



Sh. Prem Chand, S/o Sh.Gurmeet Ram,  
R/o VPO Mamukheda,  
Tehsil & Distt Fazilka.

... Complainant

Versus

**Public Information Officer,**  
DSP, Sub Division,  
Jalalabad

...Respondent

**Complaint Case No. 919 of 2018**

**Present: Sh.Surjit S/o Sh.Gurmit Ram representative of the Appellant**  
**None for the Respondent**

**Order:** The case was first heard on **14.11.2018**. The respondent was absent. The PIO was directed to relook at the RTI application and provide the information to the complainant in accordance with the RTI Act. The PIO was also directed to be present personally or through his representative on the next date of hearing and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

Sh.Rangdev Singh, ASI Police Station, Khuikhera Distt.FAzilka appeared late and submitted a letter dated 27.09.2018 stating that the complainant was asked to appear before him for enquiry but he did not turn up. The ASI also brought the information. The respondent was directed to send the information to the complainant through registered post and intimate the Commission.

The case was last heard on **22.01.2019**. The appellant informed that the information has not been provided. The respondent was absent. The PIO was directed to send the information within 15 days and appear on the next date of hearing otherwise the Commission will be constrained to take action against the PIO under the RTI Act 2005.

**Hearing dated 13.03.2019:**

The appellant claims that despite order of the Commission, the PIO has not provided the information.

The respondent is absent on 3<sup>rd</sup> consecutive hearing and nor sent any communication whether the PIO has complied with the order of the Commission or not. The Commission has taken a serious view of this and hereby directs the PIO-DSP Sub Division Jalalabad to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and for not complying with the orders of the Commission.** He should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO-DSP Sub Division Jalalabad is again directed to provide the information to the appellant within 10 days.

Both the parties to be present on **15.05.2019 at 11.00 AM** for further hearing.

Chandigarh  
Dated: 13.03.2019

Sd/-  
(Khushwant Singh)  
State Information Commissioner



Sh.Naresh Goel, S/o Sh Hans Raj,  
# 501/62/1, Shastri Nagar, Street No-3,  
Jagraon, Distt Ludhiana.

... Complainant

Versus

**Public Information Officer,**  
Tehsildar, Village Gill,  
Ludhiana.

...Respondent

**Complaint Case No. 986 of 2018**

**Present: Sh.NareshGoel as Complainant**  
**None for the Respondent**

**Order:**

The case was first heard on **27.11.2018**. The respondent was absent. As per complainant, he has not received any communication and information from the PIO. The PIO was directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act and be present personally or through his representative on the next date of hearing.

The case was last heard on **16.01.2019**. The appellant informed that no information has been provided. The respondent was absent. The respondent was given one more opportunity to provide the information to the appellant and be present on the next date of hearing failing which the Commission will be constrained to take action as per RTI Act.

**Hearing dated 13.03.2019:**

The appellant claims that despite order of the Commission, the PIO has not provided the information.

The respondent is absent on 3<sup>rd</sup> consecutive hearing and nor sent any communication whether the PIO has complied with the order of the Commission or not. The Commission has taken a serious view of this and hereby directs the PIO-Tehsildar Village Gill, Ludhiana to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and for not complying with the orders of the Commission**. He should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO-Tehsildar Village Gill, Ludhiana is again directed to provide the information to the appellant within 10 days.

Both the parties to be present on **14.05.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh  
Dated: 13.03.2019

(Khushwant Singh)  
State Information Commissioner



Sh.Naresh Goel, S/o Sh Hans Raj,  
# 501/62/1, Shastri Nagar, Street No-3,  
Jagraon, Distt Ludhiana

... Compliant

Versus

**Public Information Officer,**  
**O/o** Taluka Inspector of Land Records,  
Village Gill-2, Ludhiana.

...Respondent

**Complaint Case No. 988 of 2018**

**Present: Sh.Naresh Goel as Complainant**  
**None for the Respondent**

**Order:**

The case was first heard on **27.11.2018**. The respondent was absent. As per complainant, he had not received any communication and information from the PIO. The PIO was directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act and be present personally or through his representative on the next date of hearing.

