

PUNJAB STATE INFORMATION COMMISSION

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

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Sh. T.R. Maini D.A. (Retd), (7696660722)
#22 B, Ranika Bagh, Amritsar.

Complainant

Versus

(Regd. Post) **Public Information Officer (By Name)**
O/o Financial Commissioner,
Department of Rural and Panchayat Development
SAS Nagar

Respondent

Complaint Case No.: 165 of 2019
Heard through CISCO WEBEX

Present: Sh. T. R. Maini, the complainant in person.
None on behalf of the respondent.

ORDER

1. This order may be read with reference to the previous order dated 22.07.2020 vide which respondent PIO was consecutively absent for the sixth time without any intimation to the Commission. Copy of previous order dated 22.07.2020 was sent to the respondent PIO through registered post and matter was adjourned for further hearing today i.e. 31.08.2020.

It is observed that inadvertently name of ASI, Ramesh Kumar was mentioned in the present column in the previous order of the Commission dated 22.07.2020, which may be read as 'none on behalf of the respondent'.

2. In today's hearing, complainant, Sh. T. R. Maini states that requisite information is still pending as not even a single paper has been supplied to him. He added that compensation cheque is also pending from the respondent PIO.

3. Respondent PIO is **continuously absent 7th (seventh) time** without any intimation to the Commission, which shows his irresponsible behavior towards his duties as a Public Servant. He was also absent on previous hearings held on 15.05.2019, 24.07.2019, 05.02.2020, 19.02.2020, 09.03.2020 and 22.07.2020.

4. After hearing the complainant and examining the case file, following are the observations:

- Respondent PIO was absent on 15.05.2019 and 24.07.2020 before the bench of Ld. SIC, Sh. Yashvir Mahajan and this case was allotted to the undersigned bench dated 08.11.2019.
- Matter was fixed for hearing before the undersigned bench on 05.02.2020 and a **Show Cause** notice was issued to him vide order dated 05.02.2020 and **compensation amounting Rs. 3,000/-** was awarded to the complainant. Matter was adjourned for further hearing on 19.02.2020.
- A last and final opportunity was given to him even after the show cause vide order dated 19.02.2020 but not availing these opportunities a **Bailable warrant** was issued to him vide order dated 09.03.2020 and adjourned for 28.04.2020 but due to Lockdown in the State, it was fixed for 22.07.2020 through CISCO WEBEX.

- On 22.07.2020, respondent PIO was again absent and a copy of order was sent to the respondent PIO, O/o Financial Commissioner, Department of Rural and Panchayat Development, SAS Nagar through registered post and matter was adjourned for 31.08.2020 i.e. today.

5. RTI application filed by the complainant dated 23.11.2018 but respondent PIO is failed to supply reply/information to the complainant even after the lapse of 1.8 year which could not be accepted by the Commission.

I am of the view that due to such irresponsible behavior by the Public Authorities where RTI Act has to be appropriately dealt with, otherwise the public would lose faith and confidence in this “sunshine Act”.

The Commission thought it prudent to take cognizance where the public authority has failed to uphold the RTI Act and the orders of the Commission.

Absence of the Respondent PIO today again shows that the concerned Respondent as well as office is not serious at all, about providing the information to the complainant.

6. A final opportunity is afforded to the respondent PIO, O/o Financial Commissioner, Department of Rural and Panchayat Development, SAS Nagar to represent this case on the next date of hearing along with directions to comply with previous orders of the Commission dated 15.05.2019, 24.07.2019, 05.02.2020, 19.02.2020, 09.03.2020 and 22.07.2020, which are available on the official website of the Commission (www.infocommpunjab.com).

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, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. A copy of this order be sent to him through registered post for his ready reference.

7. A copy of this order be sent to the Financial Commissioner, Ms. Seema Jain (IAS) by name through registered post for the compliance of this order and make sure that concerned official represent this case on the next date of hearing positively.

8. Matter is adjourned for further hearing on **20.10.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number 918232900)

9. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 31.08.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

(Regd. Post) **Ms. Seema Jain (IAS)**
Financial Commissioner,
O/o Department of Rural and Panchayat Development
SAS Nagar



Sh. Jasbir Singh (9888296107)

Village Bholapur, Jhabewal,
P.O. Ramgarh,
District Ludhiana.

