and the Show Cause Notice issued to her is hereby dropped and filed, but the PIO is directed that in future she should remain vigilant towards her duties and took action on the RTI applications within the stipulated period of 30 days. During the course of hearing the PIO tendered apology and assured the Commission that in future she will remain vigilant towards her duties and provide the information to the information seekers within the stipulated period. With this observation the present complaint case is **disposed of and closed**.

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
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Shri Gurmeet Singh (M: 98762-69776),  
S/o Shri Lal Singh,  
R/o Village Kikar Khera,  
Tehsil Abohar, Distt. Fazilka.

..... Appellant

**Vs**

Public Information Officer,  
O/o XEN, Water Drainage Department.,  
Ferozepur at Fazilka.

First Appellate Authority,  
O/o SE, Water Drainage Department,  
Ferozepur Circle, Ferozepur.

.....Respondent

**Appeal Case No. 4467 of 2019**

Present:- Shri Gurmeet Singh, appellant is absent.  
None present on behalf of the PIO.

**ORDER**

Shri Gurmeet Singh, appellant filed RTI application dated 29.08.2019 and sought some information from the PIO, O/o XEN, Water Drainage Department, Ferozepur at Fazilka. When no information was provided to him by the PIO then he filed First Appeal before the First Appellate Authority on 10.10.2019. A reply was sent to him by the PIO vide letter no.2318-19/30-GRTI dated 13.11.2019 and the information sought by the appellant was denied U/s 8(1)(j) of the RTI Act, 2005. Then the appellant filed Second Appeal before the Punjab State Information Commission on 03.12.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

Both the parties are absent today. I have gone through the RTI application dated 29.08.2019 and also gone through the sought for information. The information was denied by the PIO U/s 8(1)(j) of the RTI Act, 2005 through letter dated 13.11.2019 being personal information of Shri Lal Singh, Thekedar.

I am of the view that the information sought by the appellant is not personal information, rather, the information is related with the work done by the public authority and the information is in existence with the public authority. So, this is not personal information, rather, the information is public and it relates with the public funds spent on various works.

So, the PIO is directed that the attested copies of sought for information be sent to the appellant through registered post within a week and the PIO should personally come

Contd..p2..

**Appeal Case No. 4467 of 2019**

present on the next date of hearing along with copy of information and copy of postal receipt. In case of non compliance of the order of the Commission strict action will be taken against the PIO under the provisions of the RTI Act, 2005.

Both the parties to come present on the next date of hearing on **11.02.2020 at 11:00 A.M.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)  
State Information Commissioner, Punjab.**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
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Shri Dinesh Gupta, (M: 98140-76643),  
H.No. 71, Sector 20-D,  
P.O. Mandi Gobindgarh.

..... Appellant

**Vs**

Public Information Officer,  
O/o E.O., Municipal Council,  
Mandi Gobindgarh.

First Appellate Authority,  
O/o Deputy Director,  
Urban Local Bodies,  
Ludhiana.

.....Respondent

**Appeal Case No. 4470 of 2019**

Present:- Shri Dinesh Gupta, appellant is present.  
Shri Varinder Kumar, Asstt. Municipal Engineer and Shri Balwinder Singh,  
Inspector are present on behalf of Shri Charanjit Singh, PIO-cum-EO, MC,  
Mandi Gobindgarh.

**ORDER**

Shri Dinesh Gupta, appellant filed RTI application dated 12.07.2019 and sought some information from the PIO, O/o E.O., Municipal Council, Mandi Gobindgarh. When no information was provided to him by the PIO then he filed First Appeal before the First Appellate Authority on 20.08.2019. Then he filed Second Appeal before the Punjab State Information Commission on 03.12.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

Both the parties are present today. I have gone through the RTI application and discussed about the sought for information with both the parties.

The appellant is directed that he should visit the office of the PIO on 03.02.2020 at 10.00 AM and the PIO, Shri Charanjit Singh and Shri Varinder Kumar, Asstt. Municipal Engineer both will be responsible to provide the attested copies of sought for information to the appellant.