The case was last heard on **16.01.2019**. The appellant informed that no information has been provided. The respondent was absent. The respondent was given one more opportunity to provide the information to the appellant and be present on the next date of hearing failing which the Commission will be constrained to take action as per RTI Act.

**Hearing dated 13.03.2019:**

The appellant claims that despite order of the Commission, the PIO has not provided the information.

The respondent is absent on 3<sup>rd</sup> consecutive hearing and nor sent any communication whether the PIO has complied with the order of the Commission or not. The Commission has taken a serious view of this and hereby directs the PIO-Taluka Inspector of Land Records, Village Gill-2, Ludhiana to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and for not complying with the orders of the Commission**. He should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO-Taluka Inspector of Land Records, Village Gill-2, Ludhiana is again directed to provide the information to the appellant within 10 days.

Both the parties to be present on **14.05.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh  
Dated: 13.03.2019

(Khushwant Singh)  
State Information Commissioner



ShJaswinder Singh, S/o ShKartar Singh,  
Village ChakBhaike, Tehsil Budhlada,  
Distt Mansa.

.... Appellant.

Versus

**Public Information Officer,**  
EO, Nagar Council,  
Budhlada, Distt Mansa.

**First Appellate Authority,**  
Deputy Director, Local Bodies,  
Bathinda.

...Respondent

**Appeal Case No. 1521 of 2018**

Present: None for the Appellant  
Sh.Amrit Pal Singh, Accountant O/o EO-NC Budhlada for the Respondent

**ORDER:**

The case was first heard on **09.07.2018**. The respondent was absent. The appellant informed that against the deposit of fee of Rs.2000/-, he received only one page of information. The PIO was directed to be present personally on the next date of hearing and explain that why the appellant was asked to deposit Rs.2000/- at the first instance and also to explain the rationale behind Rs.2000/- fee for one page of information.

The case was again heard on **07.08.2018**. Sh.Amrit Pal Singh Accountant was present on behalf of the PIO. The respondent pleaded that the information has been provided and the amount has been refunded to the appellant. The appellant pleaded that the information is incomplete as in point No.2, qualification has not been mentioned.

The Commission found that the information has been provided as per RTI. However, the respondent was not able to explain the reason why the appellant was asked to deposit Rs.2000/- for a single page information. It was a clear indication of harassment and malafide intention of the PIO to ask the appellant to deposit Rs.2000/-. The PIO was directed to explain why appropriate action under the RTI Act should not be taken against him and why he should not be penalized for not providing the information in time and for charging exorbitant fee in violation of the section 7(1) of the RTI Act. The reply to be submitted by way of an affidavit.

The case again came up for hearing on **23.10.2018**. Since the information had already been provided, the appellant was exempted for further hearing. The respondent was absent. The PIO was given one more opportunity to comply with the earlier orders of the Commission and submit reply by way of an affidavit for not complying with the order of the Commission.

The case was again heard on **28.11.2018**. "The respondent was absent. Despite directions of the Commission on 07.08.2018 and 23.10.2018, the PIO failed to comply with the order of the Commission for not providing the information in time and for charging exorbitant fee in violation of the section 7(1) of the RTI Act. But preferred to be absent. The PIO was issued **show cause notice and was directed to** appear before the Commission along with the written replies on an affidavit.

**Appeal Case No. 1521 of 2018**

The case was last heard on **21.01.2019**. The PIO was absent and neither sent any reply to the show cause notice. The PIO was given one more opportunity to appear before the Commission on the next date of hearing alongwith the written reply on an affidavit otherwise the Commission will be constrained to take action as per the RTI Act.

**Hearing dated 13.03.2019:**

This order should be read in continuation of the observations of the commission at the last hearing whereby a PIO had raised Rs.2000 without any calculation and provided only with a single piece of paper after the appellant had deposited the asked amount on the first appellate authority's order, which incidentally had also ignored to observe whether the PIO had provided the appellant with a full break-up of the Rs.2000 that the PIO had raised.

The respondent present has submitted a reply of the PIO, which is taken on the file of the Commission. In the reply, the PIO has mentioned that he had joined as PIO in the office of NC Budhlada only on 08.03.2019 while it was the previous PIO Sh.Ravi Kumar who had raised the amount of Rs.2000/. The PIO further mentioned in the reply that the amount was raised in the assumption that the sought information might be voluminous and could take sufficient time in tracing the record. The respondent further pleaded that he information stands provided to the appellant and an amount of Rs.2000/- has been refunded vide cheque No.069261 dated 20.04.2018 since the information could be dwarfed to a single page.

