**PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Bhawan, near Rose Garden Sector 16, Chandigarh.**

Ph. No. 0172-2864119 Fax No. 0172-2864125E-mail -psic29@punjabmail.gov.in

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Smt. Nirmala Devi c/o Nav Yug Public School Preet Vihar,

V 326 Rohtak 124001 Correspondence Address

Nirmla Devi wife of Sant Ram Nehra Retd ETO

near Nehra Park, Jagdish Colony, Rohtak.124001. ….Appellant

Versus

**Public Information Officer,**

O/o Secretary, Regional Transport Authority,

Ferozepur.

FAA- o/o State Transport Commissioner,

SCO 117-178, Ist, 2nd 3rd, Floor, Sector 17,

Chandigarh. ...Respondent

**Appeal Case No. 1398 of 2017**

Present::- None present on behalf of Smt. Nirmala Devi, appellant.

 Shri Jaswant Singh Dhillon, PIO, O/o Secretary, Regional Transport Authority,

 Ferozepur alongwith Shri Harkanwal Singh, Data Entry Operator are present.

O R D E R

 Smt. Nirmala Devi, appellant is absent, however she sent a mail which is taken on the file of the Commission. She has submitted that the PIO has not supplied the required information and she has further submitted that the information which was supplied on 30.05.2018 was not attested by the PIO. She has also submitted that she is unable to come present before the Bench on 03.07.2018 and she requested for adjournment of the appeal case.

 The Commission has received a mail sent by the First Appellate Authority-cum-Secretary, Regional Transport Authority (Head Office) which is a letter dated 14.06.2018 written to the PIO-cum-Office Secretary, Regional Transport Authority, Ferozepur for appearance before the Commission on 03.07.2018.

 Shri Jaswant Singh Dhillon, PIO, O/o Secretary, Regional Transport Authority,

Ferozepur has come present and he stated that the information was sent to the appellant through registered post on 21.06.2018, whereas the appellant is pointing out in her mail only regarding the information which was supplied to her on 30.05.2018 before the Commission at the time of hearing.

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 **Appeal Case No. 1398 of 2017**

 I have gone through the RTI application and the information which was sent to the appellant through registered post on 21.06.2018. I have discussed each point of the RTI application and also discussed the reply/information which was sent to the appellant by the PIO.

 The PIO is directed that complete information specifically para wise be again sent to the appellant, Smt. Nirmala Devi within 3 days and the PIO should come present on the next date of hearing alongwith the copy of information and a copy of postal receipt. The PIO should also file reply to the Show Cause Notice through duly attested affidavit on the next date of hearing.

 The appellant is further directed that she should personally come present on the next date of hearing and in case she would not come present, then the case will be heard and decided in her absence on the basis of information provided to her by the PIO. Both the parties to come present on the next date of hearing on **24.07.2018 at 11:00 A.M.**

 **(Avtar Singh Kaler)**

**Dated: 03.07.2018 State Information Commissioner, Punjab.**

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Smt Rupinder Kaur, H.No 469, Phase-IV,

Mohali. M : 9872898860. ………Appellant

 Versus

Public Information Officer,

O/o Joint Director, Employment Generation & Training,

PB., Chandigarh.

First Appellate Authority,

O/o Director, Employment Generation & Training,

PB., Chandigarh. ……. Respondents

**Appeal Case No. 757 of 2018**

Present:- Smt. Rupinder Kaur, appellant is present.

 Smt. Minakshi Arora, APIO is present on behalf of the PIO-cum-Deputy Director.

O R D E R

 I have gone through the Order dated 30.05.2018 and in compliance with the Order, the PIO has provided the information to the appellant, Smt. Rupinder Kaur and the appellant stated that she has received the information.

 As the PIO has resolved the matter involved in the RTI application by providing the information to the appellant, so the present appeal case is **disposed of and closed.**

 **(Avtar Singh Kaler)**

**Dated: 03.07.2018. State Information Commissioner, Punjab**

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Shri. H.S. Hundal, Advocate,

#82, District Courts,

S.A.S. Nagar. …….Appellant

 Versus

Public Information Officer,

O/o Chief Secretary, Punjab,

Chandigarh.