Both the parties to come present on the next date of hearing on **06.02.2020 at 11:00 A.M.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri Ram Murti, (M: 98033-29862),  
S/o Shri Jaswant Rai,  
Jalandhar Road, Mehta Chowk,  
Tehsil Baba Bakala Sahib,  
Distt. Amritsar.

..... Appellant

**Vs**

Public Information Officer,  
O/o SSP, Amritsar Rural,  
Amritsar.

First Appellate Authority,  
O/o IGP, Border Range,  
Amritsar.

.....Respondent

**Appeal Case No. 4482 of 2019**

Present:- Shri Ram Murti, appellant is absent.  
ASI Baldev Singh, 379 is present on behalf of Shri Vikram Duggal, IPS,  
PIO-cum-SSP Amritsar (Rural).

**ORDER**

Shri Ram Murti, appellant filed RTI application dated 29.07.2019 and sought some information from the PIO, O/o SSP, Amritsar Rural, Amritsar. When no information was provided to him by the PIO then he filed First Appeal before the First Appellate Authority on 18.09.2019. Then he filed Second Appeal before the Punjab State Information Commission on 03.12.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

The appellant is absent today without any intimation to the Commission, whereas ASI Baldev Singh has come present on behalf of the PIO. The appellant filed RTI application dated 29.07.2019 and he sought information that what action has been taken upon his application dated 12.07.2019, which was filed before SHO, P.S., Mehta, Distt. Amritsar.

The respondent who is present on behalf of the PIO, sought some time to provide the sought for information to the appellant.

So, the PIO is directed that attested copies of sought for information be sent to the appellant through registered post within a week and come present on the next date of hearing along with copy of information and copy of postal receipts.

The appellant is further directed that he should come present personally on the next date of hearing.

Both the parties to come present on the next date of hearing on **11.02.2020 at 11:00 A.M.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri Satish Chander Verma, (M: 97808-68284),  
Suptd. Retired,  
H.No. 2726-B, Sector-70,  
Mohali.

..... Appellant

**Vs**

Public Information Officer,  
O/o Addl. Chief Secretary Home,  
Home Department, Punjab,  
Home-5 Branch, Civil Sectt., Chandigarh.

First Appellate Authority,  
O/o Principal Secretary, Home, PB.,  
Home Department, Punjab,  
Home-5 Branch, Civil Sectt., PB. Chd.

.....Respondent

**Appeal Case No. 4483 of 2019**

Present:- Shri Satish Chander Verma, appellant is absent.  
Smt. Paramjit Rani, Sr. Asstt. is present on behalf of Smt. Saroj PIO-cum-Suptd., O/s Addl. Chief Secretary Home, Home Deptt., Pb., Chandigarh.

**ORDER**

Shri Satish Chander Verma, appellant filed RTI application dated 19.09.2019 and sought some information from the PIO, O/o Addl. Chief Secretary Home, Home Department, Punjab, Home-5 Branch, Civil Sectt., Chandigarh. When no information was provided to him by the PIO then he filed First Appeal before the First Appellate Authority on 21.10.2019. Then he filed Second Appeal before the Punjab State Information Commission on 03.12.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

The appellant is absent without any intimation to the Commission, whereas the respondent has come present on behalf of the PIO.

I have gone through the RTI application dated 19.09.2019 filed by the appellant and he sought copy of inquiry report conducted by Shri K.K. Garg, Deputy Secretary, Home, Punjab.

The Commission has received a mail on 10.01.2020 diarized vide no. 605, which is a copy of letter no. 58 dated 07.01.2020 through which the information sought by the appellant was provided to him. The inquiry report dated 05.09.2019 comprising of 11 pages was provided to the appellant on 04.12.2019.