During the course of the earlier hearing, the Commission had observed this bizarre raising of Rs.2000 and then providing only a single sheet of information was akin to harassment and was an attempt by the PIO to deter the appellant from seeking the information. However, having observed this, the commission had provided ample opportunities to the PIO to justify the rationale behind raising Rs.2000 for a single page information, which the respondent chose not to reply after which the PIO was show caused that why appropriate action should be not taken for raising an exorbitant fee without justifying it. The commission was also perplexed with the idea that how could 1000 (Rs.2 a page) pages of information be shrunk to one page, as is the matter in this case.

Given the observations, I find the new PIO's plea to file this appeal flaky, and hereby implead the previous PIO Sh.Ravi Kumar ,who has been transferred as EO Nagar Panchayat, Joga, Distt.Mansa to appear personally before the commission and file a reply on an affidavit.

The commission also instructs the Deputy Director Local Bodies, the First Appellate Authority to look into its order and exercise a more diligent approach while hearing appeals.

To come up on **15.05.2019 at 11.00 AM** for further hearing.

Sd/-

**Chandigarh**  
**Dated: 13.03.2019**

**(Khushwant Singh)**  
**State Information Commissioner**



Sh.Hardeep Singh, S/o Sh.TarsemLal,  
Village Nurpur, Tehsil Banga,  
SBS Nagar, Nawashehar.

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Versus

.... Appellant.

**Public Information Officer,**  
O/o BDPO, Aur,  
SBS Nagar, Nawashehar.

**First Appellate Authority,**  
O/o DDPO,  
SBS Nagar, Nawashehar.

...Respondent

**Appeal Case No. 1724/ 2018**

**Present: Sh.Hardeep Singh as Appellant**  
**Sh.RajeshChadha, PIO/BDPO Aur for the Respondent**

**ORDER:** The case was first heard on 14.08.2018. The respondent was absent. The PIO was directed to provide point-wise information on all points to the appellant within 15 days and explain the reasons for not providing the information within the time prescribed under the RTI Act, 2005.

The case was again heard on **12.09.2018**. Since both the parties were absent, the case was adjourned.

The case again came up for hearing on **23.10.2018**. The appellant informed that the information has not been provided to him. The respondent was absent on 3<sup>rd</sup> consecutive hearing. The PIO was issued **show cause notice** and the PIO was directed to appear before the Commission personally alongwith the written reply on an affidavit.

The case was again heard on **21.11.2018**. The respondent present pleaded that they have already provided similar information in an RTI application filed by the appellant in the year 2017 which, could not be clarified as the appellant was absent. However, the respondent failed to explain regarding the information relating to this RTI application. The respondent also brought a letter from the PIO which was not in tandem with the proceedings of the hearing in this case as the dated referred were not part of this case. The PIO-BDPO was directed to provide the information to the appellant and be present personally on the next date of hearing. However, if similar information has been provided in earlier case, BDPO should bring the record to ascertain this claim. The PIO also failed to reply to the show cause notice. The PIO was directed to submit reply to the show cause with solid reasons for not complying with the orders of the Commission on an affidavit before the next date of hearing. If the information has been provided, this be given on an affidavit.

The case was last heard on **16.01.2019**. The order is reproduced hereunder:

“The PIO is present and pleaded that the available information has been provided to the appellant. The appellant is not satisfied and stated that the information provided is not as per the RTI application. Having gone through the information and hearing both the parties, the Commission directs the PIO to relook at the RTI application and provide the information on the following points:

**Appeal Case No. 1724/ 2018**

- Point 1            PIO-BDPO to collect from the concerned department and provide
- Point-2           PIO-BDPO to transfer the RTI application to the Drainage Department
- Point-3           PIO to provide or give in writing that there is no rule or order issued by the concerned department
- Point-4&5        PIO to provide the information
- Point-13         PIO informed that since the information is 3<sup>rd</sup> party, it cannot be provided  
The appellant is asked to submit evidence in support of his contention that the information sought is in public interest and involves corruption.
  
