

PUNJAB STATE INFORMATION COMMISSION

Red Cross Bhawan, Near Rose Garden, Madhya Marg,
Sector: 16, Chandigarh.

Tel. No.0172-2864100-01, Fax No.0172-2864110

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Shri Rohit Arora, Advocate,
Chamber No.409, District Courts,
Ferozepur.

-----Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
Ferozepur.

First Appellate Authority
o/o District and Sessions Judge,
Ferozepur.

-----Respondents.

Appeal Case No. 1819 of 2018

Present: None is present on behalf of the appellant.

None is present on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 1.10.2018 vide which copy of RTI application of appellant was sent to the respondent with the direction to supply the requisite information to the appellant with a copy to the Commission, before the next date of hearing.

2. Today, none is present on behalf of the appellant as well as the respondents without any intimation.

3. None is present on behalf of the respondents without any intimation.

Viewing the absence of the respondent seriously, the PIO is directed to supply the

Contd.....p/2

-2-

requisite information to the appellant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

4. To come up on **04.12.2018** at **11.30 A.M.** for further proceedings.

Dated : 01.11.2018

Sd/-
(**S.S. Channy**)
Chief Information Commissioner
Punjab

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Shri Rajesh Kumar Goyal
s/o Late Shri Kewal Krishan Goyal,
H.No.1037-38, College Road,
Jagraon, Distt. Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Sub Registrar, Jagraon,
District Ludhiana.

First Appellate Authority
o/o Sub Divisional Magistrate,
Jagraon, District Ludhiana.

.....Respondents.

Appeal Case .No. 1817 of 2018

Present:- Shri Rajesh Kumar Goyal, appellant, in person.

Shri Surinder Singh, Junior Assistant on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 1.10.2018 vide which the respondents were directed to file an affidavit stating that there is no report of patwari with the sale deed.

2. In compliance to the previous order, the respondent places on record statement/affidavit of Shri Joginder Singh, Sub Registrar-cum-PIO, Jagraon on the record of the case file, the contents of which are as under:-

1. ਇਹ ਕਿ ਪ੍ਰਾਰਥੀ ਸ੍ਰੀ ਰਾਜੇਸ਼ ਕੁਮਾਰ ਗੋਇਲ ਵਲੋਂ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ ਤਹਿਤ ਦਿਤੀ ਗਈ ਦਰਖਾਸਤ ਵਿਚ ਵਸੀਕਾ ਨੰਬਰ 4955 ਮਿਤੀ 23.12.2011 ਨੂੰ ਹੋਈ ਰਜਿਸਟਰੀ ਨਾਲ ਬਾਇਆ ਵਲੋਂ ਜੋ ਦਸਤਾਵੇਜ਼ ਪੇਸ਼ ਕੀਤੇ ਗਏ ਸਨ, ਉਸ ਦੀ ਫੋਟੋ ਕਾਪੀ ਦੀ ਮੰਗ ਕੀਤੀ ਸੀ।

Contd.....p/2

-2-

2. ਇਹ ਕਿ ਇਸ ਦਫ਼ਤਰ ਵਲੋਂ ਪੱਤਰ ਨੰਬਰ 248/ਆਰ.ਸੀ. ਮਿਤੀ 13.07.2018 ਰਾਹੀਂ ਪ੍ਰਾਰਥੀ ਸ੍ਰੀ ਰਾਜੇਸ਼ ਕੁਮਾਰ ਗੋਇਲ ਨੂੰ ਵਸੀਕਾ ਨੰਬਰ 4955 ਮਿਤੀ 23.12.2011 ਅਤੇ ਇਸ ਨਾਲ ਜੋ ਦਸਤਾਵੇਜ਼ ਨੱਥੀ ਸੀ, ਉਹ ਪ੍ਰਾਰਥੀ ਨੂੰ ਭੇਜ ਦਿਤੇ ਗਏ ਸਨ।

3. ਇਹ ਕਿ ਵਸੀਕਾ ਨੰਬਰ 4955 ਮਿਤੀ 23.12.2011 ਲਾਲ ਲਕੀਰ ਦੇ ਅੰਦਰ ਅਤੇ ਮਿਊਂਸੀਪਲ ਕਮੇਟੀ ਦੀ ਹਦ ਅੰਦਰ ਮੌਜੂਦ ਦੁਕਾਨ ਨਾਲ ਸੰਬੰਧਤ ਹੈ ਅਤੇ ਇਸ ਵਸੀਕੇ ਨਾਲ ਪਟਵਾਰੀ ਹਲਕਾ ਦੀ ਰਿਪੋਰਟ ਜਾਂ ਉਸ ਦੇ ਨਾਲ ਸੰਬੰਧਤ ਕੋਈ ਵੀ ਰਿਕਾਰਡ ਸ਼ਾਮਲ ਨਹੀਂ ਹੈ।

