



Sh. Laxman Singh, S/o Sh. Bhajan Singh,  
# 2773, Phase-2, Urban Estate,  
Patiala.

... Complainant

Versus

**Public Information Officer,**  
O/o Block Primary Education officer,  
Bhunerheri-2, Sanaur,  
Distt Patiala.

...Respondent

**Complaint Case No. 625 of 2020**

**PRESENT: Sh.Laxman Singh as the Complainant**  
**Ms.Neeru Bala, BPEO for the Respondent**

**ORDER:**

The complainant through an RTI application dated 22.01.2020 has sought information regarding details of employees working as BST and CST along with their phone numbers – details of schools visited from 01.04.2019 to 21.01.2020 along with visiting registers and other information as enumerated in the RTI application from the office of Block Primary Education Officer, Bhunerheri-2 Sanaur District Patiala. The complainant was not satisfied with the reply of the PIO dated 13.02.2020 after which the complainant filed a complaint in the Commission on 08.09.2020.

On the date of the last hearing on 26.02.2021, the complainant claimed that the PIO had not provided the information.

The respondent present pleaded that the complainant was asked to vide letter dated 28.02.2020 to deposit requisite fee of Rs.2500/- which he deposited vide demand draft dated 12.03.2020. However, since the demand draft was wrongly addressed and not in favour of the BPEO-Bhunerheri-2, the complainant was asked to get it rectified which the complainant did not. Further, the information that was sought by the complainant was not readily available and had to be collected from different schools, and due to lockdown in the State on account of covid-19, the information got delayed.

The respondent handed back the demand draft to the complainant to rectify it. The complainant requested that the PIO be asked to raise the actual cost of the information from him to get a new draft made. The PIO was directed to raise the actual cost of the information within 5 days and once the complainant deposits the requisite fee, the PIO to provide information to the complainant within ten days.

On the date of hearing on **18.05.2021**, the complainant informed that he was asked by the PIO to deposit Rs.1350/- as the actual cost of information which he deposited but he received only 352 pages of information which is also incomplete whereas they should have been 675 pages. The complainant further informed that he has already pointed out the discrepancies to the PIO but the discrepancies have not been sorted out.

**Complaint Case No. 625 of 2020**

The respondent was absent nor had sent any legitimate reasons for the absence. The PIO was directed to sort out the discrepancies as pointed out by the complainant and also clarify the details of the fee raised. The PIO was also directed to appear personally at the next hearing with all the documents.

**Hearing dated 31.08.2021:**

The case has come up for hearing today through video conferencing at DAC Patiala. The respondent present pleaded that they have already provided 493 pages of information instead of 352 pages and a fee of Rs.1350/- includes photocopies of information for 493 pages @Rs.2/- per page and registry/postal expenses.

The PIO has also sent following bifurcation of the amount of Rs.1350/- raised as fee for the information:

- |  |                |
|--|----------------|
| - Photocopy (493 pages @Rs.2/- per page) | - 986/-        |
| - Registry charges                       | - 234(100+134) |
| - Others(Envelop-stationery)             | - 130/-        |

The PIO has further mentioned in the letter that extra registry/postal expenses were raised due to repeated correspondence with the appellant since the demand draft was deposited in the wrong account by the appellant.

The fee and postal expenses calculated by the PIO appear genuine and have been raised as per the provisions RTI act. The information stands provided and there is nothing further to be resolved in this case. Pursuance of this case will unnecessarily divert the resources and time of the respondent and the commission.

No further course of action is required. The case is **disposed of and closed.**

**Chandigarh**  
**Dated: 31.08.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh. Bhupinder Singh, S/o. Sh Gurjail Singh,  
VPO Bahmana Basti, Tehsil Samana,  
Distt Patiala.