First Appellant Authority,

O/o Chief Secretary, Punjab,

Chandigarh. ..Respondent

**Appeal Case No. 3788 of 2017**

Present:- Shri. H.S. Hundal, Advocate, appellant is absent without any intimation to the

 Commission.

None present on behalf of PIO office of Chief Secretary, Punjab, Chandigarh.

ORDER

 I have gone through the Order dated 31.05.2018. Shri Manoj Kumar, APIO-cum-Senior Assistant was present on behalf of the PIO and he sought some time to provide the information to the appellant, but today none has come present.

 So, a direction is issued to the PIO, O/o Chief Secretary, Punjab, Chandigarh that attested copies of information be sent to the appellant through registered post within 15 days and the PIO should personally come present before the Commission on the next date of hearing for further hearing of the appeal case and in case the PIO would not come present, then strict action will be taken against him under the provisions of the RTI Act 2005.

 Both the parties to come present on the next date of hearing on **06.08.2018 at 11:00 A.M.**

 **(Avtar Singh Kaler)**

**Dated: 03.07.2018 State Information Commissioner, Punjab.**

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Shri Gulshan Kumar, 8-A,

Kitchlu Nagar, Civil Lines,

Ludhiana. …Appellant

Versus

**Public Information Officer,**

O/o Commissioner, Municipal Corporation,

Mata Rani Chowk, Ludhiana.

First Appellate Authority

o/o Commissioner, Municipal Corporation,

Mata Rani Chowk, Ludhiana ...Respondent

**Appeal Case No. 660 of 2017**

**Present:** Shri Gulshan Kumar, appellant is present.

 Shri Tirath Bansal, PIO, office of Commissioner, Municipal Corporation,

 Ludhiana.

 Shri Jagan Nath, APIO-cum-SDO.

**O R D E R**

 I have gone through the Order dated 05.06.2018 passed by the Bench. The PIO has deposited the amount of penalty of Rs.25,000/- in the Govt. Treasury and submitted a photocopy of the receipt/challan, which is taken on the file of the Commission.

 The PIO, Shri Tirath Bansal further stated that he had provided 398 pages of information to the appellant, Shri Gulshan Kumar.

 The appellant stated that the information is incomplete and he submitted a list of deficiencies which is handed over to the PIO.

 So, the PIO is directed that he should go through the list of deficiencies and provide the complete information regarding the deficiencies to the appellant and the appellant is further directed that he should visit the office of the PIO on 19.07.2018 at 10:00 A.M and the PIO should provide the required information to the appellant and after providing the information get receipt from the appellant that he has received the information and he is satisfied.

 Both the parties to come present on the next date of hearing on **24.07.2018 at 11:00 A.M.**

 **(Avtar Singh Kaler)**

 **Dated: 03.07.2018. State Information Commissioner, Punjab**

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Shri. Harpal Singh (Sarpanch), S/o Shri. Jojee Singh,

VPO Bhure Gill, Tehsil Ajnala,

Distt Amritsar. ……Complainant

 Vs.

Public Information Officer,

O/o BDPO, Ajnala, Distt. Amritsar. ……..Respondent(s)

**Complaint Case No. 40 of 2018**

Present:- Shri Maneet Kumar Arya, Advocate is present on behalf of Shri Harpal Singh,

 complainant/applicant.

Shri Manmohan Singh, PIO-cum-BDPO, Ajnala is present.

O R D E R

Shri Harpal Singh, complainant/applicant filed RTI application dated 16.06.2016 and sought some information from the office of the PIO-cum-BDPO, Ajnala. I have gone through the RTI application and also discussed the matter with the PIO.

 I have gone through the Order dated14.06.2018.

 Shri Manmohan Singh, PIO-cum-BDPO, Ajnala filed 2 affidavits dated 02.07.2018 duly signed by him and attested by the Executive Magistrate, Ajnala. Both the affidavits are taken on the file of the Commission.

