

# PUNJAB STATE INFORMATION COMMISSION

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**Tejinder Singh** (advocate),  
Civil Court, Tehsil Complex,  
Backside Sanjh Kender, Phillaur,  
District-Jalandhar – 141123

Versus

**Public Information Officer,**  
o/o Sub Divisional Magistrate,  
Mansa.

**First Appellate Authority,**  
o/o Sub Divisional Magistrate,  
Mansa.

## **Appeal Case No. 2792 of 2019**

PRESENT:

Tejinder Singh (Appellant) Absent  
(Respondent) Absent

ORDER:

1.The RTI application is dated 16.5.19 vide which the appellant has sought information pertaining to the RTI register, record of penalties imposed and compensations awarded by the State Information Commission (SIC), record of TA claimed by employees for hearings at the SIC etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 1.8.19 under Section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this appeal case was held in the Commission on 11.9.19.

2. Both parties are absent without any intimation to this Commission.

3.The respondent PIO, at the last hearing on 11.9.19, was directed to submit a pointwise reply to the RTI application, also explaining the delay of furnishing information. He has failed to take the opportunity.

4. The PIO is hereby ordered to SHOW CAUSE by way of a self-attested affidavit as to why a penalty be not imposed under Section 20(1) of the RTI Act, 2005 on him for causing wilful delay/denial of information to the RTI applicant, and why compensation should not be awarded to the appellant under Section 19(8)(b) of the RTI Act for the detriment suffered by him.

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5. In addition to the written reply, the PIO is also 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. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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*.

6. Next hearing on 22.11.19 at 11.00 am.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

09.10.2019

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**Surjit Singh,**

# 2990/76, Street No. 4,

Guru Gobind Singh Nagar (near Mair di Chakki),

PO Lohara, District Ludhiana.

Versus

**Public Information Officer,**

o/o Commissioner Municipal Corporation,

Ludhiana.

**First Appellate Authority,**

o/o Commissioner Municipal Corporation,

Ludhiana.

## **Appeal Case No. 2822 of 2019**

PRESENT:

Surjit Singh (Appellant) 99880-13004

Harjit Singh, draftsman(for the Respondent) 98141-66090

ORDER:

1.The RTI application is dated 18.5.19 vide which the appellant has sought information regarding two complaints and action taken thereon by way voluminous records etc. as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 6.8.19 under section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on 9.10.19.

2.The respondent PIO, represented by Harjit Singh, Draftsman, has submitted that the requested information was sent to the appellant Surjit Singh on 19.7.219 and once again on 4.10.19. The appellant, however, insists that he has received nothing.

3. On the advice of this Commission today, the respondent has handed over another copy of the requested information to the appellant, who says he is satisfied.

4. There is no further cause for action and this appeal case is herewith **CLOSED**.

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

9.10.19

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**Gurmej Lal,**

# 6375, Street No. 16,

Guru Gobind Singh Nagar (backside Bachan Gas Agency),

PO Daba, District Ludhiana.

Versus

**Public Information Officer,**

o/o Commissioner Municipal Corporation,  
Ludhiana

**First Appellate Authority,**

o/o Commissioner Municipal Corporation,  
Ludhiana.

## **Appeal Case No. 2823 of 2019**

PRESENT:

Gurmej Lal (Appellant) Absent

Harjit Singh, draftsman (Respondent) 98141-66090

ORDER:

1.The RTI application is dated 18.5.19 vide which the appellant has sought information regarding a complaint etc, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 6.8.19 under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on 9.10.19.

2.The appellant Gurmej Lal is absent without intimation to the Commission.

3.The respondent PIO, represented by Harjit Singh, draftsman has brought the requested information. He is herewith directed to send the same to the appellant by registered post at the earliest instance, and also email copies of the postal receipt and despatch register to this Commission.

**6. Next hearing on 22.11.19 at 11.00 am., for COMPLIANCE.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

09.10.2019

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Gurmej Lal,  
# 6375, Street No. 16,  
Guru Gobind Singh Nagar (backside Bachan Gas Agency),  
PO Daba, District Ludhiana.

Versus

**Public Information Officer,**  
o/o Commissioner Municipal Corporation, Ludhiana  
**First Appellate Authority,**  
o/o Commissioner Municipal Corporation, Ludhiana.

## **Appeal Case No. 2824 of 2019**

PRESENT:

(Appellant) Absent

Chander Parkash (Respondent) 92173-37675

ORDER:

1.The RTI application is dated 26.4.19 vide which the appellant has sought information regarding an old complaint by Amarjit Dhamotia etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 6.8.19 under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on 9.10.19.