- Points:14,15,16,17, 17(a) & 20        -            PIO to provide the information

The PIO is further directed to provide legible certified copies of the information to the appellant through registered post and send a compliance report to the Commission. The reply of the show cause notice will be considered on the next date of hearing.”

**Hearing dated 13.03.2019:**

The respondent present pleaded that some of the information has been provided to the appellant and remaining information will be provided within a week. The appellant is present and submitted a letter stating that he has received sufficient information and the respondent has assured to provide the remaining information. The appellant has further pleaded that the case be closed.

Regarding his reply to the show cause notice, the respondent had submitted an affidavit at the previous hearing stating that since the deponent was busy in election duty and the information was to be provided by collecting from concerned Panchayat Secretary of Gram Panchayat Nurpur, thus the information had been delayed.

Since the appellant does not want to pursue the case further, the show cause is dropped, however with the direction that the PIO to provide the remaining information to the appellant.

The case is **disposed off and closed.**

Sd/-

**Chandigarh**  
**Dated: 13.03.2019.**

**(Khushwant Singh)**  
**State Information Commissioner**



Sh Ashok Kumar,  
# 214, Pine Homes, Dhakoli,  
Zirakpur

... Appellant

Versus

**Public Information Officer,**  
Chief Administrator, GAMDA,  
Sector-62, Mohali.

**First Appellate Authority,**  
Chief Administrator, GAMDA,  
Sector-62, Mohali.

...Respondent

**Appeal Case No. 2213 of 2018**

**Present: Sh.Ashok Kumar as Appellant**  
**Sh.Gulshan Kumar, PIO and Ms.Suman Bala, AEO-cum-PIO(Previous)**  
**GMADA for the Respondent**

**ORDER:**

The case was first heard on **06.09.2018**. The respondent was absent. The appellant stated that the information which has been sent is not as per the correct reference number of his RTI application which was 12.03.2018 but the quoted reference number is 03.04.2018. The appellant has also raised an objection that the information is not certified. He further informed that he is satisfied with the information regarding point No. 2 & 3

The PIO was directed to relook at the RTI application and sort out the discrepancy raised by the appellant and provide the information.

The case was again heard on **16.10.2018**. The respondent sought further time. The PIO was directed to comply with the previous orders of the Commission which still stands and provide the information to the appellant within 20 days. The PIO was also directed to explain the reasons for delay and not tending to the RTI application on an affidavit.”

The case again came up for hearing on **28.11.2018**. The respondent present pleaded that the information has been provided to the appellant. The appellant informed that he has not received the information regarding point No.1 which is not is not certified. The respondent was directed to provide certified copies of the information.

Regarding point No.1, the respondent pleaded that the information being third party, cannot be provided since the concerned parties have objected to part with their information. The PIO was directed to invoke appropriate section of the RTI Act if the information sought is being denied and respond to the appellant accordingly.

The case was last heard on **21.01.2019**:. The order is reproduced hereunder:

“The respondent present pleaded that since the information regarding point-1 is third party information, it cannot be provided u/s 11 of the RTI Act. The respondent has submitted a list of documents which were submitted by the aspiring stakeholders while making their bids as per the Request for Proposal for setting up a World Class Technology University

The Commission will go through the list and will adjudicate the matter on the next date of hearing. “



**Appeal Case No. 2213 of 2018**

**Hearing dated 13.03.2019:**

The case has come up for hearing today in which point-1 has to be adjudicated. The PIO pleaded that via letters dated 31.10.2018 and letter dated 05.11.2018, the third parties have objected to part with their information. At the last hearing, the PIO had submitted a list of documents that were submitted by the aspiring stakeholders in response to the request for proposal.

Given the above circumstances, the Commission is impleading M/s Reimagining Higher Education Foundation and M/s Ritnand Balved Education Foundation, the concerned third parties in the case with a direction to reply that why should their documents submitted in response to the RFP be not disclosed. Should these third parties have any objection, they are directed to appear before the Commission and plead their cases.

The case is adjourned. To come up for further hearing on **14.05.2019 at 11.00 AM** for further hearing.