Appellant

Versus

Public Information Officer

O/o Executive Officer, Nagar Council,
Tehsil Kharar, District Mohali

First Appellate Authority

O/o Executive Officer, Nagar Council,
Tehsil Kharar, District Mohali

Respondent

Appeal Case No.: 556 of 2020
Heard through CISCO WEBEX

Present: None present.

ORDER

1. This order may be read with reference to the previous order dated 28.07.2020 vide which respondent PIO was absent and another opportunity is given to him to represent this case on the next date of hearing which is today. A copy of previous order was sent to him through registered post for his ready reference. Matter was adjourned for further hearing on 31.08.2020 i.e. today.

2. In today's hearing, appellant, Sh. Jasbir Singh is not present but a letter dated 13.08.2020 has been received from the appellant in the Commission vide diary no. 10078 dated 18.08.2020 stating that information has not been supplied to him even after the lapse of one (01) year.

3. Respondent PIO consecutively absent second time without any intimation to the Commission, which shows irresponsible behavior of the respondent PIO.

4. Looking at the lackadaisical attitude of the **respondent, PIO, Sh. Sanjeet Kumar (Contact Number 9646060901), Office of Executive Officer, Nagar Council, Tehsil Kharar, District Mohali** is directed to **show cause** in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon her for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the appellant under Section 19 (8)(b) of the Act for detriment suffered.

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. She may note that in case she does not file his submission and does not avail herself of the opportunity of personal hearing on the next date fixed, it will be presumed that she has nothing to say and the Commission shall proceed to take further proceedings against her ex-parte. A copy of this order be sent to him through **registered post** for his ready reference.

5. Matter is adjourned for further hearing on **20.10.2020 through CISCO WEBEX at 11:00**

A.M. (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number 918232900)

6. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 31.08.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

(Show Cause)

(Regd. Post) **Sh. Sanjeet Kumar (PIO)**
O/o Executive Officer, Nagar Council,
Tehsil Kharar, District Mohali



Sh. Satinder Pal Singh (9417265263)
(Regd. Post) Near ADC Office, Ferozepur Road,
Jagraon, District Ludhiana-142026
Versus

Appellant

Public Information Officer
O/o Director General of Police,
Punjab, Chandigarh

First Appellate Authority
O/o Director General of Police,
Punjab, Chandigarh

Respondent

Appeal Case No.: 785 of 2020
Heard through CISCO WEBEX

Present: Sh. Satinder Pal Singh, the appellant.
For the respondent: Sh. Purshotam Kumar (ASI) (9417131510).

ORDER

1. This order may be read with reference to the previous order dated 28.07.2020 vide which respondent, Sh. Mehak Pal Singh (Constable) stated that requisite information could not be supplied as it relates with third party. Appellant was absent even after conveying him regarding hearing through SMS as well as call by the undersigned bench.

It was observed that complete requisite information is not exempted under RTI Act and respondent PIO was directed to supply the information relates with point no. 1 and 2 to the appellant before the next date of hearing and information relates with point no. 3 and 4 is vague in nature which could not be entertained as per RTI Act, 2005.

2. In today's hearing, appellant, Sh. Satinder Pal Singh states that information has not been supplied to him as per the previous order of the Commission dated 28.07.2020 relates with point no. 1 and 2.

3. Respondent, Sh. Purshotam Kumar joined meeting through CISCO WEBEX after the appellant left the meeting. He states that requisite information relates with point no. 1 comprising of 15 pages which is ready with him but information relates with point no. 2 comprising of **1001082 pages (Ten lakh one thousand eight two pages)**.

4. After hearing the respondent and examining the case file, respondent, Sh. Purshotam Kumar is directed to send the ready information relates with point no.1 to the appellant through registered post before the next date of hearing. He is also directed to appear in person and to join meeting on time on the next date of hearing to represent this case. A copy of this order be also sent to him by name through registered post for his ready reference.

