

Brish Bhan
S/o Sh. Saroop Chand,
House Number 33,
Kahangarh Road,
Patran, Distt. Patiala(Punjab)

....Appellant

V/s

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

First Appellate Authority,
O/o The Executive Officer,
Nagar Council,
Sunam, Distt. - Sangrur (Punjab)

...Respondents

Appeal Case No. 5375 of 2021

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

ORDER

Heard in the Commission.

2. The RTI request is dated 19.07.2021. First appeal is dated 26.08.2021. Second appeal has been received in the Commission on 01.11.2021.

3. This case was last heard by the Bench of Former State Information Commissioner, Sh. Sanjiv Garg on 24.08.2022.

4. Neither the respondent PIO nor any of his representative is present in today's hearing.

5. Neither the appellant, Sh. Brish Bhan nor the respondent is present in today's hearing.

6. After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 1062 dated 15.09.2022 (received in the Commission vide Diary No. 21252 dated 16.09.2022), has intimated the Commission that part information regarding list of unauthorized colonies has been sent to the appellant and for rest of the information, a clarification has been demanded from him so that the remaining information could be supplied to him. It is taken on record

7. After examining the documents placed on record, it is also found that the concerned PIO office of Executive Officer, Nagar Council, Sunam, has never appeared before the Commission to represent the case on any hearing date and also not complied the earlier order passed on 24.08.2022 through which a penalty of Rs. 10,000/- was imposed upon the concerned PIO.

Appeal Case No. 5375 of 2021

8. The Public Information Officer of office of Executive Officer, Nagar Council, Sunam, is directed to comply with the order dated 24.08.2022 passed by the Commission by paying penalty of Rs. 10,000/- in the Treasury of Punjab Government by the next date of hearing.

The amount of penalty to be deposited in the Treasury of Punjab Government under the head.....

Major Head .. 0070 -Other Administrative Services
Subj-Major Head .. 60 - Other Services
Minor Head .. 800 - Other Receipts
Sub-Head .. 86 - Fee under the Right to Information Act, 2005
Detailed Head .. 0070 Other Administrative Services
60 Other Services- 800- Other Receipts-
86- Fees under the Right to Information Act, 2005

9. As a grave negligence has been made on the part of respondent by not complying various orders, passed by the Commission. So, a Bailable warrant be issued to PIO-cum- Executive Officer, Nagar Council, Sunam through Senior Superintendent of Police, Sangrur for the appearance of the concerned PIO on the next date of hearing.

10. A copy of this order be sent to the Senior Superintendent of Police, Sangrur through registered post for the appearance of the concerned PIO on the next date of hearing.

11. With this, the case is **adjourned to 7th December, 2022 (Wednesday) at 12:00 noon for hearing.**

Copies of the orders be sent to the parties.

Date : 28th October, 2022

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

(Regd. Post)

The Senior Superintendent of Police, Sangrur (Punjab)



BAILABLE WARRANT FOR PERSONAL APPEARANCE

BEFORE SHRI AMRIT PARTAP SINGH SEKHON,

STATE INFORMATION COMMISSIONER, PUNJAB AT CHANDIGARH

IN THE CASE TITLED AS :

Brish Bhan
S/o Sh. Saroop Chand,
House Number 33,
Kahangarh Road,
Patran, Distt. Patiala(Punjab)Appellant

V/s

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

First Appellate Authority,
O/o The Executive Officer,
Nagar Council,
Sunam, Distt. - Sangrur (Punjab) ...Respondents

Appeal Case No. 5375 of 2021

Next Date of hearing ; 7th December, 2022 (Wednesday) at 12:00 noon

To

(Regd. Post) The Senior Superintendent of Police,
Sangrur (Punjab)

Subject : Issuance of BAILABLE WARRANT for personal appearance

As Public Information Officer of office of Executive Officer, Nagar Council, Suna has failed to comply with the orders passed by the Commission to appear before the State Information Commission, despite the issuance of notices/several opportunities in the above mentioned Appeal case. Therefore, you are hereby directed to serve the Bailable Warrant upon Public Information Officer of office of Executive Officer, Nagar Council, Sunam to present him before the Bench of the undersigned on is **adjourned to 7th December, 2022 (Wednesday) at 12:00 noon for hearing in the office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

Copies of the orders be sent to the parties.