**Appeal Case No. 4483 of 2019**

Today at the time of hearing, Smt. Paramjit Rani, Sr. Asstt. submitted a copy of letter no. 3743 dated 04.12.2019 through which the inquiry report sought by the appellant was provided to him on 04.12.2019. The said letter bears the signature of Shri Satish Chander Verma, appellant at point 'A' and a duly signed noting has been made by Smt. Paramjit Rani on the said letter that the information was provided to Shri Satish Chander Verma, appellant on 04.12.2019 and after the receipt of information the appellant has signed in her presence at point 'A' and she identifies his signatures.

As the information has been provided to the appellant by the PIO, so the present appeal case is **disposed of and closed**.

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri Pargat Singh Barring, (M: 98765-02077),  
S/o Shri Joginder Singh,  
R/o Village Machhrair Khurd,  
Tehsil Amloh, Distt. Fatehgarh Sahib.

..... Appellant

**Vs**

Public Information Officer,  
O/o Tehsildar, Amloh,  
Distt. Fatehgarh Sahib.

First Appellate Authority,  
O/o SDM, Amloh,  
Distt. Fatehgarh Sahib.

.....Respondent

**Appeal Case No. 4486 of 2019**

Present:- Shri Pargat Singh Barring appellant is present.  
Shri Gurmeet Singh, Kanungo is present on behalf of Shri Parveen Kumar, PIO-cum-Tehsildar, Amloh, Distt. Fatehgarh Sahib.  
Shri Sarwan Kumar, Jr. Asstt., O/o SDM, Amloh, Distt. Fatehgarh Sahib is present.

**ORDER**

Shri Pargat Singh Barring, appellant filed RTI application dated 15.05.2019 before the PIO-cum-Deputy Commissioner, Fatehgarh Sahib regarding the Desh Bhagat University, Mandi Gobindgarh. The RTI application was transferred by the PIO, O/o DC, Fatehgarh Sahib U/s 6(3) of the RTI Act, 2005 to the PIO, O/o Tehsildar, Amloh, Distt. Fatehgarh Sahib vide letter no.218 dated 13.06.2019. A reply was sent to the appellant by the PIO-cum-Tehsildar, Amloh vide letter no.89 dated 22.07.2019 and it is submitted in the reply that the information sought by the appellant is not available in the office of the PIO. When no information was provided to the appellant by the PIO then he filed First Appeal before the First Appellate Authority on 19.08.2019. The First Appellate Authority has also intimated the appellant regarding the decision passed vide letter no.1397 dated 09.10.2019 and it is submitted by the First Appellate Authority that the information sought by the appellant is exempted U/s 8(d) of the RTI Act, 2005 and it is further submitted that the information sought by the appellant regarding the Desh Bhagat University is not in the public interest. Then the appellant filed Second Appeal before the Punjab State Information Commission on 03.12.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

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Both the parties are present today. I have heard both the parties upon the information sought by the appellant. The information is regarding the establishment of the university, named Desh Bhagat University, Mandi Gobindgarh I am not convinced with the arguments of the First Appellate Authority and the public authority. The information is related with the public and the public has the right to know regarding the information related with the public authority that how the university has been established.

So, I direct the PIO-cum-Tehsildar, Amloh, Shri Parveen Kumar that the information sought by the appellant be provided to him within a week and in case the information regarding the Desh Bhagat University is not available in the record of Tehsildar, Amloh, then the PIO-cum-Tehsildar, Amloh should submit a duly attested affidavit that no information or record is available in his office regarding the sought for information related with the Desh Bhagat University, Mandi Gobindgarh.

The appellant is stated to be a computer typist and is working in the Tehsil complex, Amloh and is available at any time in the office of the public authority, so the PIO should call the appellant and provide him the sought for information.

Both the parties to come present on the next date of hearing on **11.02.2020 at 11:00 A.M.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri Pushap Prabhakar, Sr. Asstt. (Retd.),  
H.NO. 20, Block No.2016,  
Sector 32-C, Chandigarh.

..... Appellant

**Vs**

Public Information Officer,  
O/o Asstt. IGP, Personnel-1, PB.,  
Chandigarh.

First Appellate Authority,  
O/o Asstt. IGP, Personnel-II,  
(Admn. Wing), Punjab,  
Chandigarh.