5. *It is observed that required information relates with point no. 2 is voluminous and as per Supreme Court of India in order in Central Board of Secondary Education (CBSE) & Anr vs Aditya Bandhopadhyay & others in 2011, the supreme court said:-*

“The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising ‘information furnishing’, at the cost of their normal and regular duties”.

6. Appellant, Sh. Satinder Pal Singh is advised to go through the information once, he had received from the respondent PIO in connection with point no. 1 and point out, if any deficiency, in writing to the respondent PIO with a copy to the Commission. He is also advised to appear in person on the next date of hearing to clear the facts regarding point no. 2, failing to which case will be decided on merit basis. A copy of this order be sent o him through registered post for his ready reference.

7. Matter is adjourned for further hearing on **20.10.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number 918232900)

8. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 31.08.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

(Regd. Post) Sh. Purshotam Kumar (ASI)
O/o Director General of Police,
Punjab, Chandigarh

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Sh. Gurinder Singh (6239871477)

S/o Sh. Harnek Singh
R/o Bhagta Bhai, Tehsil Phul,
District Bathinda

Appellant

Versus

Public Information Officer

O/o ADGP, NRI Wing,
Punjab, Chandigarh

First Appellate Authority

O/o ADGP, NRI Wing,
Punjab, Chandigarh

Respondent

Appeal Case No.: 842 of 2020
Heard through CISCO WEBEX

Present: None present.

ORDER

1. This order may be read with reference to the previous order dated 28.07.2020 vide which appellant was advised to visit the respondent's office to inspect the record. Both the parties were advised to represent this case today i.e. 31.08.2020.
2. In today's hearing, both the parties are absent without any intimation to the Commission.
3. After examining the case file, a last and final opportunity is given to both the parties to represent this case to clear the facts of this case, failing to which case will be decided on merit basis.
4. Matter is adjourned for further hearing on **20.10.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number 918232900)
5. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 31.08.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner



Smt. Kamaldeep Kaur, (9872139640)
D/o Sh. Pritpal Singh, VPO Guntala,
Opp. Govt Dispensary, Ward No 5,
Amritsar.

Appellant

Versus

Public Information Officer
O/o MC, Amritsar.

Sh. Sushant Bhatia (Public Information Officer)
(Regd. Post) O/o Land Department,
MC, Amritsar.

Encl: RTI application.

First Appellate Authority
O/o Addl. Commissioner,
MC, Amritsar.

Respondent

Appeal Case No.:242 of 2020
Heard through CISCO WEBEX

Present: Ms. Kamaldeep Kaur, the appellant in person.
For the respondent: Sh. Ashwani Kumar (Nodal Officer) (8054008123) along with Sh. Vishal Wadhawan (Nodal Officer) (9872749898)

ORDER

1. This order may be read with reference to the previous order dated 28.07.2020 vide which a show cause notice was issued to the respondent PIO, Sh. Ashwani Kumar under Section 20(1) as respondent was consecutively absent second time without any intimation to the Commission. Matter was adjourned for further hearing on 31.08.2020 i.e. today.

2. In today's hearing, appellant, Ms. Kamaldeep Kaur states that requisite information is still pending from the respondent PIO.

3. On this, respondent, Sh. Ashwani Kumar states that he is not the concerned official in this and sent a reply to the Commission of the Show Cause which was issued to him by name vide order of the Commission dated 30.07.2020 through an email to the Commission. He added that Sh. Vishal Wadhawan is sitting next to him to represent this case.

Respondent, Sh. Vishal Wadhawan states that RTI application relates with Land Department, MC, Amritsar and concerned official is Sh. Sushant Bhatia in this case.

4. After hearing both the parties and examining the case file, it is observed that an email dated 28.08.2020 has been received by the undersigned bench from respondent, Sh. Ashwani Kumar from email ID streetlightdeptt@gmail.com comprising a reply to Show Cause via letter no. 1309 dated 28.08.2020, which found satisfactory so the **show cause is dropped** which was issued to Sh. Ashwani Kumar. This email is taken on record.