Date : 28th October, 2022

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

Prem Singh S/o Sh. Kehar Singh,
Village – Jawandpur,
Tehsil – Sri Khadoor Sahib,
Distt. – Tarn Taran(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The District Development
and Panchayat Officer,
Tarn Taran(Punjab)

First Appellate Authority,
O/o The Addl. Deputy Commissioner(Dev.)
Tarn Taran (Punjab)

...Respondents

Appeal Case No. 5285 of 2021

Present : Sh. Paramjit Singh, Advocate(with authority)(M.-70876-04780), on behalf of the
appellant.
Sh. Rajwant Singh, Panchayat Secretary(M.-98764-07327), for the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 25.06.2021. First appeal is dated 02.11.2021. Second appeal has been received in the Commission on 23.11.2021.
3. This case was last heard by the Bench of Former State Information Commissioner, Sh. Sanjiv Garg on 24.08.2022.
4. Sh. Rajwant Singh, Panchayat Secretary, who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information has already been supplied to the appellant on 26.10.2022 through registered post.
5. Sh. Paramjit Singh, Advocate(with authority), who appeared on behalf of the appellant, Sh. Prem Singh, in today's hearing, states that the appellant has not received such information as stated above, till date.
6. As the information is sent by the respondent PIO to the appellant vide letter dated 26.10.2022 and probably the same would be received by the appellant within coming two or three days.
7. As the representative of the respondent has not brought any supporting document or reply, showing that the requisite information has been supplied to the appellant on 26.10.2022 and taking a serious view of this casual approach of the respondent PIO, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of District Development and Panchayat Officer, Tarn Taran, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

Appeal Case No. 5285 of 2021

-2-

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

9. The respondent PIO concerned is also directed to file a point-wise reply in an affidavit to the queries raised by the appellant through RTI request, by or on the next date of hearing.

10. With this, the case is **adjourned to 23rd November, 2022 (Wednesday) at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 28th October, 2022

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

Bharat Bhushan Mattu ,
H. No. 153, Akash Nagar,
Near Greenland School,
Central Post Office,
Ludhiana – 141008 (Punjab)

....Appellant

V/s

i) **Public Information Officer,**
O/o The District Education Officer(Elem.),
Fatehgarh Sahib (Punjab)

(Regd.Post) ii) **Public Information Officer,**
O/o The Inspector General of Police,
Vigilance Bureau, Punjab,
Punjab Police Head Quarter,
Sector 9, Chandigarh

First Appellate Authority,
O/o The Director,
Public Instructions (Sec.) Pb.,
P.S.E.B. Complex, Sector 68,
S.A.S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 3956 of 2021

Present : None on behalf of the appellant.
i) Ms. Ravinderpal Kaur, Superintendent (M.-98880-70114) ;
ii) Sh. Tejveer Singh, Senior Clerk(M.-95013-11800), on behalf of the
respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 09.06.2021. First appeal is dated 12.07.2021. Second appeal has been received in the Commission on 02.09.2021.
3. This case was earlier heard by the Bench of Former State Information Commissioner, Sh. Sanjiv Garg on 03.08.2022 .
4. The appellant, Sh. Bharat Bhushan Mattu, is not present in today's hearing but through an e-mail dated 25.10.2022, has intimated the Commission that incomplete information has been given to him by the respondent PIO and also unable to attend today's hearing and requested for an adjournment in this case. It is taken on record.
5. Ms. Ravinderpal Kaur, Superintendent who appeared alongwith Sh. Tejveer Singh, Senior Clerk in today's hearing, states that the information sought through RTI request is regarding 9988 ETT posts advertised in the year 2007 and the record was submitted to the office of Inspector General of Police, Vigilance Bureau, Punjab Chandigarh vide letter no. 1383-84 dated 09.09.2019. She also submits a reply in an affidavit dated 28.10.2022 with the request to waive off the penalty of Rs. 10,000/- which was imposed upon her vide orders dated 03.08.2022. It is taken on record. The same is as under:-