 I have gone through the contents of the affidavits and also discussed the matter with the PIO. It is submitted in the affidavit that the record of the Gram Panchayat, Bhooregill, Block Ajnala is not available in the office of the PIO, so he is unable to provide it and it is further submitted in the affidavit that Shri Harpal Singh, complainant/applicant was elected Sarpanch of village Bhooregill in the year 2013. It is also mentioned in the affidavit that the record of Gram Panchayat is always with the Sarpanch of the village. So, the record might be in the custody of Shri Harpal Singh, complainant/applicant.

 A Show Cause Notice was issued to the PIO-cum-BDPO, Ajnala that why you have not provided the information to the complainant/applicant within time and so why you may not be penalized. The PIO, Shri Manmohan Singh filed reply to the Show Cause Notice through duly attested affidavit dated 02.07.2018 duly signed by him and attested by the Executive Magistrate, Ajnala.

 I have gone through the contents of the affidavit and also heard the PIO on the Show Cause Notice. As mentioned in the above lines, generally the record of Gram Panchayat

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 **Complaint Case No. 40 of 2018**

is always with the Sarpanch of the concerned Gram Panchayat. As in the case in hand, Shri Harpal Singh is himself the Sarpanch of Village Bhooregill, so the record of the Gram Panchayat might be in the custody of Shri Harpal Singh, complainant/applicant. As the record of the Gram Panchayat is not available in the office of the PIO, so he is unable to provide it to the complainant/applicant. So, the Show Cause Notice issued to the PIO-cum-BDPO, Ajnala is dropped and filed.

 As mentioned above, the record of Gram Panchayat, Bhooregill is not available in the office of the PIO and the record of the Gram Panchayat is always with the Sarpanch of the Gram Panchayat and the complainant/applicant was elected the Sarpanch of Gram Panchayat, Bhooregill, Block Ajnala, so the record might be in his custody.

 The attested photocopies of both the affidavits are handed over to Shri Maneet Kumar Arya, Advocate, who is present on behalf of Shri Harpal Singh, complainant/applicant, by the PIO.

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

 **(Avtar Singh Kaler)**

**Dated: 03.07.2018. State Information Commissioner, Punjab**

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Shri. Harpal Singh (Sarpanch), S/o Shri. Jojee Singh,

VPO Bhure Gill, Tehsil Ajnala, Distt Amritsar. ……Complainant

 Vs.

Public Information Officer,

O/o BDPO, Ajnala, Distt. Amritsar. ……..Respondent(s)

**Complaint Case No. 42 of 2018**

Present:- Shri Maneet Kumar Arya, Advocate is present on behalf of Shri Harpal Singh,

 complainant/applicant.

 Shri Manmohan Singh, PIO-cum-BDPO, Ajnala is present.

O R D E R

I have gone through the Order dated 14.06.2018.

 Shri Manmohan Singh, PIO-cum-BDPO, Ajnala filed 2 affidavits dated 02.07.2018 duly signed by him and attested by the Executive Magistrate, Ajnala. Both the affidavits are taken on the file of the Commission.

 The PIO also submitted a receipt dated 20.06.2018 duly signed by Shri Harpal Singh, complainant/applicant and he submitted that he has received the information regarding Complaint Case No. 42/2018.

 It is mentioned in the affidavit filed by the PIO that the information was sent to the complainant/applicant through registered post on 28.05.2018 and information was also provided by hand to him on 20.06.2018 and the complainant/applicant is satisfied with the information.

 A Show Cause Notice was issued to the PIO-cum-BDPO, Ajnala that why you have not provided the information to the complainant/applicant within time and so why you may not be penalized. The PIO, Shri Manmohan Singh filed reply to the Show Cause Notice through duly attested affidavit dated 02.07.2018 duly signed by him and attested by the Executive Magistrate, Ajnala.

 I have gone through the affidavit and it is submitted that the information was provided by hand to the complainant/applicant on 20.06.2018 and before that the information was sent through registered post on 28.05.2018. It is further submitted that the information was provided late to the complainant/applicant due to the reason that the concerned record regarding the Disbursement of Pensions was with Shri Avtar Singh, Panchayat Secretary and

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 **Complaint Case No. 42 of 2018**

he was transferred, and it is further submitted in the affidavit that the matter was brought to the notice of the District Development and Panchayat Officer, Amritsar and Director, Rural Development and Panchayats Department, Pb. for taking action against the Panchayat Secretary, Shri Avtar Singh. So, the PIO is not personally responsible for delay in providing information to the complainant/applicant.