.....Respondent

**Appeal Case No. 4493 of 2019**

Present:- Shri Pushap Prabhakar, appellant is presnt.  
H.C. Parshottam Kumar is present on behalf of the PIO, O/o Asstt. IGP,  
Personnel-II, PB. Chandigarh.

**ORDER**

Shri Pushap Prabhakar, appellant filed RTI application dated 30.04.2019 and sought some information from the PIO, O/o Asstt. IGP, Personnel-1, PB., Chandigarh. Information/reply has been sent to him by the PIO vide letter no.1881 dated 02.07.2019. Then the appellant filed First Appeal before the First Appellate Authority on 01.10.2019, which was rejected by the First Appellate Authority. Then he filed Second Appeal before the Punjab State Information Commission on 03.12.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

Both the parties are present today. I have gone through the RTI application dated 30.04.2019 and discussed the matter with both the parties. The respondent stated that the information has already been provided to the appellant and in response, the appellant stated that he has received the information, which was provided to him by the office of the PIO, but no information has been provided to him by the PIO regarding para nos. 9 and 10 of the RTI application.

I have discussed about the information sought by the appellant regarding para nos.9 and 10 of the RTI application. The appellant stated that he be provided information since 2014 onwards. I have gone through the RTI application filed by the appellant, but he has not mentioned the period for which he is seeking information for para nos.9 and 10, whereas for the other paras of the RTI application he has mentioned the period for information.

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So, the PIO Is directed that attested copies of information related with para nos. 9 and 10 of the RTI application for the period of 01.01.2018 to 30.04.2019 be provided to the appellant within a week

Both the parties to come present on the next date of hearing on **19.02.2020 at 11:00 A.M.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Captain Arvind Dogra (M: 99992-12628),  
C-8/145-A, Keshav Puram,  
Delhi-110035.

..... Appellant

**Vs**

Public Information Officer,  
O/o SSP, Mohali.

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

.....Respondent

**Appeal Case No. 4494 of 2019**

Present:- Smt. Sangeeta Dogra, mother of Captain Arvind Dogra, appellant is present on his behalf.  
H.C. Gurnam Singh No. 1661/SAS Nagar is present on behalf of Shri Kuldeep Singh Chahal PIO-cum-SSP Mohali.  
Shri Gurwinder Singh, Sr. Asstt., O/o IGP, Ropar Range, Ropar is present.

**ORDER**

Captain Arvind Dogra, appellant filed RTI application dated 21.02.2019 and sought some information from the PIO, O/o SSP, Mohali. When no information was provided to him by the PIO then he filed First Appeal before the First Appellate Authority on 31.05.2019. Then he filed Second Appeal before the Punjab State Information Commission on 03.12.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

Both the parties are present today. I have gone through the RTI application filed by the appellant and discussed the matter with both the parties.

The respondent has come present along with attested copies of information and provided the same to Smt. Sangeeta Dogra, mother of Captain Arvind Dogra, appellant, who is today appeared on his behalf. Smt. Sangeeta Dogra has received the sought for information and after going through the information she stated that she is satisfied with the information. She has submitted a duly signed written submission dated 28.01.2020 on behalf of Captain Arvind Dogra, appellant that she has received the information and she is satisfied with the information.

As the sought for information has been provided to the mother of the appellant and she is satisfied with the information, so the present appeal case is **disposed of and closed.**

**Dated: 28.01.2020**

**(Avtar Singh Kaler)**  
**State Information Commissioner, Punjab.**

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Shri Sukhdev Singh, (M: 95927-78005),  
# 226, Street No.3,  
Guru Arjan Dev Nagar,  
Tarn Taran Road, Amritsar.

.....Appellant.

**Vs**

Public Information Officer,  
O/ o Chief Director, Vigilance Bureau, Punjab,  
SCO No. 60-61, Sector 17-D,  
Chandigarh.

