



Sh.Lajpat Rai, S/o Sh. Harbans Lal,
H no-B-3/287, Romana Street,
Jaito, Distt. Faridkot.

...Complainant

Versus

Public Information Officer,
O/o Tehsildar, Jatio,
Distt. Faridkot.

...Respondent

Complaint Case No. 342 of 2020

PRESENT: None for the Complainant
Sh.Paramjit Singh Brar, Tehsildar, Jaito for the Respondent

ORDER: The complainant through RTI application dated 07.03.2020 has sought information regarding copy of vasika done by Kartar Kaur r/o Jaito in favour of Sh.Tarsem Chand – copy of record given to DSP Vigilance in enquiry no.29/18 conducted by vigilance on application filed by the appellant to Chief Director Vigilance relating to vasika No.2430 9.12.2018 2052-27.10.2018 vasika No.1076-11.07.2016 etc. – copy of certificate issued by MC Jaito connected with legal property and other information concerning the office of Tehsildar Jaito. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 23.06.2020.

The case was first heard on 02.11.2020 through video conferencing at DAC Faridkot. The appellant claimed that the PIO has not provided the information. The respondent pleaded that the information asked for by the complainant was not specific since the complainant had not specified the vasika number.

Hearing both the parties, the PIO was directed to relook at the RTI application and provide the information whatever available in the record.

Hearing dated 04.01.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant is absent and vide letter received in the Commission on 31.12.2020 has informed that despite visiting the office of PIO many times, the complete information has not been provided.

The respondent present informed that since the complainant had not specified the vasika numbers, the complainant was asked vide letter dated 09.06.2020 to specify the same. The respondent has brought the information. The respondent further informed that the information has now been sent to the appellant vide letter dated 03.11.2020.

Regarding delay in attending to the RTI application, the respondent has informed that due to lockdown in the State from the month of March onwards, working in the office was suspended and thus the RTI application was not replied.

Since it is a complaint case, the Commission will only look into whether there has been a delay, and whether the cause of the delay has been intentional, malafide or due to reasons beyond the control of the PIO. In this case the delay is due to the lockdown because of COVID, and information has now been provided, I see no malafide in the PIOs role over the delay. The plea of the PIO is accepted; hence the case is **disposed off**.

If the complainant is not satisfied with the information, he should go to the First Appellate Authority.

Chandigarh
Dated 04.01.2021

Sd/-
(KhushwantSingh)
State Information Commissioner



Sh.Lajpat Rai, S/o Sh Harbans Lal,
H no-B-3/287, Romana Street,
Jaito, Distt Faridkot.

... Appellant

Versus

Public Information Officer,
O/o DC,
Faridkot.

First Appellate Authority,
O/o DC,
Faridkot.

...Respondent

Appeal Case No. 1700 of 2020

PRESENT: None for the Appellant
Sh.Narinder Sharma, Suptd. O/o DC Faridkot for the Respondent

ORDER:

The appellant through RTI application dated 13.01.2020 has sought information regarding copy of file relating to complaint dated 30.07.2018 pending with ADC – action taken on application dated 11.12.2019 – enquiry report of SDM on the complaints of appellant for the month of 7/2019- enquiry report on the application dated 18.12.2019 filed against Kulwinder Singh Clerk in open darbar and other information concerning the office of EO, NC Jaito. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 14.02.2020 which took no decision on the appeal.

The case came up for hearing first on 02.11.2020 through video conferencing at DAC Faridkot. The respondent present pleaded that the information has been provided to the appellant vide letter dated 13.02.2020 and again on 06.03.2020. The appellant was not satisfied.

The appellant was directed to point out the discrepancies, if any, to the PIO with a copy to the Commission and the PIO was directed to remove the same.

Hearing dated 04.01.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant is absent and vide email has pointed out the discrepancies.

The respondent has also received a copy of discrepancies from the appellant and assured to provide the information within a week. The PIO is directed to remove the discrepancies and provide the information as available on the record.

With the above order, the case is **disposed off and closed**.