Appeal Case No. 3956 of 2021

Stamp Rs. 50/-

E-Stamp No. IN-PB38145520161029U

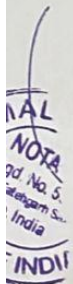
Date: 28-10-2022

Issued by: Sanjeev Kumar Kaura, Stamp Vendor, Fatehgarh Sahib.

ਹਲਫ਼ੀਆ ਬਿਆਨ

ਮੈਂ ਰਵਿੰਦਰ ਪਾਲ ਕੌਰ (ਆਧਾਰ ਨੰਬਰ 4774 2960 1639) ਸੁਪਰਡੈਂਟ ਦਫ਼ਤਰ ਜਿਲਾ ਸਿੱਖਿਆ ਅਫ਼ਸਰ ਐਲੀਮੈਂਟਰੀ ਫਤਿਹਗੜ ਸਾਹਿਬ ਨਿਮਨ ਲਿਖਤ ਬਿਆਨ ਕਰਦੀ ਹਾਂ ਕਿ:-

1. ਇਹ ਕਿ ਇਕ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 3956/2021 ਦੇ ਸਬੰਧ ਵਿਚ ਹੈ।
2. ਇਹ ਕਿ ਪ੍ਰਾਥਮੀ ਵੱਲੋਂ ਇਸਤਿਹਾਰ ਵਿਚ 2007 ਦੀ 9988 ਈ.ਟੀ.ਟੀ. ਅਸਾਮੀਆਂ ਵਿਚ ਹੋਈ ਬੇਨਿਯਮੀਆਂ ਸਬੰਧੀ ਰਿਕਾਰਡ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ ਹੈ।
3. ਇਹ ਕਿ ਇਸ ਸਬੰਧੀ ਜੇ ਆਰ ਟੀ ਆਈ ਅਧੀਨ ਮੰਗ ਕੀਤੀ ਗਈ ਹੈ। ਇਹ ਰਿਕਾਰਡ ਮਾਨਯੋਗ ਇੰਸਪੈਕਟਰ ਪੁਲਿਸ ਵਿਜੀਲੈਂਸ ਬਿਓਰੇ ਚੰਡੀਗੜ ਨੂੰ ਦਿਤਾ ਗਿਆ ਹੈ।
4. ਇਹ ਕਿ ਬੇਗਸ ਸਰਟੀਫਿਕੇਟ ਪਾਏ ਜਾਣ ਤੇ ਨੌਕਰੀ ਤੋਂ ਕੱਢੇ ਗਏ ਉਮੀਦਵਾਰ ਵੱਲੋਂ ਫਤਿਹਗੜ ਸਾਹਿਬ ਦੀ ਅਦਾਲਤ ਵਿਖੇ ਸਿਵਲ ਸੂਟ ਦਾਇਰ ਕੀਤਾ ਹੋਇਆ ਹੈ, ਜੋ ਕਿ ਅਜੇ ਸੁਣਵਾਈ ਅਧੀਨ ਹੈ।
5. ਇਹ ਕਿ ਇਸ ਦਫ਼ਤਰ ਦੇ ਪੱਤਰ ਨੰਬਰ ਅ 1/ਟੀਚਿੰਗ ਫੇਲੋ 2001/1383-84 ਮਿਤੀ 09-09-2019 ਰਾਹੀਂ ਮਾਨਯੋਗ ਪੁਲਿਸ ਵਿਜੀਲੈਂਸ ਬਿਓਰੇ ਨੂੰ ਅ:ਅ: ਸਾਖਾ ਪੰਜਾਬ ਐਸ. ਏ. ਐਸ. ਨਗਰ ਨੂੰ ਪੱਤਰ ਨੰਬਰ ਵਬ/ਅ ਸਾਖਾ ਦੀ ਮਿਤੀ ਐਸ. ਏ. ਐਸ. ਨਗਰ ਅਧੀਨ 2019 ਨੂੰ ਜਮਾਂ ਕਰਵਾਇਆ ਗਿਆ ਹੈ।
6. ਇਹ ਕਿ ਜਦੋਂ ਇਹ ਰਿਕਾਰਡ ਵਿਜੀਲੈਂਸ ਵੱਲੋਂ ਭੇਜਿਆ ਜਾਵੇਗਾ ਪ੍ਰਾਥਮੀ ਨੂੰ ਸੂਚਨਾ ਤੁਰੰਤ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਵੇਗੀ।
7. ਇਹ ਕਿ ਮਾਨਯੋਗ ਕਮਿਸ਼ਨ ਵੱਲੋਂ ਜੇ ਮੈਨੂੰ 10,000/-ਰੁਪਏ ਜੁਰਮਾਨਾ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿਰਪਾ ਕਰਕੇ ਇਸਨੂੰ ਮੁਆਫ਼ ਕੀਤਾ ਜਾਵੇ ਜੀ।