It is also observed that appellant filed RTI application dated 14.10.2019 to the office of MC, Amritsar and notice of hearing of the Commission for dated 09.03.2020 was also issued to the same but respondent PIO, **Sh. Vishal Wadhawan had not transferred the RTI application to the concerned office (Land Department), so now respondent PIO, Sh. Vishal Wadhawan is directed to collect the requisite information and supply it to the appellant before the next date of hearing.**

He is also directed to appear in person on the next date of hearing positively. A copy of this order be sent to him through registered post for his ready reference

5. I am of the view that respondent PIO, **Sh. Sushant Bhatia (Contact Number-9855278688), O/o Land Department, MC, Amritsar** be implead as a necessary party in this case. A copy of this order along with RTI application be sent to him by name through registered post for his ready reference.

6. Matter is adjourned for further hearing on **20.10.2020 through CISCO WEBEX at 11:00 A.M.**
(Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number 918232900)

7. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 31.08.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

Sh. Vishal Wadhawan_(Nodal Officer)
(Regd. Post) O/o MC, Amritsar.

Sh. Sushant Bhatia (PIO)
(Regd. Post) O/o Land Department,
MC, Amritsar.



Smt. Rupinder Kaur, (8847055308)
W/o Sh. Ajmer Singh,
#140, National City Homes, G.T. Road,
Amritsar.

Appellant

Versus

Public Information Officer/APIO
O/o Joint Commissioner, MC, Amritsar.

First Appellate Authority
O/o Commissioner, MC, Amritsar

Respondent

Appeal Case No.: 311 of 2020
Heard through CISCO WEBEX

Present: Ms. Rupinder Kaur, appellant.
For the respondent: Sh. Ashwani Kumar (Nodal Officer) (8054008123) along with Sh. Vishal Wadhawan (Nodal Officer) (9872749898)

ORDER

1. This order may be read with reference to the previous order dated 30.07.2020 vide which a show cause notice was issued to the respondent PIO, Sh. Ashwani Kumar under Section 20(1) as respondent was consecutively absent second time without any intimation to the Commission. Matter was adjourned for further hearing on 31.08.2020 i.e. today.

2. In today's hearing, respondent, Sh. Ashwani Kumar states that he is not the concerned official. He added that Sh. Vishal Wadhawan is sitting next to him to represent this case.

Respondent, Sh. Vishal Wadhawan states that requisite information has already been supplied to the appellant comprising of 63 pages. He added that the earlier PIO, Sh. Gurpreet Singh Bhatia had already sent the required information. He added that a reply to the Show Cause notice which was issued to him sent through an email dated 29.08.2020 to the undersigned bench.

3. On this, appellant, Ms. Rupinder Kaur states that requisite information was supplied in appeal case number 310 of 2020. She added that required information is still pending in this case and requested to supply the information.

4. Respondent, Sh. Vishal Wadhawan states that appellant could collect the required information from the respondent's office today.

5. After hearing both the parties and examining the case file, appellant is advised to collect the required information from the respondent's office today along with advice to go through the information and point out deficiency, in writing to the respondent PIO with a copy to the Commission as per queries raised by her in RTI application before the next date of hearing. She is also advised to represent this case on the next date of hearing, failing to which case will be decided on merit basis.

Respondent, Sh. Vishal Wadhawan is also directed to appear in person on the next date of hearing to clear the facts of this case positively. A copy of this order be sent to him through registered post for his ready reference

6. it is observed that an email dated 29.08.2020 has been received by the undersigned bench from respondent, Sh. Vishal Wadhawan from email ID vishal2388@gmail.com comprising a copy of an affidavit dated 29.08.2020 along with reply dated 29.08.2020 to the Show Cause, which found satisfactory so the **show cause is dropped** which was issued to Sh. Vishal Wadhawan. This email is taken on record.

7. As respondent, Sh. Ashwani Kumar is not the concerned official; show cause which issued to him on the previous hearing on 30.07.2020 is dropped.

8. Matter is adjourned for further hearing on **21.10.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number 918232900)

9. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 31.08.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

Sh. Vishal Wadhawan_(Nodal Officer)
(Regd. Post) O/o MC, Amritsar.



Smt. Kamaldeep Kaur, (9872139640)

D/o Sh. Pritpal Singh, VPO Gumtala,
Opp. Govt Dispensary, Ward no. 5,
Amritsar.