... Appellant

Versus

**Public Information Officer,**  
O/o DC,  
Patiala.

**First Appellate Authority,**  
O/o Commissioner Patiala Division,  
Patiala.

...Respondent

**Appeal Case No. 2724 of 2020**

**PRESENT:     None for the Appellant**  
**Ms.Rajni Khattar, Sr.Assistant for the Respondent**

**ORDER:**

The appellant, through the RTI application dated 25.01.2020 has sought information regarding action taken report on the complaint filed on 10.12.2019 against Surinder Kumar Vasika Navish and other information as enumerated in the RTI application from the office of DC Patiala. The appellant was not provided with the information, after which the appellant filed the first appeal before the first appellate authority on 14.08.2020 which did not decide on the appeal.

The case first came up for hearing on 26.02.2021 through video conferencing at DAC Patiala. Both the parties were absent. The case was adjourned.

On the date of the last hearing on **18.05.2021**, the appellant was absent for the 2<sup>nd</sup> consecutive hearing. The appellant was directed to appear before the commission at the next date if interested in pursuing the case.

Since the respondent was also not appearing at the hearings nor had sent any legitimate reason for the absence, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time as well as for non-appearance and directed to file reply on an affidavit.**

**Hearing dated 31.08.2021:**

The case has come up for hearing today through video conferencing at DAC Patiala.

The respondent informed that they have sent a reply to the show-cause notice. The Commission has received a reply from the PIO through email which has been taken on the file of the Commission. In the reply, the PIO has mentioned that he has just joined as DRO after having been transferred from Amritsar on 09.08.2021 and after having gone through the record, it was found that the information in this case has already been provided to the appellant vide letter dated 01.02.2021 and 12.02.2021.

**Appeal Case No. 2724 of 2020**

The appellant is absent on the 3<sup>rd</sup> occasion to pursue his case, nor has been represented on any of the hearings.

Given the above, I am in agreement with the PIOs reply that the appellant has received the information, and hereby drop the show case and dispose off the case for non pursuance of it by the appellant.

**Disposed of and closed.**

**Chandigarh  
Dated:31.08.2021**

**Sd/-  
(Khushwant Singh)  
State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: - [psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)**  
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Sh.Sudhir Mahajan, S/o Sh Om Parkash,  
# 1438/39, Ka04.06.202tra Jaimal Singh,  
Amritsar.

... Appellant

Versus

**Public Information Officer,**  
O/o Principal Secretary,  
Department of Local Govt,  
Sector-35-A, Chandigarh.

**First Appellate Authority,**  
O/o Principal Secretary,  
Department of Local Govt,  
Sector-35-A, Chandigarh.

...Respondent

**Appeal Case No. 2726 of 2020**

**PRESENT:   None for the Appellant**  
**Sh.Surjit singh PIO-LG-1 for the Respondent**

**ORDER:**

The appellant through a RTI application dated 04.06.2020 has sought information regarding records relating to the change of cadre of Sh.Rajinder Sharma and Sh.Sanjeev Devgan from Junior Engineer to Building Inspector (Technical) and other information as enumerated in the RTI application from the office of Principal Secretary Department of Local Govt. Pb Chandigarh. The appellant was not provided with the information after which the filed the first appeal before the first appellate authority on 23.07.2020 which took no decision on the appeal. After filing the first appeal, the PIO sent a reply to the appellant vide letter dated 28.08.2020 stating that they were tracing the record, and if traced the information would be provided.

The case first came up for hearing on 25.02.2021 through video conferencing at DAC Amritsar. Due to a technical fault in the VC at DAC Amritsar, the appellant could not be heard. The Commission received a representation from the appellant on 18.02.2021 in response to the reply of the PIO which was taken on the file of the Commission.

Sh.Harjit Singh, PIO was present at Chandigarh. He informed the commission that since the record relating to the sought information was very old, it had been misplaced due to continuous shifting of office space. As per him, since the record was untraceable the department had already filed a DDR and a reply along with a copy of DDR was sent to the appellant vide letter dated 28.08.2020 and again on 04.01.2021.

After hearing the PIO's plea, the Commission was not convinced with the reply. The commission made it clear that it does not accept the plea that the record is missing or misplaced until an enquiry is conducted and an enquiry report is submitted which establishes that the record is missing and the responsibility has been fixed for the person under whose custody the record was found missing.

The concerned department was directed to conduct an enquiry into the matter by constituting a committee, and submit a complete enquiry report which establishes that the record is missing, and appropriate action has been taken against the person as per service rules under whose custody the record went missing.