Certified that the Affidavit SPA/SPA has been Readover & Explained to the Deponent/ Executant who Seemed directly to understand the Same at the time making thereof

ਰਵਿੰਦਰ ਪਾਲ ਕੌਰ
ਬਿਆਨਕਾਰ,

ਤਸਦੀਕ:-

ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਮੇਰਾ ਉਕਤ ਬਿਆਨ ਹਲਫ਼ੀਆ ਸਹੀ ਵਾ ਦਰੁਸਤ ਹੈ ਇਸ ਵਿਚ ਕੁਝ ਵੀ ਲੁਕਾ ਕੇ ਨਹੀਂ ਰੱਖਿਆ ਗਿਆ।

ਮਿਤੀ: 28-10-2022

I identified the Deponent and who has signed/thumb impression in my Presence

4774 2960 1639

ATTESTED
AS IDENTIFIED
KAMALJIT KAUR
NOTARY
Distt Fatehgarh Sahib
(PB) India

ਰਵਿੰਦਰ ਪਾਲ ਕੌਰ
ਬਿਆਨਕਾਰ,

Appeal Case No. 3956 of 2021

6. After going over the contents of the reply dated 28.10.2022 submitted by Ms. Ravinderpal Kaur, Superintendent during the hearing and found that there is no malafide in supplying the requisite information on the part of the respondent PIO and finding the explanation given by her as genuine, the penalty imposed upon her vide orders dated 03.08.2022 is **waived off.**

7. As the information demanded by the appellant through RTI request, is lying in the custody of Inspector General of Police, Vigilance Bureau, Punjab Chandigarh, hence, PIO office of Inspector General of Police, Vigilance Bureau, Punjab Chandigarh be impleaded as necessary party in this case. A copy of this order be sent to him alongwith RTI request through registered post with the directions to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request with a copy to the Commission, by the next date of hearing. He is also directed to represent this case in person or through his representative on the next date of hearing

8. With this, the case is **adjourned to 07.12.2022 at 12:00 P. M. for hearing.**
Copies of the orders be sent to the parties.

Sd/-

Date : 28th October, 2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Yogesh Mahajan S/o Sh. Kuldip Raj Mahajan,
Opposite Water Tank, Municipal Market,
Mission Road, Pathankot (**Punjab**)
(M.-98143-54649)

....Appellant

V/s

Public Information Officer,
O/o The Executive Engineer,
Punjab Water Supply And Sanitation,
Malout (Punjab)

First Appellate Authority,
O/o The Superintending Engineer,
Punjab Water Supply and Sanitation Circle,
SriMuktsar Sahib (Punjab)

...Respondents

Appeal Case No. 1811 of 2022

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

ORDER

Heard in the Commission.