Shri Harjit Singh,  
PIO-cum-Superintendent,  
Department of Local Govt. (LF-1 Br.),  
Municipal Bhawan, Plot No. 3-A,  
Sector 35, Chandigarh.

First Appellate Authority,  
O/ o Chief Director, Vigilance Bureau, Punjab,  
SCO No. 60-61, Sector 17-D,  
Chandigarh.

.....Respondent

**Appeal Case No. 3009 of 2017**

**Present:-** Shri Sukhdev Singh, appellant is present.  
Shri Harjit Singh, PIO-cum-Suptd., O/o Deptt. of Local Govt. (LF-1 Br.) is present.

**O R D E R**

Shri Sukhdev Singh, appellant filed RTI application dated 24.05.2017 and sought some information from the office of the PIO.

Both the parties are present today. The appellant, Shri Sukhdev Singh has submitted a duly signed written submission dated 28.01.2020, which is taken in the file of the Commission. I have gone through the said submission and the appellant submitted that he has received the sought for information which was provided to him by the PIO, Shri Harjit Singh, by getting the sought for information from the Municipal Corporation, Amritsar. He further submitted that he had already told during hearing through Video Conference that he do not want to take the amount of compensation of Rs. 5,000/- which was awarded in his favour by the Commission vide Order dated 17.07.2019 and he further submitted that the delay in providing the information is not due to Shri Harjit Singh, PIO, rather he has provided the information by getting it from the office of M.C., Amritsar and further submitted that no action be taken against Shri Harjit Singh, PIO.

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During the course of hearing Shri Harjit Singh, PIO-cum-Superintendent submitted a duly signed written submission/reply dated 28.01.2020 with supporting documents i.e. joining report dated 07.08.2018 when he was promoted and joined as Superintendent in the present place of working and he was designated as SPIO. The copies of orders and posting are also annexed with the reply. He has also annexed a copy of noting dated 25.01.2018, copy of letter no. 300 dated 08.02.2018, copy of letter no. 69075 dated 20.11.2015 and copy of letter no. 620 dated 15.11.2019 vide which the concerned record was sent to the office of the PIO by the Joint Commissioner, M.C., Amritsar for providing the sought for information to the appellant and another copy of letter no. 1741 dated 27.11.2019 is also annexed vide which the information was provided to the appellant with a noting made by the appellant that he has received the information. All these documents are taken in the file of the Commission.

Shri Harjit Singh, PIO has submitted in his representation that he has been wrongly penalized vide Order dated 17.07.2019 and he requested that he be heard on the show cause notice.

I have gone through the Order dated 17.07.2019 vide which the Hon'ble Punjab State Information Commissioner Ld. Shri Yashvir Mahajan awarded a compensation of Rs. 5,000/- in favour of the appellant to be paid from the funds of public authority by way of demand draft and the PIO was penalized U/s 20(1) of the RTI Act and a penalty of Rs. 25,000/- was imposed upon Shri Harjit Singh, PIO-cum Superintendent and be recovered from his salary and further ordered to take disciplinary action against the PIO under the Punjab Civil Services (Punishment and Appeal) Rules, 1970. When Order dated 17.07.2019 was passed Shri Harjit Singh PIO was not present before the Commission.

Shri Harjit Singh, PIO submitted that on 17.07.2019 he was not present before the Commission and he was not afforded opportunity to file reply to the show cause notice and neither the opportunity of personal hearing was afforded to him, whereas the principles of natural justice demand that no one should be condemned unheard and opportunity of personal hearing is to be afforded to the person against whom the penal order is to be passed.

I have perused the case file. The RTI application was filed on 24.05.2017 and Shri Harjit Singh was not the State Public Information Officer at that time, rather, he had joined as SPIO on 07.08.2018 after a period of 15 months from filing of the RTI application. He submitted that as he was not the SPIO when the RTI application was filed by the appellant and secondly he stated that he was not afforded opportunity to file reply to the show cause notice and neither he was given an opportunity of personal hearing before passing the order of penalty. So he is not liable for delay in providing the information U/s 7(1) of the RTI Act, 2005.