Sd/-

**Chandigarh**  
**Dated: 13.03.2018.**

**(Khushwant Singh)**  
**State Information Commissioner**

**CC to : 1. M/s Reimagining Higher Education Foundation,  
302, Gopal Heights, Netaji Subhash Place,  
New Delhi-110034 - M(98723-78623)**

**2.M/s Ritnand Balved Education Foundation,  
AKC House, E-27, Defence Colony,  
Ring Road, New Delhi-110024**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: - [psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



Dr. Ashish Kapur,  
H No-695, First Floor Annexe,  
Phse-2,  
Mohali.

... Appellant

Versus

**Public Information Officer,**  
District Revenue Officer,  
O/o DC, Amritsar.

**First Appellate Authority,**  
ADC (General),  
Amritsar.

...Respondent

**Appeal Case No. 3105 of 2018**

**Present: Sh.Ashish Kapur as Appellant**  
**Sh.Pritpal Singh, RC O/o DRO Amritsar for the Respondent**

**Order:**

The case was first heard on 27.11.2018. The respondent present from the office of Sub Registrar, Amritsar-1 did not know about the case. The PIO was directed to send some responsible persons to plead the case. The Commission received letters dated 26.11.2018 from Sub-Registrar –I and Sub-Registrar –II respectively whereby wherey the PIO denied the information stating that the infromati is not available in the record and the reply to the RTI application was sent vide letter dated 12.06.2018.

Having gone through the RTI application, it came to the notice that the information is in the possession of the Sub-Registrar, Amritsar-1 and Sub-Registrar Amritsar-2, the PIOs were directed to provide the information regarding points 1,2, 3(a) and 4(a) only concerning to them before the next date of hearing.

The case was last heard on **23.01.2019**. The order is reproduced hereunder:

“The appellant informed that the information has not been provided to him. In the last order, the PIO-Sub-Registrar, Amritsar-1 and PIO-Sub-Registrar, Amritsar-2 were directed to provide the information regarding points 1,2 3(a) & 4(a). The respondent is absent and has not complied with the order of the Commission.

The Commission has taken a serious note of this and directs the PIO-Sub-Registrar, Amritsar-1 and PIO-Sub-Registrar, Amritsar-2 to provide the information as per earlier order which still stands and be present personally or through their representatives on the next date of hearing alongwith explanation for not abiding by the order of the Commission. “

**Appeal Case No. 3105 of 2018**

**Hearing dated 13.03.2019:**

The respondent present has brought some of the information and handed over to the appellant. The appellant has received the information regarding points 1,2 & 4(a) and part information regarding point 3(a). The respondent informed that the information exists with the concerned tehsil offices which they send to the DRO office once a year.

The PIO-DRO is directed to provide the remaining information which is in the custody of the DRO. If the information is in the custody of different PIOs, the DRO is directed to inform the appellant with the addresses, name and designation of the PIOs and the appellant should apply separately to the concerned PIO.

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

**Sd/-**

**Chandigarh  
Dated: 13.03.2019**

**(Khushwant Singh)  
State Information Commissioner**

**CC to :The PIO, Sub-Registrar,Amritsar-1  
The PIO,Sub-Registrar Amritsar-2**



Dr. Ashish Kapur,  
H No-695, First Floor Annexe, Phse-2,  
Mohali.

...Appellant.

Versus

**Public Information Officer**  
O/o DC,  
Ludhiana.

**First Appellate Authority,**  
O/o ADC (General),  
Ludhiana.

...Respondent

**Appeal Case No. 3106 of 2018**

**Present: Sh.Ashish Kapur as Appellant**  
**None for the Respondent**

**Order:**

The case was first heard on 27.11.2018. The respondent present from the office of Sub-Registrar, Khanna brought information concerning the office of SR-Khanna and SR-Payal and handed over to the appellant. During the hearing, it come to the notice that there are 11 Sub-divisions and the information brought is from 2 Divisions only. Having gone through the RTI application, the PIO was directed to provide the information regarding points 1,2,3(a) & 4(a) only which should be sent to the appellant before the next date of hearing.

The case was last heard on **23.01.2019**. The order is reproduced hereunder:

“The appellant informed that he has not received the information as per order of the Commission. In the last order, the PIO was directed to provide the information regarding points 1,2 3(a) & 4(a). The respondent is absent and has not complied with the order of the Commission.