2. The RTI request is dated 06.01.2022. First appeal is dated 10.02.2022. Second appeal has been received in the Commission on 12.04.2022.

3. This case was last heard by the Bench of Hon'ble State Information Commissioner, Sh. Sanjiv Garg on 24.08.2022 and during the hearing ;

- i) The appellant stated that through a letter dated 26.05.2022, he had pointed out deficiencies in the supplied information.
- ii) An opportunity was given to the respondent PIO concerned to supply the information, after removing the deficiencies, which were pointed out by the appellant through letter dated 26.05.2022 to him by registered post with a copy to the Commission.

4. In today's hearing, neither the appellant, Sh. Yogesh Mahajan nor the respondent is present. They have also not sent any intimation regarding their non-availability.

5. After examining the documents placed on record, it emerges that the respondent PIO has not sent any document, showing that the information, after removing the deficiencies, has been sent to the appellant or not, moreover, the appellant has also not sent any intimation whether he received the information or not.

6. Nevertheless, last and final opportunity is given to both the parties to represent this case in person or through their representative on the next date fixed to intimate the status of the instant appeal-case or the case would be decided on merits.

7. With this, the case is **adjourned to 23.11.2022 at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Sd/-

Date : 28th October, 2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab



Dharam Pal S/o Sh. Ram Chand,
H. No. B-1/709, Panchayati Mandir Wali Gali,
Barnala - 148101(Punjab)
(M.-98886-86191)

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Council, Barnala(Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
Barnala(Punjab)

...Respondents

Appeal Case No. 5397 of 2021

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

ORDER

Heard in the Commission.

2. The RTI request is dated 19.05.2021. First appeal is dated 03.07.2021. Second appeal has been received in the Commission on 07.09.2021.
3. This case was last heard by the Bench of Hon'ble State Information Commissioner, Sh. Sanjiv Garg on 24.08.2022.
4. The appellant, Sh. Dharam Pal, is not present in today's hearing but through an e-mail dated 27.10.2022, has intimated the Commission that he is unable to attend today's hearing and also intimated that incomplete information has been given to him by the respondent PIO. It is taken on record.
5. Neither the respondent PIO nor any of his representative is present in today's hearing.
6. Nevertheless, both the parties i. e. the appellant and the respondent PIO are directed to represent this case in person or through their representative alongwith the information (already/would be supplied in the instant appeal-case) during the proceedings of the instant appeal-case on the next date of hearing fixed before the bench of the undersigned in the office of State Information Commission, Punjab so that facts of this case could be cleared or the case would be decided on merits.
7. After examining the documents placed on record, it is found that the PIO office of Executive Officer, Nagar Council, Barnala has not filed his reply to show cause issued to him under Section 20 (1) of the RTI Act vide orders dated 04.05.2022.



Appeal Case No. 5397 of 2021

8. Another opportunity is given to PIO office of Executive Officer, Nagar Council, Barnala to file his reply to the show cause issued to him vide orders dated 04.05.2022 before or on the next date of hearing.

9. With this, the case is **adjourned to 30.11.2022 at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 28th October, 2022

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

Prem Kumar Rattan,
H. No. 78/8,
Park Road, Navi Mandi,
Dhuri, Distt. – Sangrur (Punjab)
(M.-8509580002

....Appellant

V/s

Public Information Officer,
O/o – The Executive Officer,
Nagar Council,
Dhuri, Distt. – Sangrur (Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
Sangrur (Punjab)

...Respondents

Appeal Case No. 4305 of 2021

Present : None on behalf of the appellant.
i) Sh. Ashiwini Kumar, Executive Officer(99888-64357)presently posted at Phagwara), in person ;
ii) Sh. Manjit Singh, Inspector-cum-APIO(M.-94173-38320), for the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 26.06.2021. First appeal is dated 22.07.2021. Second appeal has been received in the Commission on 22.07.2021.