Chandigarh
Dated 04.01.2021

Sd/-
(KhushwantSingh)
State Information Commissioner



Sh Madan Lal. S/o Sh Om Prakash,
Jain Niwas, MCB Zone-2, H No-10803,
Street no-18, Parinda Road-18,
Guru Teg Bahadur Nagar, Bathinda.

... Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council,
Jaito, Distt Faridkot.

First Appellate Authority,
O/o Deputy Director,
Local Bodies, Ferozepur.

... Respondent

Appeal Case No. 1637 of 2020

PRESENT: Sh.Madan Lal as the Appellant
Sh.Gurdas Singh, PIO for the Respondent

ORDER:

The appellant through RTI application dated 21.12.2019 has sought information regarding decision taken in the meeting on 15.05.2019 along with approval of election commission, - copy of order for grant of arrears to the employees retired after decision dated 21.03.2016 – action taken against chowkidar Sh.Pal Singh – copy of letters written to Police station Jaito for action against seven employees - copy of advertisement for appointment of Sh.Gurpreet Singh chowkidar alongwith applications received & copy of recruitment file – copy of dispatch register maintained by Development Branch from 30.10.1999 to 14.12.2019 grant received from MLA,MP,State Govt from 1.1.2007 to 14.12.2019 and other information concerning the office of Eo, NC Jaito. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 20.02.2020 which took no decision on the appeal.

The case was first heard on 02.11.2020 through video conferencing at DAC Faridkot. The appellant claimed that the PIO has not provided the information. The respondent was absent.

During the course of hearing, it come to the notice that three appellants Sh.Madan Lal, Sh.Chander Shekhar and Sh.Gurmeet Singh, had filed similar appeal cases (No.1637/2020, 1698/2020 & 1705/2020) for seeking exactly the same information. The Commission did not allow the appellants to pursue such malpractices especially if said matter comes to the notice that the RTI applications are being fixed amongst various applicants, as during the hearing, it came to notice that all three appellants are closely associated with each other.

The same matter was brought to the notice of Sh.Madan Lal appellant who then requested that the cases be clubbed. In the interest of justice, all three cases were clubbed and the EO, NC Jaito was directed to provide only one set of information to Sh.Madan Lal by raising requisite fee as per provisions of RTI Act. Once the appellant deposits the requisite fee, the information be provided as per the RTI Act.

The Commission also warned all three appellants not to repeat this practice of fixing RTI applications, otherwise the Commission will be constrained to reject such applications in the future.

Appeal Case No. 1637 of 2020

Hearing dated 04.01.2021:

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent present pleaded that the appellant was asked vide letter dated 10.12.2020 to deposit requisite fee of Rs.3182/- but the appellant has not deposited the same.

The appellant claims that the PIO while raising the fee has raised it randomly and not given an exact or specific number of pages, so as to enable him to deposit the amount.

The respondent is directed to raise the fee as per the provisions of 'The Right To Information Rules' for providing photostat copies of the sought information. The appellant on receiving the revised payment invoice can deposit the fee and get the relevant information.

With the above order, the case is **disposed off and closed**.

Chandigarh
Dated:04.01.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Jasbir Singh,
Village Bholapur, Jhabewal,
P.O Ramgarh, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
-Cum- Food Safety Officer,
O/o Civil Surgeon, Pathankot.

First Appellate Authority,
O/o Civil Surgeon, Pathankot

Respondent

Appeal Case No. 778 of 2019

PRESENT: None for the Appellant
Mrs.Jasbir Kaur, Suptd.-cum- PIO-O/o Commissioner, Food & Drug
Admn. Kharar for the Respondent

ORDER:

This order should be read in continuation to the earlier order.

The appellant through RTI application dated 05.11.2018 has sought information regarding action taken on the implementation of Section 4(a, b, c & d) of the RTI Act and other information concerning the office of Food Safety Officer, O/o Civil Surgeon, Pathankot. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 03.01.2019, which took no decision on the appeal.

The case has earlier been heard on 19.06.2019, 04.09.2019, 03.12.2019, 02.03.2020 and 03.08.2020.