The Commission has taken a serious note of this and directs the PIO to provide following information:

1. Total number of residential properties whose sale has been registered from the year 2012-13 to 2017-18 regarding point -1
2. Total amount generated for sale of residential properties from the year 2012-13 to 2017-18 regarding point-2.
3. Total number of residential properties whose sale has been registered at collector rate regarding point-3(a) and
4. The revenue generated on account of sale of residential properties at collector rate only regarding point 4(a).

The information be provided before the next date of hearing and send a compliance report to the Commission.”

**Hearing dated 13.03.2019:**

The appellant informed that despite order of the Commission, the PIO has not provided the information except the information of Tehsil Khanna and Payal.

In the last order, the PIO was absent. The PIO was directed to provide information regarding points 1,2, 3(a) and 4(a) and send a compliance report to the Commission. The respondent is absent on 2<sup>nd</sup> consecutive hearing and nor has complied with the order of the Commission. The Commission has taken a serious view of this and hereby directs the PIO O/o DC Ludhiana to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and for not complying with the orders of the Commission.** He should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO-DC Ludhiana is again directed to provide the information to the appellant within 10 days.

The case is adjourned. Both the parties to be present on **14.05.2019 at 11.00 AM** for further hearing.

**Sd/-**

**Chandigarh  
Dated: 13.03.2019**

**(Khushwant Singh)  
State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: - [psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh.Harnek Singh, S/o Sh.Joginder Singh,  
Village Gurhe, Tehsil Jagraon,  
Distt Ludhiana.

Appellant.

Versus

**Public Information Officer**  
O/o SHO, Police Station,  
Dakha, Mullanpur.

**First Appellate Authority,**  
O/o IGP, Zonal,  
Jalandhar.

...Respondent

**Appeal Case No. 3112 of 2018**

**Present:       None for the Appellant**  
**Sh.Sukhmander Singh, ASI Police Station Dhaka Mullanpur for the**  
**Respondent**

**Order:**

The case was first heard on **27.11.2018**. The respondent present pleaded that the information has been provided to the appellant on 23.08.2018 and on 17.10.2018. The appellant was not satisfied with the information except point No.4. Having gone through the RTI application and the reply of the PIO, the Commission observed that since the Rojnamcha is currently available online, the Commission finds no objection in providing similar record which is not on line and direct the PIO to provide the information regarding point No.2. The PIO was also directed to provide information regarding point No.3 i.e. the action taken report and the information regarding point No.6.

During the course of hearing, it came to the notice that the appellant's father was missing and appellant wanted the information to be matched with the information submitted in the Court. So the points 1 & 5 was to be adjudicated at the next date of hearing.

The case was last heard on **23.01.2019**. The order is reproduced hereunder:

“The respondent present pleaded that the information regarding point 1 has been provided. Regarding point-2, the respondent has brought the copies of rojnamcha.

In the previous hearing, the Commission had got impression from the respondent that the record was online. However, at this hearing, it has come to the notice of the Commission that the record is on a software but not online as stated by the respondent in the last hearing. This could be because of lack of understanding on the part of the respondent. Keeping this in mind, the Commission upholds the view of the PIO that the information is 3<sup>rd</sup> party and pertains to internal confidential functioning of the Police Department.

**Appeal Case No. 3112 of 2018**

Regarding point 3, the respondent informed that the information pertains to Police Station (Sadar) Jagraon. The PIO Police Station (Sadar) Jagraon is directed to provide the information to the appellant.

Regarding point No.6, the respondent pleaded the challan has already been presented in the court of Sh.Ankit Aerif, Judicial Magistrate (1st Class) Ludhiana and the appellant to get the information from the Hon'ble Court. The PIO, JMIC Ludhiana is directed to provide the information to the appellant.”

**Hearing dated 13.03.2019:**

The respondent present from the office of Police Station Dhaka reiterated his earlier plea that the information has been provided to the appellant. The appellant is absent on two occasions and has not intimated whether the appellant has received the information or not. It appears that the appellant has received the information and is satisfied.