3. This case was last heard by the Bench of Hon'ble State Information Commissioner, Sh. Sanjiv Garg on 02.08.2022.

4. The appellant, Sh. Prem Kumar Rattan, is not present in today's hearing but through an e-mail dated 27.10.2022, has intimated the Commission that he visited the office of the respondent for inspection of the official record but no information has been given to him by the respondent PIO.

5. Sh. Ashiwini Kumar, Executive Officer, who appeared in person, in today's hearing, states that a point-wise reply has been given to the appellant vide letter no. 2661 dated 27.10.2022 and also submits a reply to the Commission. It is taken on record.

6. Sh. Ashiwini Kumar, Executive Officer, also submits a reply vide letter no. 3014 dated 20.09.2022, intimating that he was not posted as Executive Officer-cum-PIO on 26.06.2021 (when the RTI application was moved by the appellant), hence, penalty of Rs. 10,000/- (which was imposed upon him) be waived off. He further intimates that for the period from 23.06.2021 to 10.04.2022, seven Executive Officers hold the charge and list of these seven Executive Officers is attached with the reply alongwith office-orders. It, alongwith annexure, is also taken on record.

Contd...2/-

Appeal Case No. 4305 of 2021

-2-

7. Heard the parties and examined the documents placed in the case-file.

8. After hearing both the parties and perusing the documents placed on record, it is ascertained that the amount of Penalty, as levied by the Former SIC Sh Sanjiv Garg, has not been deposited till date. As directed in the previous hearing, Sh Ashish Kumar, EO (presently posted at Phagwara) has also filed his reply. I have gone through the same and agree with it. Hence, Principal Secretary to Government, Department of Local Government Punjab is directed to get an enquiry conducted into the cause and as to who is responsible for the delay in information and take action against the delinquent official as per RTI rules 2005.

Hence, Copy of this order be sent to Principal Secretary to Government. of Punjab, Deptt. of Local Government, Punjab to fix the responsibility of then PIO, with these directions that to ensure compliance of the order dated 12.04.2022 passed by the Commission by deducting penalty of Rs. 10,000/- from the salary of the concerned PIO (who was posted as Public Information Officer of office of Executive Officer, Nagar Council, Dhuri on 26.06.2021) and send copy of supporting document/documents to the Commission to establish the fact that order of the Commission has been complied with, by or on the next date of hearing.

9. An opportunity is also given to the appellant to confirm whether he has received the information or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

10. With this, the case is **adjourned to 07.12.2022 at 12:00 P. M. for hearing.**
Copies of the orders be sent to the parties.

Date : 28th October, 2022

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

Punjab

(Regd. Post) (i) The Principal Secretary , to Government. of Punjab, Deptt. of Local Government, Pb. Civil Sectt., Sector – 9, Chandigarh (strict compliance , as directed hereinabove)

Prem Kumar Rattan,
H. No. 78/8,
Park Road, Navi Mandi,
Dhuri, Distt. – Sangrur (Punjab)
(M.-8509580002

....Appellant

V/s

Public Information Officer,
O/o – The Executive Officer,
Nagar Council,
Dhuri, Distt. – Sangrur (Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
Sangrur (Punjab)

...Respondents

Appeal Case No. 4304 of 2021

Present : None on behalf of the appellant.
i) Sh. Ashiwini Kumar, Executive Officer(99888-64357)presently posted at Phagwara), in person ;
ii) Sh. Manjit Singh, Inspector-cum-APIO(M.-94173-38320), for the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 26.06.2021. First appeal is dated 22.07.2021. Second appeal has been received in the Commission on 21.09.2021.

3. This case was last heard by the Bench of Hon'ble State Information Commissioner, Sh. Sanjiv Garg on 02.08.2022.

4. The appellant, Sh. Prem Kumar Rattan, is not present in today's hearing but through an e-mail dated 27.10.2022, has intimated the Commission that incomplete information has been given to him by the respondent PIO.