The PIO was also directed to send a reply on an affidavit.

On the date of the last hearing on **18.05.2021**, the appellant was absent and vide email informed that the PIO has not provided the information.

The respondent was absent and vide email sought some more time to complete the final enquiry report on the missing record due to the pandemic situation of Covid-19.

**Hearing dated 31.08.2021:**

The case has come up for hearing today through video conferencing at DAC Amritsar/Mohali. The respondent present informed that in compliance with the order of the Commission, a committee was constituted for conducting an enquiry of the missing record which has submitted its report and a copy of the same has been sent to the Commission along with the reply on an affidavit. The Commission has received the reply from the PIO along with enquiry report of the Committee, which has been taken on the file of the Commission. As per the report of the Committee, the record is not traceable and a DDR has been filed.

The appellant is absent on the 2<sup>nd</sup> occasion nor is represented by anyone.

Since the enquiry has been conducted and as per the enquiry report submitted by the PIO the record stands misplaced and DDR has been filed, no further course of action is required.

The case is **disposed of and closed**. A copy of the enquiry report submitted by the PIO is being sent to the appellant along with the order.

**Chandigarh**  
**Dated:31.08.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: - [psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh. George Subh, S/o Sh. Rustam Masih,  
R/o Begowal, Ward No-12,  
Tehsil Bholath, Distt. Kapurthala.

... Complainant

Versus

**Public Information Officer,**  
O/o SSP (Rural),  
Amritsar.

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

...Respondent

**Appeal Case No. 3520 of 2020**

**PRESENT:   None for the Appellant**  
**Sh.Harpal Singh ASI for the Respondent and Sh.Denis Masih 3<sup>rd</sup> party**

**ORDER:**

The appellant through the RTI application dated 06.05.2020 has sought information regarding a copy of the SC certificate of Denis Masih or his service book as per the tentative seniority list of constable S.No.7567 and other information as enumerated in the RTI application from the office of SSP(Rural) Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 23.06.2020 which took no decision on the appeal.

The case last came up for hearing on 28.04.2021 through video conferencing at DAC Jalandhar. The PIO vide reply received in the Commission on 22.02.2021 stated that since the information is 3<sup>rd</sup> party information and the 3<sup>rd</sup> party has not given its consent to part with his personal information and the reply has been sent to the appellant

The respondent further informed that the appellant had earlier filed a similar appeal case No.2306 of 2020 for seeking exactly the same information which was disposed of by State Information Commissioner, A.S.Kaler on 22.10.2020. The respondent also sent a copy of the RTI application and order of SIC dated 22.10.2020 which was taken on the file of the Commission.

Having gone through RTI application in the present appeal case and appeal case No.2306 of 2020, the Commission observed that the appellant in appeal case No.2306 had sought information regarding details/SC certificates of all employees in the education department who suffix 'Masih' with their names or with their father's name and belongs to SC category and since the information sought was not found specific by the SIC rather it was vague as the appellant had not mentioned the name of any person for whom he was seeking information, the appeal case was rejected.

Since the present appeal case was different to the earlier appeal case No.2306, the PIO was directed to file an appropriate reply for denial of information.

**On** the date of the last hearing on **06.07.2021**, the respondent reiterated the earlier plea that since the information is 3<sup>rd</sup> party information and the 3<sup>rd</sup> party has not given its consent to part with his personal information, it cannot be provided.

The said 3<sup>rd</sup> party, Constable Denis Masih was impleaded in the case and directed to appear before the Commission on the next date of hearing.

**Hearing dated 31.08.2021:**

The case has come up for hearing today through video conferencing at DAC Amritsar/Jalandhar. Sh. Denis Masih, the 3<sup>rd</sup> party who was impleaded in the case at the last hearing, is present and pleaded that since the SC certificate that has been asked by the appellant is a part of his service record, the information be not disclosed.

I am in agreement with Denis Masih the 3<sup>rd</sup> party that the SC certificate is a part of his personal record, it should not be provided.

The appellant is absent and there is nothing on record that establishes a larger public interest in disclosure of the sought information.

The case is **closed**.

**Chandigarh**  
**Dated: 31.08.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to :Sh.Denis Masih s/o Sh.Buta Mal**  
**1604/ASR-R, R/o Mission Compound,**  
**Gurdaspur.**



**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
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Smt Parmjit Kaur, W/o Sh. Onkar Prasad,  
Village Chachrari, Tehsil Phillaur,  
Distt Jalandhar.

... Appellant

Versus

**Public Information Officer,**  
O/o Child Development and Project Officer,  
Rurka Kalan, Distt Jalandhar.

**First Appellate Authority,**  
O/o District Social Security Officer,  
Jalandhar.

...Respondent

**Appeal Case No. 3945 of 2020**

**Present: None for the Appellant**  
**Ms.Sushma, Clerk from the office of DSSO Jalandhar for**  
**the Respondent**

**Order:**

The appellant through a RTI application dated 16.12.2019 has sought information regarding the copy of the APRs of pension distributed in village Chachradi Tehsil Phillaur from 01.01.2014 to 31.10.2016 – monthly amount provided by the Govt. – unreleased pension amount along with its draft – account statement and other information concerning the office of Child Development and Project Officer, Rurka Kalan, District Jalandhar. The appellant was not provided with the information, after which the appellant filed the first appeal before the First Appellate Authority on 10.02.2020 which took no decision on the appeal.

The case came up for hearing first on 17.03.2021 through video conferencing at DAC Jalandhar. The appellant claimed that the PIO has not supplied the information but informed that the information does not relate to them and the same be got from the concerned department.

The respondent present from the office of CDPO informed that since the information relates to the office of the District Social Security Officer, the RTI application was marked to them on 23.12.2019.

The Commission received a copy of the letter from the PIO-CDPO dated 22.02.2021 vide which the PIO had informed the appellant that the information does not relate to them and the same be got from the concerned department.

The respondent present from the office of DSSO Jalandhar had brought no information.

At the hearing, it was concluded that the information is in the custody of District Social Security Officer, Jalandhar. The PIO-DSSO Jalandhar was directed to provide information to the appellant within 15 days and send a compliance report to the Commission.

Since there has been an enormous delay in attending to the RTI application as per the provisions of the RTI Act, the PIO O/o Child Development and Project Officer (at the time of filing RTI application) Rurka Kalan was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

**Appeal Case No. 3945 of 2020**

**On the date** of the hearing on **28.04.2021**, the Commission received a reply from PIO-CDPO which was taken on the file of the Commission. In the reply, the PIO stated that the earlier PIO had been transferred and she had joined on 08.01.2021. The PIO further mentioned that the information relates to the office of the District Social Security Officer and the RTI application was sent to them and the appellant was informed of the same. The DSSO called the information from the office of BDPO vide letter dated 31.03.2021 and again on 06.04.2021 but the information was not supplied by BDPO Rurkakalan and the reply was sent to the appellant by DSSO.

The Commission felt that since the case is not being represented appropriately by the concerned public authorities, leading to confusion as to under which department/departments lies the custody of the sought information, the case was marked to the Deputy Commissioner Jalandhar with the direction to look into the matter and ensure that the sought information is collected from the concerned department and provided as per the provisions of the RTI Act, to the appellant.

On the date of the last hearing on **06.07.2021**, the respondent from DSSO pleaded that the available information has been provided to the appellant on 07.04.2021. As per the appellant, the PIO had only provided information for six months from 01.01.2014 to 30.06.2014 and no other information was provided.

As per the respondent, the information was not received from the BDPO despite repeated reminders.

At the hearing on 28.04.2021, the case was marked to the DC Jalandhar with the direction to ensure that the information is collected from the concerned department/departments and provided to the appellant as per the RTI Act. However, the status of information remained the same. The case was again marked to the Deputy Commissioner, Jalandhar to ensure that this matter is sorted out and the information is collected from the respective authorities and provided to the appellant.

The BDPO Rurkakalan was also impleaded in the case and directed to supply the information as called by the DSSO. The BDPO was also directed to be present on the next date of hearing with the entire record regarding this RTI application.