 I have heard the PIO on the Show Cause Notice. I am satisfied with the reasons mentioned in the affidavit that the information was delayed due to the reason mentioned in the affidavit and the concerned record of Disbursement of Pensions was with Shri Avtar Singh, Panchayat Secretary and he had not provided the record to the PIO in time.

 I am satisfied that the PIO is not personally responsible for delay in providing the information, so the Show Cause Notice issued to him is dropped and filed.

 The attested photocopies of both the affidavits are handed over to Shri Maneet Kumar Arya, Advocate, who is present on behalf of Shri Harpal Singh, complainant/applicant, by the PIO.

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

  **(Avtar Singh Kaler)**

**Dated: 03.07.2018. State Information Commissioner, Punjab**

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Shri. Harpal Singh (Sarpanch),

S/o Shri. Jojee Singh,

VPO Bhure Gill, Tehsil Ajnala,

Distt Amritsar. ……Appellant

 Vs.

Public Information Officer,

O/o BDPO, Ajnala, Distt. Amritsar.

First Appellate Authority,

O/o DDPO, Amritsar. ……. Respondents **Appeal Case No. 209 of 2018**

Present:- Shri Maneet Kumar Arya, Advocate is present on behalf of Shri Harpal Singh,

 appellant.

Shri Manmohan Singh, PIO-cum-BDPO, Ajnala is present.

O R D E R

Shri Harpal Singh, appellant filed RTI application dated 16.06.2016 and sought some information from the office of the PIO-cum-BDPO, Ajnala. I have gone through the RTI application and also discussed the matter with the PIO.

 I have gone through the Order dated14.06.2018.

 Shri Manmohan Singh, PIO-cum-BDPO, Ajnala filed 2 affidavits dated 02.07.2018 duly signed by him and attested by the Executive Magistrate, Ajnala. Both the affidavits are taken on the file of the Commission.

 I have gone through the contents of the affidavits and also discussed the matter with the PIO. It is submitted in the affidavit that the record of the Gram Panchayat, Bhooregill, Block Ajnala is not available in the office of the PIO, so he is unable to provide it and it is further submitted in the affidavit that Shri Harpal Singh, appellant was elected Sarpanch of village Bhooregill in the year 2013. It is also mentioned in the affidavit that the record of Gram Panchayat is always with the Sarpanch of the village. So, the record might be in the custody of Shri Harpal Singh, appellant.

 A Show Cause Notice was issued to the PIO-cum-BDPO, Ajnala that why you have not provided the information to the appellant within time and so why you may not be penalized. The PIO, Shri Manmohan Singh filed reply to the Show Cause Notice through duly attested affidavit dated 02.07.2018 duly signed by him and attested by the Executive Magistrate, Ajnala.

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 **Appeal Case No. 209 of 2018**

 I have gone through the contents of the affidavit and also heard the PIO on the Show Cause Notice. As mentioned in the above lines, generally the record of Gram Panchayat

is always with the Sarpanch of the concerned Gram Panchayat. As in the case in hand, Shri Harpal Singh is himself the Sarpanch of Village Bhooregill, so the record of the Gram Panchayat might be in the custody of Shri Harpal Singh, appellant. As the record of the Gram Panchayat is not available in the office of the PIO, so he is unable to provide it to the appellant. So, the Show Cause Notice issued to the PIO-cum-BDPO, Ajnala is dropped and filed.

 As mentioned above, the record of Gram Panchayat, Bhooregill is not available in the office of the PIO and the record of the Gram Panchayat is always with the Sarpanch of the Gram Panchayat and the appellant was elected the Sarpanch of Gram Panchayat, Bhooregill, Block Ajnala, so the record might be in his custody.

 The attested photocopies of both the affidavits are handed over to Shri Maneet Kumar Arya, Advocate, who is present on behalf of Shri Harpal Singh, appellant, by the PIO. The present complaint case is **disposed of and closed.**

 **(Avtar Singh Kaler)**

**Dated: 03.07.2018. State Information Commissioner, Punjab.**