He further stated that as the original information lies with the office of M.C., Amritsar and not with the office of the PIO, so it was the duty of the PIO, O/o M.C. Amritsar to provide the information. But when it comes to the knowledge of the PIO that the RTI application was filed by the appellant before the public authority i.e. Department of Local Govt., then Shri Harjit Singh PIO tried his best and he provided the attested copies of 1340 pages of formation to the appellant on 27.11.2019 by getting it from the office of M.C., Amritsar.

The PIO further submitted that he is not personally liable for delay in providing the information to the appellant and requested that the amount of penalty imposed upon him and the recommendation of disciplinary action may be recalled back.

I have gone through the order dated 26.11.2019 passed by my Predecessor Ld. Shri Yashvir Mahajan, Hon;ble Punjab State Information Commissioner and on that date Shri Harjit Singh, PIO was present and the following order was passed:-

“The Respondents represented by Shri Harjit Singh Superintendent submit that they have received the information in contention only on 15.11.2019 from the office of Municipal Corporation, Amritsar. They further say that they have unfairly been penalized. This aspect need to be factored in. Meanwhile, they are directed to transmit it to the appellant immediately who may react about its sufficiency to them under intimation to the Commission before next date of hearing which shall be intimated in due course.”

I have gone through the order dated 26.11.2019 passed by my Predecessor and he must be convinced that the arguments put up before him by Shri Harjit Singh, PIO that he has been wrongly and unfairly penalized and the aspect need to be factored in. So, in the light of this order, I have gone through the representation/reply submitted by Shri Harjit Singh, PIO and also gone through the annexure submitted along with his representation and also gone through the written submission filed by the appellant, Shri Sukhdev Singh and an opportunity of personal hearing is also afforded to the PIO, Shri Harjit Singh.

After perusal of the case file, I came to the conclusion that the RTI application was filed on 24.05.2017 and Shri Harjit Singh joined as SPIO on 07.08.2018 when he was promoted to the rank of Superintendent and designed as SPIO. Secondly, he has not been given an opportunity to file reply to the show cause notice and an opportunity of personal hearing was also not afforded to him before passing the penal order on 17.07.2019. Thirdly, Shri Harjit Singh, PIO-cum-Superintendent submitted that he tried his best and provided the attested

copies of 1340 pages of information to the appellant on 27.11.2019 by getting it from the office of M.C. Amritsar and he further submitted that he is not personally liable for penal action U/s 7(1) of the RTI Act as he was not the SPIO at the time when the RTI application was filed, rather, he was designed as SPIO after a period of 15 months from the filing of RTI application.

I am of the view that natural justice demands that no one should be condemned unheard and opportunity of personal hearing must be afforded to the person against whom the penal order is to be passed. The order dated 17.07.2019 was passed in the absence of Shri Harjit Singh, PIO and without hearing him.

So after going through the case file and after hearing Shri Harjit Singh, PIO, I am of the view that the order dated 17.7.2019 be reviewed and recalled as Shri Harjit Singh is not personally liable for delay in providing the information to the appellant, rather, he has provided the information to the appellant by getting it from the office of M.C., Amritsar.

Therefore, the order dated 17.07.2019 through which the compensation of Rs. 5,000/- was awarded in favour of the appellant and a penalty of Rs. 25,000/- was imposed upon Shri Harjit Singh, PIO-cum-Superintendent is hereby dispensed with and the recommendations for taking disciplinary action against Shri Harjit Singh, PIO-cum-Superintendent is hereby dropped and the Show Cause Notice issued to him is hereby dropped and filed.

As the information has been provided to the appellant by the PIO and the appellant is satisfied as per his written submission dated 28.01.2020, so the present appeal case is **disposed of and closed**.

**Dated: 28.01.2020**

**( Avtar Singh Kaler )  
State Information Commissioner, Punjab**

**(Regd.) CC: The Principal Secretary to Government, Punjab, Department of Local Govt.,  
Punjab Civil Secretariat, Chandigarh.**