2.The respondent PIO, represented by Chander Parkash and Harjit Singh, draftsmen, has submitted that the appellant was informed on 26.6.19 that the information requested by him pertains to action by the Municipal Corporation, Ludhiana which is still under process. The respondent also submitted that the information requested by the appellant is far too voluminous and that the appellant was requested to specifically cite a few buildings with allegedly illegal construction. The appellant however has not responded to the PIO's offer.

3. This Commission grants the appellant one more opportunity to present his case in person at the **next hearing on 22.11.19 at 11.00 am.**

Sd/-  
(ASIT JOLLY)  
State Information Commissioner

Chandigarh.  
9.10.19

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**Sarabjeet Singh Gill,**  
# 60-35-P-376-1, Steet No.8,  
Maha Singh Nagar,  
PO Dhandari Kalan,  
Ludhiana – 141014.

Versus

**Public Information Officer,**  
o/o Commissioner, Municipal Corporation, Ludhiana

**First Appellate Authority,**  
o/o Commissioner, Municipal Corporation, Ludhiana

## **Appeal Case No. 2825 of 2019**

### **PRESENT:**

Sarabjeet Singh Gill (Appellant) Absent  
Chander Parkash, draftsman (for the Respondent) 92173-37675

### **ORDER:**

1.The RTI application is dated 18.5.19 vide which the appellant has sought information regarding a complaint by A S. Dhamotia, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 6.8.19 under section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on 9.10.19.

2.The appellant is absent but he has informed the Commission of his inability to attend this hearing via email. He has also stated that he has received incomplete and partial information. Meanwhile, the respondent PIO, represented by Chander Parkash, draftsman, has submitted that the reply was sent to the appellant on 4.10.19 in which information pertaining to point no. 1 and 2 was given. Regarding point no. 3, the appellant was informed that no such record is available in Municipal Corporation, Zone-C, Ludhiana. Information requested at point no. 4 was not given, and that (names) pertaining to the point no. 5 the information was furnished. As regards point no. 6 of the appellant's RTI application, the information could not be given since the action on the aforesaid complaint is still under process.

4. While directing the respondent PIO to furnish the remaining information at the earliest, this Commission grants the appellant one more opportunity to come and present his case in person.

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**3. Next hearing on 22.11.19 at 11.00 am.**

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

9.10.19

# PUNJAB STATE INFORMATION COMMISSION

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**Sarabjeet Singh Gill,**

# 60-35-P-376-1, Steet No.8,

Maha Singh Nagar, PO Dhandari Kalan, Ludhiana – 141014.

Versus

**Public Information Officer,**

o/o Commissioner, Municipal Corporation, Ludhiana

**First Appellate Authority,**

o/o Commissioner, Municipal Corporation, Ludhiana

## **Appeal Case No. 2826 of 2019**

PRESENT:

Sarabjeet Singh Gill (Appellant) Absent

Chander Parkash, draftsman(for the Respondent) 92173-37675

Harjit Singh, draftsman (for the Respondent) 98141-66090

ORDER:

1.The RTI application is dated 13.5.19 vide which the appellant has sought information regarding a number of complaints, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 6.8.19 under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on 9.10.19.

2.The respondent PIO, represented by Harjeet Singh and Chander Parkash, draftsmen, are present. They submitted that partial (available) information pertaining to Zone C (MC Ludhiana) has already been sent on 2.8.19, while that pertaining to Zone D has been brought to this hearing. The respondents are directed to send the information to the appellant via registered post.

3.The appellant is advised to peruse the information and, if required, he can file a written response to the respondent PIO with a copy to this Commission.

**5. Next hearing on 22.11.19 at 11.00 am.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

09.10.2019



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**Taranjit Singh,**

# 33, Adarsh Nagar Tarehti,  
PO Shahpurkandi, Pathankot.

Versus

**Public Information Officer,**

o/o Deputy Commissioner, Pathankot.

**First Appellate Authority,**

o/o Deputy Commissioner, Pathankot.

## **Appeal Case No. 2827 of 2019**

PRESENT:

Taranjit Singh (Appellant)

Hemraj (for the Respondent) 79868-20772

ORDER:

1. The RTI application is dated **16.4.19** vide which the appellant has sought information regarding action on a complainant under CrPC Sections 107 and 151 against him and others, with copy of the complete file etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on **9.10.19**.