4. ਇਹ ਕਿ ਵਸੀਕਾ ਨੰਬਰ 4955 ਮਿਤੀ 23.12.2011 ਦੇ ਨਾਲ ਸਿਰਫ਼ ਬਾਇਆ ਸ਼ਾਮ ਲਾਲ ਦਾ ਡੈਕਲਾਰੇਸ਼ਨ ਹੀ ਲਗਿਆ ਹੋਇਆ ਹੈ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਹੋਰ ਕੋਈ ਦਸਤਾਵੇਜ਼ ਸ਼ਾਮਲ ਨਹੀਂ ਹੈ।

5. ਇਹ ਕਿ ਆਪ ਜੀ ਵਲੋਂ ਪ੍ਰਾਰਥੀ ਨੂੰ ਜੋ ਟੀ.ਐਸ.1 ਸਰਟੀਫਿਕੇਟ ਦੇਣ ਬਾਰੇ ਹੁਕਮ ਕੀਤਾ ਗਿਆ ਹੈ, ਉਸ ਬਾਰੇ ਕਾਰਜ ਸਾਧਕ ਅਫਸਰ, ਨਗਰ ਕੌਂਸਲ, ਜਗਰਾਊਂ ਨੂੰ ਇਸ ਦਫ਼ਤਰ ਦੇ ਪੱਤਰ 296/ਆਰ.ਸੀ. ਮਿਤੀ 29.10.2018 ਰਾਹੀਂ ਪ੍ਰਾਰਥੀ ਨੂੰ ਦੇਣ ਬਾਰੇ ਲਿਖ ਦਿਤਾ ਗਿਆ ਹੈ।

3. The appellant expresses dis-satisfaction with the reply/affidavit filed by the respondent-PIO in the office of the Commission. He states that it is mentioned on the sale deed itself that report of Patwari is attached. Accordingly, it is directed that report of Patwari, be provided to appellant, if the same is not available in the record, then inquiry be conducted who has misplaced the same.

4. An application was made on 08.09.2017 for supplying the information and

Contd.....p/3

-3-

only response/partial information was supplied on 13.07.2018 by the respondents. This has resulted in much avoidable inconvenience and hardship to the Appellant. He is, therefore, entitled to be compensated under Section 19(8)(b) of RTI Act 2005 for the loss and detriment suffered by him. In the circumstances, I am of the view that ends of justice would be met if a sum of **Rs.2000/- (Rupees Two Thousand Only)** is awarded to the Appellant as compensation. I order accordingly.

4. This amount shall be payable by the respondents from the State exchequer within fifteen days from the receipt of this order under intimation to the Commission.

5. Looking at the lackadaisical and highly irresponsible attitude of the respondents, the PIO is issued a Show Cause Notice under Section 20 of the Right to Information Act, 2005 as to why penalty of Rs.250.00 per day and subject to maximum of Rs.25000/- may not be imposed on him for his failure to give the information within the stipulated time. In case he wants to give any justification for delay, he may file his reply. He is further directed to supply complete information to the appellant before the next date of hearing.

6. He may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice.

7. Adjourned to **4.12.2018** at **11.30 A.M.** for further proceedings.

Dated : 01.11.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Rohit Arora, Advocate,
Chamber No.409, District Courts,
Ferozepur.

.....Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
Ludhiana.

.....Respondents.

Appeal Case .No. 1818 of 2018

Present: None on behalf of the appellant.

Shri Kulwinder Singh, Clerk, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 01.10.2018 vide which the appellant was directed to send his observations, if any, on the reply of the PIO sent vide their letter dated 07.07.2018, to the PIO, with a copy to the Commission.

2. The appellant is absent without intimation. He was also absent on the previous date of hearing without intimation.

3. The representative of the respondents states that complete reply has been sent to the appellant on 7.7.2018 and no deficiency has been received from the

Contd.....p/2

-2-

appellant after he has received the same. He further states that he was absent on the previous date of hearing and he is also absent today without intimation. In compliance to the previous order dated 1.10.2018, nothing has been received from the appellant.

4. After hearing the respondents and going through the record available on the case file, it is revealed that reply to all the six points raised by the appellant in his RTI application dated 11.12.2017 has been sent by the respondents. The appellant has not sent any deficiency in the information so supplied to him. From this, it is ascertained that complete information has been supplied to the appellant to his satisfaction. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 01.11.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Bhupinder Singh Walia,
S/o Shri Jasbir Singh Walia,
R/o #120/3, Badal Colony,
Zirakpur, District: SAS Nagar .