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

Sd/-

Chandigarh  
Dated: 13.03.2019

(Khushwant Singh)  
State Information Commissioner

CC to PIO, JMIC Ludhiana



Sh Rajeshwar Sharma,  
Kothi No-584, Phase-4, Mohali.

... Appellant

Versus

**Public Information Officer,**  
GMADA,  
Mohali.

**First Appellate Authority,**  
Chief Administrator, GMADA,  
Mohali.

...Respondent

**Appeal Case No. 2343 of 2018**

**Present: Sh.Rajeshwar Sharma as Appellant**  
**Sh.Gulshan Kumar, PIO, GMADA and Smt.Neelam Rani, O/o STP Punjab Chandigarh for the Respondent**

**ORDER:** The case was first heard on **11.09.2018**. Since both the parties were absent, the case was adjourned.

The case was again heard on **25.10.2018**. The respondent present brought the information. The appellant was absent to point out the discrepancy, if any.

The respondent further stated that the information regarding points 1 & 2 relates to CTP, Punjab and information regarding point No.6 also does not relate to them. The PIO was directed to collect the information regarding points 1, 2 & 6 from the concerned PIOs and send it to the appellant within 15 days. The appellant was also directed to point out the discrepancy if any in the information and be present on the next date of hearing otherwise the case will be decided ex-parte.

The case was again heard on **03.12.2018**. The appellant was present submitted a letter whereby the appellant pointed out the discrepancies. The respondent was absent.. A copy of the letter sent to the PIO alongwith the order and the PIO was directed to relook the RTI application and sort out the discrepancies.

The case was last heard on **23.01.2019**. The respondents present from the office of GMADA and CTP informed that the available information concerning them has been provided to the appellant. The appellant was not satisfied with the information regarding points 1,2, 3& 5 (c). After hearing both the parties, the Commission directed the PIO- CTP to provide an affidavit that the information regarding points 1, 2 & 3 being provided is complete and correct. The PIO GMADA was also directed to provide the information regarding 5( c).

**Hearing dated 13.03.2019:**

The respondent has brought the affidavits regarding information relating to points 1,2& 3 and handed over to the appellant. The respondent has also provided the information regarding point-5(c). The appellant is not satisfied with second part of point 5( c). The PIO is directed to sort out the discrepancy regarding second part of point-5(c ) within 5 days.

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

**Chandigarh**  
**Dated: 13.03.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**





Mrs Amar Sneh Kaur,  
K No-933, Phase-XI, Sector-65,  
Mohali

... Appellant

Versus

**Public Information Officer,**  
GMADA, PUDA Bhawan,  
Sector-62, Mohali.

**First Appellate Authority,**  
GMADA, PUDA Bhawan,  
Sector-62, Mohali.

...Respondent

**Appeal Case No. 2444 of 2018**

Present: Sh.Abhishek Singh Singh, representative on behalf of the Appellant  
Sh.Gulshan Kumar, PIO-GMADA and Mrs.Suman Bala, AEO(Previous PIO)  
GMADA for the Respondent

**ORDER:** The case was first heard on **29.10.2018**. The respondent was absent without intimation to the Commission. The PIO was directed to provide the information to the appellant within 10 and be present personally or through his representative on the next date of hearing and explain the reasons for not providing the RTI application within the time prescribed under the RTI Act.

The case was again heard on **04.12.2018**. The appellant informed that the information has not been provided by the PIO. The respondent was absent without intimation to the Commission on 2<sup>nd</sup> consecutive hearing and had not provided the information despite order of the Commission. The Commission took a serious view of this and a show cause was issued to the PIO under section 20 of the RTI Act for not complying with the orders of the Commission. The PIO was directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies. The PIO was also directed to provide the information to the appellant within 10 days.

The case was last heard on **23.01.2019**. The order is reproduced hereunder:

**“Facts of the Case-**

- 1) That the appellant Sh.Mrs.Amarsingh Kaur filed an RTI application on 03.01.2018 seeking 9 points information regarding project of Purab Premium Apartment launched by GMADA in Sector 88 Mohali
- 2) That the information was not provided within the stipulated time under section 7 of the RTI Act, after which the appellant filed the first appeal on 09.02.2018 with the First Appellate Authority which took no decision on the appeal.
- 3) That on not getting the information, the appellant filed a second appeal with the State Information Commission, which first came up for hearing on 29.10.2018.
- 4) That on the date of the hearing (29.10.2018), Sh.Bhupinder Singh, a representative of the appellant was present. However, the respondent preferred to be absent without intimation the commission.