Appellant

Versus

Sh. Iqbal Randhawa (Public Information Officer)

O/o Commissioner, MC,
Amritsar.

First Appellate Authority

O/o Commissioner, MC,
Amritsar

Respondent

Appeal Case No.: 411 of 2020

Heard through CISCO WEBEX

Present: Ms. Kamaldeep Kaur, appellant.

For the respondent: Sh. IqbalPreet Singh Randhawa (PIO-cum-MTP) (9216817017)

ORDER

1. This order may be read with reference to the previous order dated 30.07.2020 vide which a show cause notice was issued to the respondent PIO, Sh. IqbalPreet Singh Randhawa under Section 20(1) as respondent was consecutively absent second time without any intimation to the Commission. Matter was adjourned for further hearing on 31.08.2020 i.e. today.

2. In today's hearing, respondent PIO, Sh. IqbalPreet Singh Randhawa states that requisite information has already been supplied to the appellant on 09.07.2020.

3. On this, appellant, Ms. Kamaldeep Kaur states that required information is still pending in this case and requested to supply the information.

4. Respondent, Sh. IqbalPreet Singh Randhawa states that appellant could collect the required information from the respondent's office today.

5. After hearing both the parties and examining the case file, appellant is advised to collect the required information from the respondent's office today along with advice to go through the information and point out deficiency, in writing to the respondent PIO with a copy to the Commission as per queries raised by her in RTI application before the next date of hearing. She is also advised to represent this case on the next date of hearing, failing to which case will be decided on merit basis.

It is also observed that an email dated 30.07.2020 from the respondent PIO, Sh. IqbalPreet Singh Randhawa stating that required information was sent to the appellant dated 09.07.2020 and requesting to drop show cause notice which was issued to him vide order dated 30.07.2020. I am of the view that supplied reply to the show cause is satisfactory so the **show cause is dropped**, which was issued to Sh. IqbalPreet Singh Randhawa. This email is taken on record.

6. Matter is adjourned for further hearing on **20.10.2020 through CISCO WEBEX at 11:00 A.M.**
(Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number 918232900)

7. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 31.08.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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(Regd. Post) Sh. Tejbir Singh, (9257304444)
S/o Sh. Ajaib Singh, HJ343,
Housing Board Colony,
B.R.S. Nagar, Ludhiana.

Appellant

Versus

(Regd. Post) Public Information Officer
O/o DEO (SE), Ludhiana.

First Appellate Authority
O/o DEO (SE), Ludhiana.

Respondents

Appeal Case No.: 39 of 2020

Heard through CISCO WEBEX

Present: Sh. Tejbir Singh, the appellant.
For the respondent: Sh. Dilshad Singh (Clerk) (9988550036)

ORDER

1. This order may be read with reference to the previous order dated 30.07.2020 vide which a show cause notice was issued to the respondent PIO and matter was adjourned for further hearing on 31.08.2020 i.e. today.

2. In today's hearing, appellant, Sh. Tejbir Singh states that requisite information relates with point no. 1 has been received. He added that respondent informed that information relates with point no. 2 is available on the website but it is not available on the website. He requested the Commission to supply the requisite information relates with point no. 2.

3. On this, respondent, Sh. Dilshad Singh states that it is available on the website. He also mentioned that school is a private institute.

4. After hearing both the parties and examining the case file, it is observed that appellant filed RTI application to the office of DEO (SE), Ludhiana to sought information regarding the Punjab regulation fee of unaided educational institution bill no. 2016 (Punjab Act no. 47 of 2016).

Respondent PIO is directed to supply the information relates with point no. 2 duly attested by respondent PIO to the appellant within fifteen days after receiving of this order. He is also directed to file reply to the Show Cause which was issued to him vide order dated 21.07.2020. A copy of this order be sent to him through **registered post** for his ready reference.

5. Appellant, Sh. Tejbir Singh is also advised to represent this case in person on the next date of hearing positively. A copy of this order be sent to him through **registered post** for his ready reference.

6. Matter is adjourned for further hearing on **27.10.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number 918232900)

7. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 31.08.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner