

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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Sh. Subhash Chander,
Gali No.2, New Luxmi Nagar
Kapurthala.

... Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Kapurthala.

First Appellate Authority-cum-
O/o Deputy Commissioner,
Kapurthala.

.....Respondent

AC.No. 4029 of 2019

PRESENT : (i) Sh. Subhash Chander, Appellant - Absent
(ii) Sh. Manbir S. Dhillon, Tehsildar, APIO on behalf of the respondent.

ORDER:

1. The case was last heard on 03.12.2019. On the said date, the Appellant Sh. Subhash Chander was present. However, nobody had appeared on behalf of the PIO/Respondents.
2. On the last date of hearing, the appellant had stated that he had received the information from the PIO only a day prior and had requested for additional time to peruse the information provided by the PIO. As such, he was given additional time and advised to go through the information and revert back to the PIO as also the Commission, in case, he was not satisfied with the information provided, before the next date of hearing. He has not reverted to the Commission on the issue yet.
3. Since the PIO was absent on the previous date of hearing, the absence of the PIO was viewed seriously and was directed to appear in person on the next date of hearing along with the reply to the Notice of the Commission, failing which action under Section 20(1) of the RTI Act, 2005 would be initiated.
4. Today, the appellant is absent, but he has sent a message through e.mail expressing his inability to attend the hearing and requesting for another hearing on 20.01.2020.
5. On behalf of the respondents, Sh. Manbir Singh Dhillon, Tehsildar, Kapurthala comes present and states that the information has already been provided to the appellant on 02.12.2019 and the appellant has also confirmed receipt of the same on the letter itself. Upon this, a telephonic contact was made with the appellant. He states that he is yet to go through the information. The appellant was advised to visit the office of PIO, O/o D.C. Kapurthala and after perusing the record

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AC.No. 4029 of 2019

relating to the RTI information, he should identify the information he desires as per his application. PIO is directed to provide him the information so identified. Sh.Manbir Singh Dhillon will ensure that the appellant is allowed inspection of record and provided with the requisite information before the next date of hearing.

5. The matter to come up for further hearing now on **20.01.2020 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh
07.01.2020**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Sh. Subhash Chander,
Gali No.2, New Luxmi Nagar
Kapurthala.

.....Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Kapurthala.

First Appellate Authority-cum-
O/o Deputy Commissioner,
Kapurthala.

.....Respondent

AC.No. 4028 of 2019

Present: (i) Sh. Subhash Chander, Appellant - Absent
(ii) Sh.Manbir S.Dhillon, Tehsildar, APIO on behalf of the respondent.

ORDER:

1. The case was last heard on 03.12.2019. On the said date, the Appellant Sh. Subhash Chander was present. However, nobody had appeared on behalf of the PIO/Respondents.
2. On the last date of hearing, the appellant had stated that he had received the information from the PIO only a day prior and had requested for additional time to peruse the information provided by the PIO. As such, he was advised to go through the information and revert back to the PIO as also the Commission, in case, he was not satisfied with the information provided, before the next date of hearing. He has not reverted to the Commission on the issue yet.
3. Since the PIO was absent on the previous date of hearing, the absence of the PIO was viewed seriously and was directed to appear in person on the next date of hearing along with the reply to the Notice of the Commission, failing which action under Section 20(1) of the RTI Act, 2005 would be initiated.
4. Today, the appellant is absent, but he has sent a message through e.mail expressing his inability to attend the hearing and requesting for another hearing on 20.01.2020.
5. On behalf of the respondents, Sh.Manbir Singh Dhillon, Tehsildar, Kapurthala comes present and states that the information has already been provided to the appellant on 02.12.2019 and the appellant has also confirmed receipt of the same on the letter itself. Upon this, a telephonic contact was made with the appellant. He states that he is yet to go through the information. The appellant was advised to visit the office of PIO, O/o D.C. Kapurthala and after perusing the record

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AC.No. 4028 of 2019

relating to the RTI information, he should identify the information he desires as per his application. PIO is directed to provide him the information so identified. Sh.Manbir Singh Dhillon will ensure that the appellant is allowed inspection of record and provided with the requisite information before the next date of hearing.

5. The matter to come up for further hearing now on **20.01.2020 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh
07.01.2020**

Sd/-
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Sh. Sharanjeet Singh,
S/o SH. Lakhwinder Singh,
R/o Village: Araiyan Wala Kalan,
Tehsil & Distt:Faridkot.

.....Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Faridkot.

First Appellate Authority-cum-
O/o Deputy Commissioner,
Faridkot.

.....Respondent

AC.No. 3986of 2019

PRESENT: (i) None is present on behalf of the appellant.
(ii) None is present on behalf of the respondent/PIO.

ORDER

1. The case was last heard on 03.12.2019 by the Commission. The appellant was absent on the previous date of hearing without any intimation to the Commission.

2. Sh. Paramdeep Singh, Sub Divisional Magistrate, Faridkot and Sh. Ashok Kumar, Block Development and Panchayat Officer (BDPO), Faridkot had appeared on behalf of the respondents and had stated that reply to the RTI application of the appellant had already been sent to the appellant vide letter dated 25.06.2019 by the BDPO, Faridkot.

3. An opportunity was given to the appellant to appear in person, before the Commission and to bring out any issues/short comings related to information provided by the respondent(s). The respondent(s) were directed to bring the original records relating to the RTI application of the appellant, in the Commission, on the next date of hearing for the perusal of the appellant. The PIO was also directed to file written reply to the Notice of the Commission, as the same had not been filed.

4. As per averment of the respondents made on the last date of hearing, the information stands supplied to the appellant. Since the appellant is absent for the hearing for the second time consecutively and he has also failed to point out any deficiencies in the information supplied to him as directed by the Commission, it is presumed that he is no more interested in pursuing his appeal in the Commission. As such, **the Appeal is disposed off and the case is closed.** Copies of the orders be sent to the parties.

Chandigarh
07.01.2020

Sd/-
(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab

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Sh. Madan Lal, S/o Sh. Om Parkash,
Jain Niwas, MCB Zone-2, H.No.10803,
St No.8, Parinda Road 18, Guru Teg Bahadur Nagar,
Bathinda.

...Appellant

Vs

Public Information Officer,
O/o Commissioner,
Municipal Corporation,
Bathinda.

First Appellate Authority-cum-
O/o Commissioner,
Municipal Corporation,
Bathinda.

.....Respondent

AC.No. 3999 of 2019

PRESENT: (i) Sh. Madan Lal, the appellant.
(ii) Sh.Sandeep Kataria, Chief Sanitary Inspector o/o Commissioner, Municipal Corporation, Bathinda /PIO.

ORDER

1. The case was last heard on 03.12.2019. On the said date, both the Appellant and representation of the PIO were present.
2. On the last hearing, the appellant had stated that he had received the information except partial information on point no. 1.
3. Sh. Jaswinder Singh and Sh. Suman Kumar, both Sanitary Inspectors had appeared on behalf of the PIO without any authority letter. They had filed reply to the Notice of the Commission mentioning therein that complete information (comprising 154 pages) had been given to the appellant by hand. Copy of the acknowledgment was taken on record.
4. At today's hearing, both the parties were heard at length and the information relating to Point NO.1 was provided to the appellant. In addition, the appellant was also given option of again visiting the office of PIO and perusing the record related to RTI Application within the next one week.
5. The appellant Sh.Madan Lal has also raised the issue of Sh. Sandeep Gupta, S.E. – cum-Joint Commissioner, Municipal Corporation, Bathinda performing the duties of First Appellate Authority in spite of not being notified as such by the Public Authority.