**Hearing dated 31.08.2021:**

The case has come up for hearing today through video conferencing at DAC Jalandhar. The respondent present from the office of DSSO informed that the complete information has been provided to the appellant by the BDPO and the appellant has received the information and is satisfied. The respondent has also sent an acknowledgement of the appellant having received the information to the Commission through email which has been taken on the file of the Commission.

The information stands provided. The Commission has already received a reply to the show cause notice during the hearing on 28.04.2021. Having gone through the reply, I accept the plea of the PIO and drop the show cause.

No further course of action is required. The case is **disposed of and closed.**

**Sd/-**

Chandigarh  
Dated:31.08.2021

(Khushwant Singh)  
State Information Commissioner

**CC to: BDPO Rurka- Kalan,  
Distt.Jalandhar.**



Sh.Milandeep Singh,  
H No-48, Street No-1,  
Gurbaksh Colony,  
Patiala.

... Complainant

Versus

**Public Information Officer,**  
O/o MC,  
Patiala.

...Respondent

**Complaint case No.216 of 2020**

**Present:**       **None for the complainant**  
                  **Sh.Joginder Singh, PIO and Sh.Mohan Lal & Sh.Harbhajan Singh for the**  
                  **Respondent**

**ORDER:**

The complainant through RTI application dated 22.11.2019 has sought information regarding incomplete construction of road from old Bishan Nagar bridge to Gurbaksh Colony Bridge - map of the road, allotment letter, details of payment and other information concerning the office of MC Patiala. The appellant was not provided with the information after which the complainant filed a complaint in the Commission on 03.03.2020.

The case was first heard on 26.08.2020 through video conferencing at DAC Patiala. The respondent present pleaded that the information has been provided to the appellant and the appellant has received the same. The appellant was not satisfied with the information regarding point-5.

Having gone through the RTI application and hearing both the parties, the Commission observes that the information sought in point five is ambiguous imaginary in its form. The rest of the information stands provided.

The Commission further observed that there has been an enormous delay in attending to the RTI application. Taking a serious view, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of the last hearing on **06.01.2021**, the Commission received a reply from the PIO ( 23.10.2020) which was taken on the file of the Commission.

Having gone through the reply, the Commission observed that the PIO had tried to put the responsibility for delay in providing the information on the junior staff, whereas the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO unless transferred under section 5 (4) to seek assistance. The reply of the PIO was not satisfactory.

However, the PIO was given one more opportunity to file an appropriate reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say in the matter.

On the date of the last hearing on **28.04.2021**, the Commission has received a reply from the PIO on 23.04.2021 whereby the PIO maintained his earlier claim that the delay has occurred on the part of the junior staff, Sh. Mohan Lal, Municipal Engineer and Sh.Harbhajan Singh, Junior Engineer.

**Complaint case No.216 of 2020**

In the interest of justice, the Commission impleaded Sh. Mohan Lal, Municipal Engineer and Sh. Harbhajan Singh, Junior Engineer to file a reply on the charges made by the PIO, Joginder Singh.

**On** the date of the last hearing on **06.07.2021**, none was present on behalf of respondents. The case was adjourned.

**Hearing dated 31.08.2021**

The case has come up for hearing today through video conferencing at DAC Patiala. Sh. Mahan Lal, Municipal Engineer and Sh. Harbhajan Singh, Junior Engineer are present along with PIO Sh. Joginder Singh informed that the RTI application was received in the Engineering branch on 28.11.2019 and they received the same on 02.12.2019. However, since there was a huge pressure on them to complete the development work of the grant released by CM Punjab for District Patiala during that period, the information was delayed. The information has been provided to the appellant on 18.08.2020. The respondents have sent replies through email to the Commission which has been taken on the file.

Given that the complainant has been absent for all the hearings and has neither been represented on any of the hearings, I am dismissing this case for non pursuance by the complainant. Show cause is hereby dropped.

The case is **disposed of and closed**.

**Chandigarh**  
**Dated 31.08.2021**

**Sd/-**  
**Khushwant Singh**  
**State Information Commissioner**