5. Sh. Ashiwini Kumar, Executive Officer, who appeared in person, in today's hearing, states that a point-wise reply has been given to the appellant vide letter no. 2539 dated 14.10.2022 and also submits a copy of reply to the Commission. It is taken on record.

6. Sh. Ashiwini Kumar, Executive Officer, also submits a reply vide letter no. 3013 dated 20.09.2022, intimating that he was not posted as Executive Officer-cum-PIO on 26.06.2021 (when the RTI application was moved by the appellant), hence, penalty of Rs. 10,000/- (which was imposed upon him) be waived off. He further intimates that for the period from 23.06.2021 to 10.04.2022, seven Executive Officers hold the charge and list of these seven Executive Officers is attached with the reply alongwith office-orders. It, alongwith annexure, is also taken on record.

Contd...2/-

Appeal Case No. 4304 of 2021

-2-

7. Heard the parties and examined the documents placed in the case-file.

8. After hearing both the parties and perusing the documents placed on record, it is ascertained that the amount of Penalty, as levied by the Former SIC Sh Sanjiv Garg, has not been deposited till date. As directed in the previous hearing, Sh Ashish Kumar, EO (presently posted at Phagwara) has also filed his reply. I have gone through the same and agree with it. Hence, Principal Secretary to Government, Department of Local Government Punjab is directed to get an enquiry conducted into the cause and as to who is responsible for the delay in information and take action against the delinquent official as per RTI rules 2005.

Hence, Copy of this order be sent to Principal Secretary to Government. of Punjab, Deptt. of Local Government, Punjab to fix the responsibility of then PIO, with these directions that to ensure compliance of the order dated 12.04.2022 passed by the Commission by deducting penalty of Rs. 10,000/- from the salary of the concerned PIO (who was posted as Public Information Officer of office of Executive Officer, Nagar Council, Dhuri on 26.06.2021) and send copy of supporting document/documents to the Commission to establish the fact that order of the Commission has been complied with, by or on the next date of hearing.

9. An opportunity is also given to the appellant to confirm whether he has received the information or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

10. With this, the case is **adjourned to 07.12.2022 at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 28th October, 2022

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

(Regd. Post) (i) The Principal Secretary , to Government. of Punjab, Deptt. of Local Government, Pb. Civil Sectt., Sector – 9, Chandigarh (strict compliance , as directed hereinabove)

Prem Kumar Rattan,
H. No. 78/8,
Park Road, Navi Mandi,
Dhuri, Distt. – Sangrur (Punjab)
(M.-8509580002)

....Appellant

V/s

Public Information Officer,
O/o – The Executive Officer,
Nagar Council,
Dhuri, Distt. – Sangrur (Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
Sangrur (Punjab)

...Respondents

Appeal Case No. 4303 of 2021

Present : None on behalf of the appellant.
i) Sh. Ashiwini Kumar, Executive Officer(99888-64357)presently posted at Phagwara), in person ;
ii) Sh. Manjit Singh, Inspector-cum-APIO(M.-94173-38320), for the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 23.06.2021. First appeal is dated 09.08.2021. Second appeal has been received in the Commission on 21.09.2021.

3. This case was last heard by the Bench of Former State Information Commissioner, Sh. Sanjiv Garg on 02.08.2022.

4. The appellant, Sh. Prem Kumar Rattan, is not present in today's hearing but through an e-mail dated 27.10.2022, has intimated the Commission that complete information at point no. 01 and 02 of the RTI request has not been given to him by the respondent.

5. Sh. Ashiwini Kumar, Executive Officer, who appeared in person, in today's hearing, states that a point-wise reply has been given to the appellant vide letter no. 2528 dated 14.10.2022 and also submits a copy of reply to the Commission. It is taken on record.