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AC.No. 3999 of 2019

6. In today's hearing, Sh. Sandeep Kataria, on behalf of PIO comes present and produces a copy of such order issued by the Commissioner, Municipal Corporation, Bathinda authorizing Sh.Sandeep Gupta, S.E.–cum-Joint Commissioner to exercise the powers of First Appellate Authority during his leave period.

7. After hearing both parties, it emerges that Shri Sandeep Gupta had temporarily assumed the responsibility of First Appellate Authority as the Commissioner, Municipal Corporation, Bathinda was on short duration leave. The same was done through an official order. On rejoining, the Commissioner, Municipal Corporation has again assumed the responsibility of First Appellate Authority. The Bench expressed satisfaction with the temporary arrangement.

8. **The appeal is disposed off and the case is closed.** Copies of the order be sent to the parties.

Sd/-

**Chandigarh
07.01.2020**

**((Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab**

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Sh. Sanjeev Goyal, S/o Sh. Ashok Kumar,
H.No.148, Model Town, Phase-1, Bathinda.

...Appellant

Vs

Public Information Officer,
O/o Commissioner,
Municipal Corporation, Bathinda.

First Appellate Authority-cum-
O/o Commissioner,
Municipal Corporation,
Bathinda.

.....Respondent

AC.No. 3998 of 2019

PRESENT: (i) Sh. Madan Lal on behalf of the appellant.
(ii) Sh. Sandeep Kataria, Chief Sanitary Inspector o/o Commissioner, Municipal Corporation, Bathinda on behalf of the PIO.

ORDER

1. The case was last heard on 03.12.2019 by the Commission. The appellant had authorized Sh. Madan Lal to appear on his behalf on previous date of hearing. The representative of the appellant had stated that complete information had not been provided to the appellant.

2. Sh. Jaswinder Singh and Sh. Suman Kumar, both Sanitary Inspectors appeared on behalf of the PIO O/o Commissioner, Municipal Corporation, Bathinda without any authority letter. They had filed reply to the Notice of the Commission mentioning therein that information sought is available on the website of the Municipal Corporation, Bathinda. After hearing both the parties at length, it was observed that the PIO had not responded adequately to the RTI application. The PIO was directed to provide the information to the appellant as available in the office records, before the next date of hearing.

3. The representative of the appellant had also brought to the notice of the Commission that in the office of the Commissioner, Municipal Corporation, Bathinda, Sh. Sandeep Gupta is handling the responsibility of the First Appellate Authority whereas he is not a notified Appellate Authority. The PIO was directed to file written reply in this regard clarifying orders or notification vide which the change in First Appellate Authority had been effected.

4. Sh. Sandeep Kataria, on behalf of the PIO, states that information on points 1, 2 & 13, is in public domain and is available on the website of GOI. He also states that the balance of information comprising 93 pages has been brought along which is handed over to the appellant in the

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AC.No. 3998 of 2019

court. After a prolonged hearing and discussion, the appellant expressed satisfaction at the documents provided as also the details of Links of 'Swachh Bharat Mission' which are in public domain.

5. After hearing both the parties on the issue Shri Sandeep Gupta doing the duty of First Appellate Authority without having been notified as such, it emerges that Shri Sandeep Gupta had temporarily assumed the responsibility of First Appellate Authority as the Commissioner, Municipal Corporation, Bathinda was on short duration leave. The same was done through an official order. On rejoining, the Commissioner, Municipal Corporation has again assumed the responsibility of First Appellate Authority. The Bench expressed satisfaction with the temporary arrangement. In today's hearing, Sh.Sandeep Kataria on behalf of PIO produces a copy of such order issued by the Commissioner, Municipal Corporation, Bathinda authorizing Sh.Sandeep Gupta, S.E.–cum-Joint Commissioner to exercise the powers of First Appellate Authority during his leave period.

6. No further intervention of the Commission is called for. **The appeal is disposed of and the case is closed.** Copies of the order be sent to the parties.