-----Complainant

Vs

Public Information Officer
o/o Secretary to H.E. the Governor of Punjab,
Chandigarh.

-----Respondent

COMPLAINT CASE No. 616 of 2018

Present: None for the complainant.

None on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 01.10.2018 vide which it was revealed that the complainant had asked for a list of visitors from Technical Education Department, who visited Raj Bhawan to meet Principal Secretary/Additional Chief Secretary, Technical Education, during the period from 1.1.2015 to July, 2017, while he was holding the charge of Secretary to Governor. A register is maintained at the entry gate of Punjab Raj Bhawan in which entries of visitors are made. It is amply clear that no security aspect is involved in sharing the bare information of the visitors, who visited the Punjab Raj Bhawan to meet Principal Secretary/Additional Chief Secretary, Technical Education, while he was holding the charge of Secretary to Governor. Accordingly, it was directed that the requisite information be supplied to the appellant within 20 days and a compliance report be submitted on the next date of hearing.

Contd.....p/2

COMPLAINT CASE No. 616 of 2018

-2-

2. The complainant is absent without intimation. Nothing has been received from the complainant whether he has received the same or not.

3. In response to the previous order, nothing has been received from the respondents, whether they have supplied the information sought by the complainant or not. They are directed to send point wise reply to the complainant with a copy to the Commission before the next date of hearing.

4. To come up on **04.12.2018 at 11.30 A.M.**

Dated : 01.11.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Dr. Bhagwan Singh,
#915, Sector 127, Gillco,
Mohali.

.....Appellant

Vs

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

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

.....Respondents.

Appeal Case .No. 1856 of 2018

Present:- None on behalf of the appellant.

Shri Ajaib Singh, ASI, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 1.10.2018 vide which the respondent-PIO o/o Director General of Police, Punjab, Chandigarh was directed to submit report on the next date of hearing regarding setting up of Commissions with regard to the said murders.

2. None is present on behalf of the Director General of Police, Punjab, Chandigarh without intimation. In compliance to the previous order dated 1.10.2018, nothing has been received from them. They are directed to comply with the previous order and send report for setting up of Commissions with regard to the said murders before the next date of hearing failing which punitive action will be initiated.

Contd.....p/2

Appeal Case No. 1856 of 2018

-2-

3. The appellant was absent on the previous date of hearing and he is also absent today without intimation. With the previous order dated 01.10.2018 copies of letter received from Senior Superintendent of Police Sangrur dated 21.07.2018 and FIR was sent to the appellant, which might have been received by him. After going through the record available on the case file, it is revealed that nothing has been received from the appellant. Last opportunity is given to the appellant to appear before the Commission for defending his case or send observations before the next date of hearing, failing which it will be presumed that appellant has nothing to say and the case will be decided on merits on the basis of record available on the case file.

4. To come up on **4.12.2018** at **11.30 A.M.** for further proceedings.

Dated : 01.11.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Sanjeev Kumar
s/o Shri Krishan Lal,
VPO Ghallu, Tehsil and Distt. Fazilika.Appellant

Vs

Public Information Officer
o/o Chief Minister, Punjab, Chandigarh

First Appellate Authority
o/o Chief Minister Punjab, Chandigarh.Respondents.

Appeal Case No. 1810 of 2018

Present:- None on behalf of the appellant

Shri Mandeep Singh, Senior Assistant o/o Chief Minister, Punjab at Chandigarh.
Shri Rakesh Kumar, clerk o/o District Development and Panchayats Officer,
Fazilika through Video Conference facility available in o/o Deputy Commissioner,
Fazilika .

ORDER

This order may be read with reference to the previous order dated 1.10.2018 vide which the District Development and Panchayats Officer, Fazilika was impleaded as a necessary party and he was directed to furnish inquiry report to the office of the Chief Minister, Punjab and the PIO is directed to provide a copy of the Inquiry Report alongwith final action taken on it to the appellant.

2. The appellant is absent without intimation.
3. Shri Rakesh Kumar, clerk, o/o District Development and Panchayats Officer, Fazilika appearing through video conference facility states that in compliance to the previous order inquiry report, after completion of inquiry, has been sent to the

Contd.....p/2

-2-

appellant on 26.10.2018, which might have been received by him. After receipt of that, nothing has been received from the appellant pointing out deficiencies. A copy of inquiry report has also been sent to the Director Rural Development and Panchayats, Punjab, Chandigarh through e-mail for onward transmission to the Chief Minister's Office. He further states that complete information as sought by the appellant vide his application for seeking information dated 12.02.2018 has been sent to the appellant. Nothing has been kept, which can be supplied to the appellant, as per his application for seeking information under the RTI Act, 2005.

