

# PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - [psic23@punjabmail.gov.in](mailto:psic23@punjabmail.gov.in)

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Shri Om Parkash, (95924 81565)  
S/o Shri Hajara Ram,  
R/o Village Chak Kabar Wala,  
Tehsil Jalalbad, District Fazilka - 152024

....Appellant

Versus

Public Information Officer,  
O/o District Development & Panchayat Officer,  
Fazilka.

First Appellate Authority,  
O/o District Development & Panchayat Officer,  
Fazilka.

....Respondents

## APPEAL CASE NO. 0767 OF 2021 (Cisco Webex Proceedings)

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of Order / Reply, if any of FAA	Date of Appeal/Complaint filed in the Commission
20.10.2020	-	10.11.2020	12.11.2020	02.02.2021

**PRESENT:** None for the Parties.

### **ORDER (SIXTH HEARING):**

This order may be read with the reference to the order dated 11.05.2022 passed by this Bench on the previous hearing.

2. The Appellant is absent. The PIO is also absent. The PIO has not provided complete information to the Appellant. The Appellant has also highlighted in the previous hearings that complete information has not been provided to him. It clearly shows that there is a **delay of about 23 months** for not supplying the information to the Appellant, which is definitely on a higher side and cannot be given a go by. Besides, the then PIO O/o D.D.P.O., Fazilka seems totally unmindful and indifferent to the orders issued by the Commission on a number of occasions and he has openly defied the same. Before reaching the conclusion, it is relevant to reproduce the last order of the Commission: -

Cont...Pg02

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-02-

APPEAL CASE NO. 0767 OF 2021

“xxx

xxx

xxx

1. *This order may be read with the reference of previous order of the Commission dated 24.01.2022*

2. *Viewing the absence and non-implementation of the order of the Commission O/o DDPO, Fazilka, seriously, the PIO is thus issued a Show Cause Notice under Section 20 of the RTI Act, 2005 and directed to show cause in writing the reason for not appearing before the Commission despite intimation given by the Commission and for not furnishing information to the appellant, within 15 days from the date of receipt of this order.*

3. *To come up on 30.08.2022 through Cisco Webex at 11:00 am.*

4 Thus, the Commission draws the inference that the PIO, without any reasonable cause, has mala fide delayed information and thus, has rendered himself liable for punishment as provided under the RTI Act, 2005. He was given a number of opportunities to provide the information to the Appellant but he is delaying the matter on one pretext or the other. In these circumstances, **the then PIO O/o District Development & Panchayat Officer, Fazilka** is held guilty of default on the above score.

5. The facts of this case also prove beyond any doubt that the respondent PIO concerned does not deserve any kind of leniency. Hence, in exercise of the powers conferred by Section 20(1) of the RTI Act, 2005, **a penalty to the tune of Rs. 15,000/- (Rupees Ten thousand only)** is imposed upon the then PIO O/o District Development & Panchayat Officer, Fazilka to be deducted from his salary, which is to be deposited in the State Treasury under the relevant head.

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-03-

**APPEAL CASE NO. 0767 OF 2021**

6. The Drawing and Disbursing Officer O/o District Development & Panchayat Officer, Fazilka is directed to deduct the amount of penalty of Rs. 15000/- from the salary of the then PIO O/o District Development & Panchayat Officer, Fazilka and deposit in the State Treasury in the following Head of Account and to report its compliance to the Commission: -

- 0070- Other Administrative Services
- 60 – Other Services
- 0800 – Other Receipts
- 86-Fee under the RTI Act, 2005

7. The case is adjourned to **19.10.2022 at 11:30 AM in the Commission.** Both the parties are directed to present their case personally.

Chandigarh  
30.08.2022

Sd/-  
(Maninder Singh Patti)  
State Information Commissioner, Punjab

P.S.

After the hearing was over, Shri Charanjit Singh, Panchayat Secretary came present in the hearing and states that requisite information has already been provided to the appellant vide letter 22.10.2021 and after that no observation has been received from him. He is apprised of the proceedings of the case.

Chandigarh  
30.08.2022

Sd/-  
(Maninder Singh Patti)  
State Information Commissioner, Punjab

Copy is intimation and further necessary Action: - (Regd. Post)

- 1) The Additional Deputy Commissioner,  
Urban Development, Fazilka.
- 2) Shri Sukhpal Singh  
District Development & Panchayat Officer, Fazilka.
- 3) The Drawing & Disbursing Officer,  
O/o District Development & Panchayat Officer, Fazilka.