On the date of hearing on **02.03.2020**, none was present on behalf of the respondents. At the hearing on 04.09.2019, the PIO-Commissioner, Food & Drug Administration was directed to reply on the implementation of section 4 and its sub-sections at all district level food safety departments.

However, the PIO was absent nor had complied with the order of the Commission. The **PIO-Commissioner, Food & Drug Administration, Kharar was issued a show cause under Section 20 of the RTI Act 2005 and** directed to file reply on an affidavit.

A copy of the order was sent to the **Secretary, Department of Health & Family Welfare, Punjab with the** direction to ensure the compliance of this order.

The PIO-Commissioner, Food & Drug Administration, Kharar and PIO-Secretary, Department of Health & Family Welfare, Punjab were directed to appear at Chandigarh.

On the date of hearing on 03.08.2020, both the respondents were absent. The case was adjourned. The PIO-Commissioner, Food & Drug Administration, Kharar was given one more opportunity to reply to the show cause notice and appear personally at the next date of hearing.

On the date of last hearing on 23.09.2020, the appellant was absent. The respondent was present at Chandigarh and informed that the information has been provided to the appellant.

The respondent had not brought any reply to the show cause notice. The PIO was given one last opportunity to file a reply to the show cause notice on an affidavit otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will act as per provisions of section 20 of the RTI Act.

Hearing dated 04.01.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present from the office of Food and Drug Administration, Pb Kharar has submitted reply to the show cause notice which has been taken on the file of the Commission. As per respondent, a copy of the reply has been sent to the appellant.

Having gone through the reply, I accept the plea of the PIO and drop the show cause notice.

Since the RTI application has been sufficiently replied, no further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated 04.01.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

- CC to :**
- 1. PIO- Commissioner, Food & Drug Administration,
Kharar.**
 - 2. Secretary, Department of Health & Family Welfare,
Punjab, Chandigarh.**



Sh Bharat Bhushan,
H No-153, Akash Nagar,
Near Greenland School,
P.O Netaji Nagar, Sale, Tabri,
Ludhiana

... Appellant

Versus

Public Information Officer,
O/o Secretary, 6th Pay Commission,
Punjab, Chandigarh.

First Appellate Authority,
O/o Chairman, 6th Pay Commission,
Punjab, Chandigarh

Respondent

A ppeal Case No. 3983 of 2018

PRESENT: Sh.Bharat Bhushan as the Appellant
Ms Veena, Deputy Director-cum-PIO O/o 6th Pay Commission for the
Respondent

ORDER: This order should be read in continuation to the earlier order.

That the appellant Sh.Bharat Bhushan vide RTI application dated 27.08.2018 sought copy of noting dated 08.06.2017 – fixation of pay scale of JBT/ETT – present status of action taken, total expenditure of 6th pay commission incurred by the Govt and other information from the office of Secretary, 6th Pay Commission, Punjab, Chandigarh. The information was not supplied by the PIO, the appellant filed first appeal before the First Appellate Authority on 01.10.2018 and second appeal in the Commission on 20.11.2019 under section 19 of the RTI Act 2005.

The case earlier came for hearing on 07.01.2019, 05.02.2019, 13.03.2019, 08.04.2019, 23.10.2019, 13.01.2020, 03.03.2020 & 03.08.2020.

On the date of first hearing on 07.01.2019, the respondent present informed that the information has been sent to the appellant vide letter dated 20.12.2018. The appellant was absent. The appellant was directed to go through the information and send his observations.

On the next date of hearing on 05.02.2019, the respondent was absent. The appellant vide letter dated 22.01.2019 sent deficiencies in the provided information and a copy of same was sent to the PIO with the direction to remove the same.

On the date of hearing on 23.10.2019, due to non appearance of the PIO, the PIO was issued a show **cause notice under section 20 of the RTI Act and directed to** file reply on an affidavit. The PIO was again directed to sort out the discrepancies in the information.

Since the PIO was continuously absent on the hearings nor had complied with the order of the Commission, to secure an erring PIO's presence before the commission, the PIO-Secretary, 6th Pay Commission, Punjab, Chandigarh was issued aailable warrant under section 18(3) of the RTI Act on 03.08.2020, through Senior Superintendent of Police, Chandigarh for his presence before the Commission on **23.09.2020**.

On the date of last hearing on 23.09.2020, which was held through video conferencing at DAC Ludhiana, the PIO O/o Secretary, 6th Pay Commission was present at Chandigarh and pleaded that the complete information has been provided to the appellant with a copy sent to the Commission.

The appellant claimed that the information was incomplete. Having gone through the RTI application, information supplied by the PIO, and hearing both the parties, the following was concluded:

Point-1	The respondent has provided the noting portion regarding action taken on the application dated 08.06.2017 on whatsapp to the appellant.
Point-2	As per respondent, the information is to be provided by the Personnel Department. The PIO to transfer RTI application to the concerned PIO and the PIO is directed to provide information to the appellant as per the RTI Act
Point-3	As per respondent, the reply has been sent by the Personnel Department on 10.01.2019. The appellant is not satisfied. The PIO to remove the deficiency after the appellant points out the discrepancies.
Point-4	As per respondent, the information is to be provided by the personnel department. The PIO to transfer the RTI application to the department of personnel.

The respondent submitted a reply to the show cause notice which was taken on the file of the Commission. The decision on show cause was to be taken at the next date of hearing.

Hearing dated 04.01.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The PIO-6th Pay Commission is present at Chandigarh and pleaded that the information relating to the Personnel Department has been provided to the appellant and the appellant has received the same.

Having gone through the reply submitted at the last hearing, I accept the plea of the PIO and drop the show cause.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated 04.01.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :Dy Secretary, 6th Pay Commission,Pb.
Room No.526, 3rd Floor,
Mini Secretariat, Pb, Chandigarh

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -
psicsic30@punjabmail.gov.in Visit us: -
www.infocommpunjab.com



Sh Rajesh Gupta,
21/5, Asha Puri,
Barewal, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Punjab Energy Development
Agency,
Sector 33-D, Chandigarh.

First Appellate Authority,
O/o Punjab Energy Development Agency,
Sector 33-D, Chandigarh

.....Respondent

Appeal Case No. 4157 of 2019

PRESENT: Sh.Rajesh Gupta as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 22.07.2019 has sought information regarding subsidy released by PUDA from 01.04.2018 to 31.03.2019 against Roof Top Power Plant Grid and other information concerning the office of Punjab Energy Development Agency Chandigarh. The appellant was denied the information by the PIO vide letter dated 16.08.2019 after which the appellant filed first appeal before the First appellate Authority on 02.09.2019 which disposed off the appeal upholding the PIO's view.

The case was first heard on 26.02.2020. The appellant claimed that the PIO has not provided the information. The respondent was absent. The Commission received a letter on 13.02.2020 from the APIO stating that there is no list available on record for subsidy released against grid connected solar rooftop power plants.

The Commission found it hard to believe that there is no list of beneficiaries of subsidy for Roof Top Power Plant Grid and observed that the PIO had simply ignored the application in a cursory way. The PIO was directed to provide the information. The PIO was also directed to be present on the next date of hearing.

On the date of last hearing on **03.08.2020**, the respondent submitted the information to the Commission which was taken on record. After sifting through the information, the Commission was of the view that since the information contained the names and addresses of many beneficiaries, the bench would like to understand from the appellant the larger public interest that lies in handling this information. The appellant was directed to appear before the Commission on the next date of hearing and convince the Commission that the revealing of the information has a larger public interest.

On the date of last hearing on 23.09.2020, the respondent pleaded that in compliance with the order of the Commission, the information has already been sent to the Commission.

The appellant however, did not submit any document to establish that there is a larger public interest involved in disclosure of the information. The appellant was directed to convince the Commission that the disclosure of information has a larger public interest.

Appeal Case No. 4157 of 2019

Hearing dated 04.01.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The Commission has received reply of the appellant via email which has been taken on the file of the Commission.

The information that was submitted by the PIO in the Commission on 03.08.2020 is being sent to the appellant alongwith the order.

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

Chandigarh
Dated 04.01.2021

Sd/-
(Khushwant Singh)
State Information Commissioner