4. After hearing the representatives of the respondents and going through the record available on the case file, it is observed that complete information has been provided to the appellant and as per the statement of the representative of the respondents, they have kept nothing which can be supplied to him under the provisions of the RTI Act, 2005. In view of this, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 01.11.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Nirmal Singh
s/o Shri Gian Singh,
VPO Bharchhi Rajputan,
Tehsil Baba Bakala,
District Amritsar.

.....Appellant

Vs

Public Information Officer
o/o Deputy Superintendent of Police,
Baba Bakala, Distt. Amritsar.

First Appellate Authority
o/o Inspector General of Police,
Border Range, Amritsar.

.....Respondents.

Appeal Case .No. 1808 of 2018

Present:- Shri Nirmal Singh, appellant, in person.

None is present on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 01.10.2018 vide which the respondents were directed to send point-wise reply to the appellant with a copy to the Commission.

2. The appellant states that after the previous hearing, he has not received response of any kind in this regard from the respondents.

3. The respondents are absent without intimation.

4. After hearing the appellant and going through the record available on the case file, it is observed that no reply to the hearing notice issued by the Commission

Contd.....p/2

-2-

has been received. On the last date of hearing, Shri Jagbir Singh stated that information as available in their record has been provided to the appellant. On this, the appellant states that he has not received any response to his application dated 19.2.2018 from the respondents till date. In view of this, show cause notice is issued to the PIO for imposition of penalty for absence, willful default and not providing the information as per Right to Information Act, 2005. He is directed to be present personally on the next date of hearing with original record.

5. To come up on **4.12.2018** at **11.30 A.M.**

Dated : 01.11.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Sohan Lal s/o Shri Laxman Ram,
VPO Jagatpura, Block Mukandpur,
District SBS Nagar-144507.

-----Appellant

Vs

Public Information Officer
o/o Deputy Commissioner,
Ludhiana.

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

Public Information Officer,
O/o Secretary Market Committee,
Ludhiana.

-----Respondents

Appeal Case No. 1858 of 2018

Present: None for the appellant.

Shri Gurpreet Singh, Mandi Supervisor on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 01.10.2018 vide which PIO/Secretary Market Committee, Ludhiana was impleaded as a necessary party in this case and he was directed to supply the requisite information to the appellant, with a copy to the Commission and submit status report on the next date of hearing.

2. The representative of the respondent-PIO, Market Committee, Ludhiana, places letter dated 31.10.2018 on the record of the case file.

3. The respondents are directed to send the information to the appellant

Contd.....p/2

-2-

through registered post. The appellant is advised to go through the same and revert back to the authorities, in case of deficiencies, in the information as early as possible on its receipt. On receipt of the deficiencies, the respondents are directed to remove the same before the next date of hearing, which is fixed for 04.12.2018.

4. To come up on **04.12.2018 at 11.30 A.M.**

Dated : 01.11.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Varinder Mahajan,
198, Professor Colony,
Tilak Nagar, Amritsar

.....Appellant

Versus

Public Information Officer
O/o Additional Deputy Commissioner(G),
Amritsar.

First Appellate Authority,
O/o Deputy Commissioner, Amritsar.

....Respondents

Appeal Case No. 2817 of 2017

Present:- None on behalf of the appellant.

Shri Kanwaljit Singh Bhatia, Senior Assistant, on behalf of the respondents.

ORDER

On the previous date of hearing dated 23.10.2018, none was present on behalf of the respondents, the respondents were directed to appear before the Commission with original record.

2. In compliance to the previous order dated 23.10.2018, Shri Kanwaljit Singh Bhatia, Senior Assistant, is appearing on behalf of the respondent-PIO with original record.

3. After hearing the representative of the respondents and perusing the original record brought by him for the perusal of the Commission, it is not clear from the record, on which date the order was signed and was sent to the Dispatch Section for dispatch. The Additional Deputy Commissioner (General), Amritsar is directed to conduct an inquiry

Contd.....p/2

Appeal Case No. 2817 of 2017

-2-

and fix the responsibility for not dispatching the order within time. The inquiry report should be sent to the Commission through Deputy Commissioner, Amritsar for its consideration before the next date of hearing, which is fixed for 4.12.2018.

4. To come up on **4.12.2018** at **11.30 A.M.**

Dated : 01.11.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

CC

The Additional Deputy Commissioner (General),
Amritsar.