2. The respondent PIO represented by Hemraj, clerk, has submitted that the appellant was advised in a letter dated 3.5.19 to procure a copy of the information (court judgment etc.) he wants from the local *Sewa Kendra*. However, the respondent PIO has not appended any proof that the letter was actually sent to the appellant. Also, the appellant Taranjit Singh stated that he has not received any such letter.

3. The respondent PIO is directed to furnish the information requested by the appellant i.e. certified copy of the complaint case filed against him with the complete file etc. within 10 days of receipt of this order.

**4. Next hearing on 22.11.19 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

09.10.2019

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**Taranjit Singh,**  
# 33, Adarsh Nagar Tarehti,  
PO Shahpurkandi, Pathankot.

Versus

**Public Information Officer,**  
o/o Deputy Commissioner, Pathankot.  
**First Appellate Authority,**  
o/o Deputy Commissioner, Pathankot.

## **Appeal Case No. 2828 of 2019**

### **PRESENT:**

Taranjit Singh (Appellant)  
Baljeet Singh (for the Respondent) 97817-00223

### **ORDER:**

1.The RTI application is dated **16.4.19** vide which the appellant has sought information regarding two complaints – copies, attached documents, action taken report and copy of final decision etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on **9.10.19**.

2.The respondent PIO, represented by Baljeet Singh, Senior Assistant, has submitted a reply claiming that the requested information was sent to the appellant on 19.6.19. However, the information pertains to just one of the three complaints regarding which the appellant had requested details.

3.The respondent PIO, through Baljeet Singh, Senior Assistant, is directed to furnish the remaining information within 10 days of receiving this order. Failing this, penal action under the RTI Act, 2005 could be initiated against him.

### **4. Next hearing on 22.11.2019 at 11.00 am.**

**Sd/-**  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh.  
09.10.2019

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**Rahul Gupta,**  
s/o Dharampal,  
# 170, Street No. 6,  
Mohalla Hargobindpura,  
Jagraon,  
District Ludhiana.

Versus

**Public Information Officer,**  
o/o Executive Officer, Nagar Council,  
Jagraon, District Ludhiana.

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

## **Appeal Case No. 2830 of 2019**

PRESENT:

Rahul Gupta (Appellant) Absent  
Hira Singh, clerk (for the Respondent) 98774-12158

ORDER:

1.The RTI application is dated **15.5.19** vide which the appellant has sought information resolutions and works etc by the Nagar Council during the tenure of councillor Karamjit Kainth, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on **09.10.2019**.

2.The respondent PIO, represented by Hira Singh, Clerk, has submitted a reply wherein it is stated that the appellant is yet to deposit photocopying charges of Rs. 5810. A letter asking him to deposit this fees was sent (*dasti*) on 24.6.19 but the messenger reported that the appellant refused to accept it.

3. This Commission however notes that the demand for photocopying charges was made after 30 days of the appellant's RTI application of 15.5.19 which was received in the Nagar Council, Jagraon on 18.5.19. The demand is clearly not warranted as per the RTI Act.

4. However, since the information requested is voluminous, the PIO is directed to arrange for the appellant to personally inspect the record on a mutually agreed date and furnish 150

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pages/copies free of cost. This Commission must be intimated about the date of such inspection.

**5.Next hearing on 22.11.19 at 11.00 am.**

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

9.10.19

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**Harmanpreet Singh,**  
s/o Avtar Singh,  
VPO Hoshiarpur,  
Tehsil Kharar,  
District Mohali.

Versus

**Public Information Officer,**  
o/o Director General of Police,  
Punjab Police Head Quarters,  
Sector-9, Chandigarh.

**First Appellate Authority,**  
o/o Director General of Police,  
Punjab Police Head Quarters,  
Sector-9, Chandigarh.

## **Appeal Case No. 3051 of 2019**

PRESENT:

Harmanpreet Singh (Appellant)  
Purshotam Kumar, HC(for the Respondent) 94171-31510

ORDER:

1.The RTI application is dated **29.4.19** vide which the appellant has sought information by way of copies of appointment letters, government instructions etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **21.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on **9.10.19**.

2.The respondent PIO, represented by Purshotam Kumar, Head Constable, has submitted a reply wherein exemption from disclosing the requested information has been claimed under Section 8(1)(e) of the RTI Act. Having perused the respondent's claim as well as the appellant's second on 21.8.19, this Commission is of the considered view that an appointment letter issued by a public authority, cannot be exempted from disclosure under Section 8(1)(e) of the RTI Act.

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3. The respondent PIO is directed to furnish this information within in 10 days of this order.

4. Next hearing on 22.11.19 at 11.00 am.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

09.10.2019