- 5) That the PIO was directed to provide the information and be present personally or through representative on the next date of hearing with explanation for not providing the information within the prescribed time under the RTI Act.
- 6) That on the next date of hearing, which was held on **04.12.2018** the PIO was absent yet again without intimating the commission. Also, no information had been sent to the appellant, who was present at the hearing. The PIO was '**Show Caused**' under section 20 of the RTI Act as to why a penalty should not be imposed for dereliction in handling this particular RTI application. The PIO was also directed to provide the information and be present personally with an explanation for the delay on an affidavit.
- 7) That the case came up for hearing today again on **23.01.2019**. The representative present on behalf of the appellant informed that the information has not been provided. Sh.Gulshan Kumar, PIO and Sh.Kuldeep Singh, APIO are present. The respondents have not brought any information nor reply to the show cause.
- 8) That it has come to the notice of the Commission that the present PIO has joined on 15.11.2018 and the responsibility for delay in providing the information rests with the previous PIO. The Commission has clearly mentioned in the show cause that if there are other persons responsible for delay in providing the information, the PIO to inform such persons to appear before the Commission alongwith written replies. However, no reply has been filed.
- 9) That the appellant vide letter dated 23.01.2019 has pleaded that the appellant has been harassed by not providing the information after a lapse of one year, the PIO be panelized and suitable compensation be given to the appellant for unnecessary harassment and delay in providing the information.

**Order.**

Keeping the above facts of the case in mind, this is a fit case to invoke section 20 of the RTI Act and impose a penalty on the PIO. Section 20 reads as follows-

*'20.Penalties. – (1) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complain or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees:*

*Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be give a reasonable opportunity of being heard before any penalty is imposed on him:*

*Provide further that the burden of proving that he acted reasonably and diligently shall be on the Central Information Officer, as the case may be."*

**Appeal Case No. 2444 of 2018**

The onus and responsibility lies on the PIO to ensure the transmission of the information to the appellant. The PIO-GMADA is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request, and for repeated and willful defiance of the Punjab State Information Commission's orders. A penalty of **Rs.25,000/-** is hereby imposed upon the PIO, GMADA, Punjab.

However, since there are two PIOs involved in the case, the Commission will ascertain and fix the responsibility of the PIO involved in the dereliction of duty in attending to the RTI application at the next date of hearing. The Commission directs both the PIOs (Present and earlier) to be present at the next date of hearing with complete detail of the posting dates of the PIOs.

Further, the Commission is of the view that since the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO is directed to pay an amount of **Rs.5000/-** via demand draft drawn through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

2) The PIO is directed to provide the information to the appellant within a week and send a compliance report to the Commission."

**Hearing dated 13.03.2019:**

The representative present on behalf of the appellant informed that the information has been received. The respondent in compliance with the order of the Commission has brought a demand draft of Rs.5000/- and handed over to the representative of the appellant.

In the last hearing, a penalty of Rs.25000/- was imposed upon the PIO-GMADA for delay in providing the information. However, It was observed that since there were two PIOs involved in the case, the Commission was to ascertain that which PIO was responsible for delay in handling the RTI application and not providing the information on time. The present PIO has submitted an affidavit that he joined as PIO-GMADA only on 30.11.2018 and the previous PIO did not attend the RTI application on time.

Keeping the above facts in view, the Commission finds that the delay in providing the information has occurred on the part of previous PIO and there has been a delay of more than 100 days, hereby Mrs.Suman Bala, AEO (Previous PIO) GMADA is held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request, and for repeated and willful defiance of the Punjab State Information Commission's orders. A penalty of **Rs.25,000/-** is hereby imposed upon Mrs.Suman Bala, the previous PIO, GMADA, Punjab which be deposited in the Govt. Treasury. The PIO,GMADA is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

To come up for compliance **on 14.05.2019 at 11.00 AM.**

**Chandigarh**  
**Dated: 13.03.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**