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**Shri Bhajan Singh,**  
S/o Sh. Ujjagar Singh,  
R/o House No B-3-153, Mohalla saida,  
Ghati Ramdasia, Ludhiana.

....Appellant

**Versus**

**Public Information Officer,**  
O/o Commissioner of Police,  
Ludhiana.

**Public Information Officer,**  
O/o Station House Officer,  
Police Station Dareshi,  
Ludhiana.

~Now~

**Public Information Officer,**  
O/o Station House Officer,  
Police Station Division No. 4,  
Ludhiana.

**First Appellate Authority,**  
O/o Commissioner of Police,  
Ludhiana.

....Respondents

**APPEAL CASE NO. 0913 OF 2022**  
**(Cisco Webex Proceedings)**

**PRESENT:** Shri Bhajan Singh, Appellant.  
None on behalf of the Respondents.

**ORDER (THIRD HEARING):**

This order may be read with the reference to the order dated 26.07.2022 passed by this Bench on the previous hearing.

2. The Appellant appears in person and states that no information has been provided to him by the PIO.

3. The PIO is absent for today's hearing, inspite of the Notice/Orders of the Commission. This shows his disregard to the Commission. As the absence of PIO has affected the proceedings of hearing as also disposal of the case, the absence of the PIO is viewed seriously.

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**APPEAL CASE NO. 0913 OF 2022**

4. **LAST OPPORTUNITY IS GIVEN TO THE PIO** to bring along the original record relating to the RTI application dated 27.07.2021 of the appellant and produce before the Bench and file his written submission in response to the Notice of the Commission and should present this case personally in the Commission, on the next date of hearing. In case information sought by the appellant is not available in the official records, then PIO is directed to file an **Affidavit/Undertaking** in this regard and produce the same before the Bench, on the next date of hearing, failing which action will be initiated against him as per provisions of the RTI Act, 2005.

5. The matter is adjourned to **19.10.2022 at 11:30 AM in the Commission**. Both the parties are directed to present their case personally.

Chandigarh  
30.08.2022

Sd/-  
(Maninder Singh Patti)  
State Information Commissioner, Punjab

Copy is forwarded to the following for intimation and necessary action: - (Regd. Post)

- 1) **The Commissioner of Police,**  
Ludhiana City (Punjab),  
Mini Secretariat, Ferozpur Road,  
Ludhiana-141001

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**Shri Jagpreet Singh, (95924 81565)**

S/o Shri Balraj Singh,  
R/o VPO Burj Mehma,  
Tehsil & District Bathinda.

....Appellant

**Versus**

**Public Information Officer,**

O/o Assistant Registrar,  
Cooperative Societies,  
Bathinda.

**First Appellate Authority**

O/o Assistant Registrar,  
Cooperative Societies,  
Bathinda.

....Respondents

## APPEAL CASE NO.1129 OF 2022

(Cisco Webex Proceedings)

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of Order / Reply, if any of FAA	Date of Appeal/Complaint filed in the Commission
17.02.2021	24.02.2021	28.12.2021	-	04.03.2022

**PRESENT:** Shri Jagpreet Singh, Appellant.

Ms. Gurmeet Kaur, Inspector (97807 16423) on behalf of the Respondents

### **ORDER (SECOND HEARING):**

This order may be read with the reference to the order dated 01.08.2022 passed by this Bench on the previous hearing.

2. The Appellant states that the demanded information has not been provided to him by the PIO.

3. The Respondent states that information sought by the appellant is not available in the official records and same has been conveyed to him in writing

4. The PIO is directed to said suitable reply to the appellant as explained in letter dated 21.04.2022 addressed to the Assistant Registrar, Bathinda and also send a copy of the same to the Commission.

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**PUNJAB STATE INFORMATION COMMISSION**

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- 02 -

**APPEAL CASE NO. 1129 OF 2022**

5. The PIO is also directed to file an Affidavit/Undertaking duly signed by the PO and attested by the Notary Public to the effect that the information sought by the appellant is not available in official records in Appeal Case No. 1129 of 2022. It be further stated that nothing has been concealed therein and the statement in made is true and correct and produce the same before the Bench, on the next date of hearing, failing which action will be initiated against him/her as per provisions of the RTI Act, 2005.

6. The matter is adjourned to **19.10.2022 at 11:30 AM in the Commission.** Both the parties are directed to present their case personally.