**Chandigarh
07.01.2020**

Sd/-
**((Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab**

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Sh. Fuman Singh,
S/o Sh.KashmirSingh,
R/o Swah Wala, Tehsil: Jalandhar.
Distt: Fazilka.

.....Complainant

Vs

Public Information Officer,
O/o Tehsildar,
Jalalabad.

.....Respondent

C.C.No. 940 of 2019

PRESENT : 1. Complainant Sh.Fuman Singh is absent.
2. Sh.Parmesh Kumar, Reader to Tehsildar, Jalalabad on behalf of PIO.

ORDER

1. The case was last heard on 03.12.2019 by the Commission. The complainant was absent on the last date of hearing without any intimation to the Commission. The PIO was absent for previous hearing. He had also not filed any reply to the Notice of the Commission. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **the PIO O/o Tehsildar, Jalalabad** was issued show cause notice under Section 20 (1) of the RTI Act. The respondent-PIO was also directed to file a written point-wise reply in this regard before the next date of hearing i.e. today, with a copy to the complainant and also to explain his conduct and status of the complaint during the next date of hearing to enable the Commission to arrive at a logical conclusion on the subject.

2. Today, whereas the complaint is absent from the hearing for the second consecutive time, Sh.Parmesh Kumar, representative of PIO comes present and produces a copy of the letter dated 06.02.2020 stating therein that the requisite information has been provided to the complainant who has also affixed his thumb impression on the relevant letter dated 23.07.2019 confirming receipt of information. Copy of the same is taken on record.

3. From the above, it transpires that the information has been duly provided to the complainant and he is satisfied with the same. No further action is called for. **The Complaint is disposed off and the case is closed.** Copies of the orders be sent to the parties.

Chandigarh
07.01.2020

Sd/-
((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Gagandeep Singh Janjua,
Village:Tura, P.O: Khumb, Tehsil:AMloh,
Distt:Fatehgarh Sahib.

.....Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Shahid Bhagat Singh Nagar,
Nawanshahar.

First Appellate Authority-cum-
Deputy Commissioner,
Shahid Bhagat Singh Nagar.

.....Respondent

AC.No. 4001 of 2019

PRESENT: (i) None is present on behalf of the appellant.
(ii) Mr.Rajnish Arora, SDM, SBS Nagar, on behalf of the PIO.

ORDER

1. The case was last heard on 02.12.2019 by the Commission. On previous date of hearing, the appellant was absent without any intimation to the Commission.

2. Ms. Paramjit Kaur, Clerk had appeared on behalf of the PIO o/o Deputy Commissioner, Shaheed Bhagat Singh Nagar on previous date of hearing and had filed reply to the Notice of the Commission mentioning therein that the information pertaining to point no.1 had been supplied to the appellant. She had stated that point nos. 2 and 3 being hypothetical questions cannot be answered by the PIO as per the Govt. of India notification no. 1/4/2009-IR dated 05.10.2009.

3. After perusing the record and reply filed by the PIO, the Commission had overruled the objection of the respondent and directed to mention clearly as to who ordered the investigation initially, thereafter on whose orders the investigation was transferred from Sub Divisional Magistrate, Banga to Sub Divisional Magistrate, Nawanshahar. Information was also ordered to be given on the present status of the investigation.

4. Last opportunity was given to the appellant to follow up the case before the Commission by appearing in person, failing which decision would be taken in his absentia based on documents available on file. The Bench had also directed the PIO to appear in person on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 would be initiated.

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AC.No. 4001 of 2019

5. Today, Sh. Rajnish Arora, SDM SBS Nagar (Nawanshahar) comes present before the Commission. As per directions of Commission, he produces letter dated 06.01.2020 giving point-wise reply to RTI application, which is taken on record. Since the appellant is absent, it cannot be handed over to him. It is also reported that the appellant has neither contacted the PIO to get the information nor had appeared before the First Appellate Authority. As per letter available on record dated 29.11.2019, the appellant has been supplied information vide letter dated 26.08.2019, as per the order dated 17.10.2019 passed by the Addl.D.C.-cum-First Appellate Authority, SBS Nagar in an appeal case.