6. Sh. Ashiwini Kumar, Executive Officer, also submits a reply vide letter no. 3012 dated 20.09.2022, intimating that he was not posted as Executive Officer-cum-PIO on 26.06.2021 (when the RTI application was moved by the appellant), hence, penalty of Rs. 10,000/- (which was imposed upon him) be waived off. He further intimates that for the period from 23.06.2021 to 10.04.2022, seven Executive Officers held the charge as Executive Officer, Dhuri, Sangrur and list of these seven Executive Officers is attached with the reply alongwith their office-orders. It, alongwith annexure, is also taken on record.

Contd...2/-

Appeal Case No. 4303 of 2021

-2-

7. Heard the parties and examined the documents placed in the case-file.

8. After hearing both the parties and perusing the documents placed on record, it is ascertained that the amount of Penalty, as levied by the Former SIC Sh Sanjiv Garg, has not been deposited till date. As directed in the previous hearing, Sh Ashish Kumar, EO (presently posted at Phagwara) has also filed his reply. I have gone through the same and agree with it. Hence, Principal Secretary to Government, Department of Local Government Punjab is directed to get an enquiry conducted into the cause and as to who is responsible for the delay in information and take action against the delinquent official as per RTI rules 2005.

Hence, Copy of this order be sent to Principal Secretary to Government. of Punjab, Deptt. of Local Government, Punjab to fix the responsibility of then PIO, with these directions that to ensure compliance of the order dated 12.04.2022 passed by the Commission by deducting penalty of Rs. 10,000/- from the salary of the concerned PIO (who was posted as Public Information Officer of office of Executive Officer, Nagar Council, Dhuri on 26.06.2021) and send copy of supporting document/documents to the Commission to establish the fact that order of the Commission has been complied with, by or on the next date of hearing.

9. An opportunity is also given to the appellant to confirm whether he has received the information or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

10. With this, the case is **adjourned to 07.12.2022 at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 28th October, 2022

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

(Regd. Post) (i) The Principal Secretary , to Government. of Punjab, Deptt. of Local Government, Pb. Civil Sectt., Sector – 9, Chandigarh (strict compliance , as directed hereinabove)



Ms. Kiran Sharma

W/o Late Sh. Jagdish Sharma,
Street – 42, Preet Nagar,
Shimlapuri,
Ludhiana – 141003 (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Station House Officer,
Police Station - Shimlapuri,
Distt. - Ludhiana (Punjab)

First Appellate Authority,
O/o The Commissioner of Police,
Ludhiana(Punjab)

...Respondents

Appeal Case No. 5279 of 2021

Present : None on behalf of the appellant.
Sh. Bachhittar Singh, A. S. I. (M.-95927-74900) on behalf of the respondent.

ORDER

Heard through in the Commission.

2. The RTI request is dated 06.05.2021. First appeal is dated 16.07.2021. Second appeal has been received in the Commission on 23.11.2021.
3. This case was last heard by the Bench of Hon'ble State Information Commissioner, Sh. Sanjiv Garg on 24.08.2022.
4. Sh. Bachhittar Singh, A. S. I., who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information was sent to the appellant at her residential address again and again but she refused to take the same.
5. The appellant, Ms. Kiran Sharma is not present in today's hearing
6. After examining the documents placed on record, it is found that the notice of hearing issued by the Commission vide letter no. 21782 dated 15.09.2022 in the name of the appellant, Ms. Kiran Sharma is received back in the office of the Commission as 'undelivered' through Diary No. 21646 dated 21.09.2022. It is taken on record.
7. Nevertheless, the appellant is advised to visit the office of the respondent PIO during official working hours to collect the information.
8. Further, an opportunity is given to the appellant to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned and also send a copy of the same to the Commission. She is also advised to represent this case in person or through her representative on the next date of hearing or the case would be decided on merits.
9. With this, the case is **adjourned to 30.11.2022 at 12:00 P. M. for hearing.**

opies of the orders be sent to the parties.

Sd/-

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Date : 28th October, 2022