**Chandigarh**  
**30.08.2022**

Sd/-  
**(Maninder Singh Patti)**  
**State Information Commissioner, Punjab**

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Shri Sangeet Majhotra, (75083 16223)  
S/o Shri Tarsem Lal,  
R/o House No. S15/715, Mohalla Cool Wala,  
Near Ex Fauji Tilak Raj, Sarna,  
Pathankot – 145025

....Appellant

Versus

Public Information Officer,  
O/o Police Station,  
Main Road, Basti Jodhewal,  
Ludhiana – 141007

First Appellate Authority,  
O/o Police Station,  
Main Road, Basti Jodhewal,  
Ludhiana – 141007

....Respondents

## APPEAL CASE NO.1130 OF 2022 (Cisco Webex Proceedings)

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of Order / Reply, if any of FAA	Date of Appeal/Complaint filed in the Commission
26.11.2021	-	01.01.2022	-	04.03.2022

**PRESENT:** Shri Sangeet Majhotra, Appellant.  
None on behalf of the Respondents.

### **ORDER (SECOND HEARING):**

This order may be read with the reference to the order dated 01.08.2022 passed by this Bench on the previous hearing.

2. The Appellant states that the demanded information has not been provided to him by the PIO.

3. The PIO is absent for today's hearing, inspite of the Notice/Orders of the Commission. This shows his disregard to the Commission. As the absence of PIO has affected the proceedings of hearing as also disposal of the case, the absence of the PIO is viewed seriously.

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**APPEAL CASE NO. 1130 OF 2022**

4. **LAST OPPORTUNITY IS GIVEN TO THE PIO** to bring along the original record relating to the RTI application dated 26.11.2021 of the appellant and produce before the Bench and file his written submission in response to the Notice of the Commission and should present this case personally in the Commission, on the next date of hearing. In case information sought by the appellant is not available in the official records, then PIO is directed to file an **Affidavit/Undertaking** in this regard and produce the same before the Bench, on the next date of hearing, failing which action will be initiated against him as per provisions of the RTI Act, 2005.

5. The matter is adjourned to **19.10.2022 at 11:30 AM in the Commission**. Both the parties are directed to present their case personally.

Chandigarh  
30.08.2022

Sd/-  
(Maninder Singh Patti)  
State Information Commissioner, Punjab

Copy is forwarded to the following for intimation and necessary action: - (Regd. Post)

- 1) **The Commissioner of Police,**  
Ludhiana City (Punjab),  
Mini Secretariat, Ferozepur Road,  
Ludhiana-141001

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Shri Jatinder Singh, (98881 00092)  
S/o Shri Gurbax Singh  
C/o Kundan Singh Stores,  
Near Dolewal Chowk,  
District Ludhiana.

....Appellant

Versus

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

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

....Respondents

**APPEAL CASE NO. 2547 OF 2022**  
**(Cisco Webex Proceedings)**

**PRESENT:** Shri Jatinder Singh, Appellant.  
Shri Rajandeep Singh, Additional S.H.O. on behalf of the PIO.

**ORDER (SECOND HEARING):**

This order may be read with the reference to the order dated 03.08.2022 passed by this Bench on the previous hearing.

2. The Appellant states that complete information has not been provided to him by the SHO, Police Station Division No. 6, Ludhiana.

3. The Respondent states that he has recently joined this office and requests for some more time to provide requisite information to the appellant.

4. In view of the above, the S.H.O., Police Station Division No. 6, Ludhiana is directed to provide complete information to the appellant, before the next date of hearing, failing which strict action will be initiated against the PIO as per provisions of the RTI Act, 2005.

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- 02 -

APPEAL CASE NO. 2547 OF 2022

5. The matter is adjourned. To come up for hearing on 19.10.2022 at 11:30 AM in Commission's office at Chandigarh. Both the parties are directed to present their case personally.

Chandigarh  
30.08.2022

Sd/-  
(Maninder Singh Patti)  
State Information Commissioner, Punjab

Copy of the above is forwarded to the following for information and further necessary action:-

1. **Dr. Kaustubh Sharma, IPS**  
Commissioner of Police,  
Ludhiana City (Punjab),  
Mini Secretariat, Ferozepur Road,  
Ludhiana-141001
2. **The Public Information Officer – cum –**  
Deputy Commissioner of Police,  
Ludhiana City (Punjab),  
Mini Secretariat, Ferozepur Road,  
Ludhiana-141001
3. **The Station House Officer (SHO)**  
Police Station PS Division No. 6 (Dholewal)  
Near Dholewal Chowk,  
Ludhiana-141003