6. It is also observed that in spite of notices, the appellant has failed to come present before the Commission for the second consecutive time. It transpires that he is not interested in pursuing the appeal. As such, **the appeal is disposed off in absentia and the case is closed.** Copies of the orders be sent to the parties.

**Chandigarh
07.01.2020**

Sd/-
**(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab**

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

.....Appellant

Vs

Public Information Officer,
O/o District Controller,
Food Civil Supplies and Consumer Affairs,
Ludhiana.

First Appellate Authority-cum-
O/o District Controller,
Food Civil Supplies and Consumer Affairs,
Ludhiana.

.....Respondent

AC.No. 3991 of 2019

PRESENT : None of the parties.

ORDER:

1. The case was last heard on 09.12.2019 by the Commission. On the last date of hearing, neither the Appellant nor the PIO or anybody on his behalf had appeared before the Commission to attend the hearing. Accordingly, the matter was adjourned for hearing on **07.01.2020 at 11.30 AM.**
2. Today, the appellant is absent. He has, however, sent a letter dated 23.12.2019 stating that he has not received the information on Sr.No.2 & 3 of his RTI Application which is available on record.
3. Nobody has come present on behalf of PIO/respondent for the second time. PIO is given last opportunity to supply the requisite information to the appellant; otherwise the penal consequences shall follow. He is also directed to appear in person on the next date of hearing.
4. The appellant is also advised to appear in person before the Commission on the next date of hearing.
5. The matter is adjourned and shall now be heard on **05.02.2020 at 11.30 AM.** Copies of the orders be sent to both the parties.

Chandigarh
07.01.2020

Sd/-
((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Kuljit Singh, S/o Sh. Harcharan Singh,
VPO: Mahiraj Patti, Karam Chand,
Tehsil: Rampura Phul, Distt:Bathinda.

...Appellant

Vs

Public Information Officer,
O/o District Education Officer (SE),
Hoshiarpur.

First Appellate Authority-cum-
O/o Director, Public Instruction (SE),
Punjab, Mohali.

...Respondent

AC.No. 4100 of 2019

PRESENT : (i) Sh. Kuljit Singh, the appellant.
(ii) Smt. Manjit Kaur, Supdt.-cum-PIO, O/o DEO (SE), Hoshiarpur &
Mrs. Surinder Kaur, Sr.Asstt. O/o DPI (SE), Punjab, Mohali.

ORDER:

1. The case was last heard on 19.12.2019 by the Commission. The appellant was present. On behalf of respondents, Smt. Deepti Sharma, Clerk, O/o DEO (SE), Hoshiarpur had come present for the hearing and had stated that the information sought by the appellant had been supplied vide letter dated 16.12.2019. She had also produced a copy of the same before the Court which was taken on record.

2. On showing the letter dated 16.12.2019 to the appellant, he had shown his dissatisfaction over the information supplied.

3. On discussing with both the parties, it was directed that the appellant shall visit the office of DPI (S.E.) in the Private Aided Schools Branch on any working day. The PIO concerned in the office of DPI (SE), Punjab would make it sure to get the entire relevant record inspected by the Appellant. It was also directed that the appellant, after inspection, would identify the information he desires and the PIO would ensure to supply the requisite information to the appellant before the next date of hearing under intimation to the Commission.

4. Today, the PIO comes present and states that the information has already been supplied vide letter dated 18.12.2019 to the appellant and no further information on the subject is available with the office. The appellant comes present. On the asking of the court, he shows his satisfaction over the information supplied and gives in writing to this effect also.

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AC.No. 4100 of 2019

6. Since the information stands supplied to the appellant to his satisfaction, and he also gives in writing in this regard, as such, no further intervention of the Commission is called for. **The appeal is disposed off and the case is closed.** Copies of the orders be sent to the parties.

Chandigarh
07.01.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab