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ShTejinder Singh,

R/o village Bholapur, P.O Ramgarh, Chandigarh Road,

Ludhiana . … Complainant

Versus

**Public Information Officer,**

O/o MC,

Distt. Fazilka ...Respondent

**Complaint Case No. 519 of 2018**

**Present: None for the Complainant**

 **None for the Respondent**

**ORDER:**

The case was last heard on 20.08.2018. The order is reproduced hereunder:

 **“**The Complainant through RTI application dated 28.01.2018 has sought information regarding challans issued under the Municipal Act from January 2014 to 28.01.2018 and other information concerning the office of MC Fazilka. The complainant was not provided the information after which the complainant filed complaint with the Commission on 09.05.2018.

 Both the parties are absent without intimation to the Commission. In the interest of justice, one more opportunity is granted and the case is adjourned.”

**Hearing dated 17.09.2018:**

 Both the parties are absent without intimation to the Commission. The Commission has received a letter diary No.18717 dated 13.09.2018 from the PIO stating that the information has been sent to the complainant vide letter dated 12.02.2018 and a copy of the same is submitted to the Commission.

 Since the appellant is absent on two consecutive hearings, it seems that he is satisfied with the information and does not want to pursue his complaint further.

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

**Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018 State Information Commissioner**

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Sh.Karnail Singh, S/o Sh.Chhanga Singh,

#378, New Azad Nagar, Ferozepur City. … Complainant

Versus

**Public Information Officer,**

O/o DDPO,

Ferozepur.

**First Appellate Authority,**

O/o DC,

Ferozepur. ...Respondent

**Complaint Case No. 523 of 2018**

**Present: Sh.Karnail Singh as Complainant**

 **None for the Respondent**

**ORDER:** The case was last heard on 20.08.2018. The order is reproduced hereunder:

 **“**The complainant through RTI application dated 22.02.2018 has sought information regarding action taken on the complaint No.11528 dated 07-02-30-07-2017 concerning the office of DDPO Ferozpur. The complainant was not provided the information after which he filed first appeal before the First Appellate Authority on 04.04.2018 which took no decision on the appeal.

 The appellant has pleaded that he has still not received the information and there is no reply from the respondent.

 The PIO is directed to provide the information to the appellant in accordance with the RTI Act. He is also directed to be present personally on the next date of hearing with explanation for delay in responding the RTI and why action should not be taken under the RTI Act.”

**Hearing dated 17.09.2018:**

In the last order, the PIO was directed to provide the information to the appellant in accordance with the RTI Act 2005. The appellant has informed that he has not received the information. The PIO is absent for the hearing on two consecutive dates. It appears that the PIO is not serious in attending to his duties and has disobeyed the orders of the Commission on three grounds; (i) for not providing the information to the appellant (ii) being absent & (iii) for not sending any explanation for delay in responding to the RTI application.

 The Commission has taken a serious view of this for not complying with the orders of the Commission and hereby directs the PIO **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.

 Both the parties to be present **on 03.10.2018 at 11.00 AM** for further hearing.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018 State Information Commissioner**

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Sh.Ankit Jain, S/o Sh.Yashpal Jain,

# 1006, Morni Wala Khoo,

Dera Bassi, Mohali. … Complainant

Versus

**Public Information Officer,**

O/o Chief Administrator,

GMADA, Mohali. ...Respondent

**Complaint Case No. 528 of 2018**

**Present: Sh.Ankit Jain as Complainant**

 **Sh.Rajinder Mittal, Sr.Assistant, GMADA Mohali for the Respondent**

**ORDER:** The case was last heard on 20.08.2018. The order is reproduced hereunder:

 **“**The complainant is absent without intimation to the Commission. The complainant through RTI application dated 29.01.2018 has sought information regarding action taken on the letter No.46 dated 09.11.2017 issued by the DC Mohali for enquiry against illegal construction of colony by Madhukar Sharma and other information concerning the office of Chief Administrator, GMADA Mohali. The complainant was not provided the information after which he filed complaint with the Commission on 10.05.2018.

 The respondent present has not brought any information. In the interest of justice, one more chance is given and the PIO is directed to provide the information to the complainant. The PIO is also directed to be present personally on the next date of hearing and explain the reasons for not providing the information within the time prescribed under RTI Act. and why the RTI was not attended to.”

**Hearing dated 17.09.2018:**

The respondent present` has pleaded that the information has been provided to the appellant vide letter dated 24.08.2018. The appellant is not satisfied with the information and pleaded that the information that was provided, does not pertain to the information which he has sought.

 I have seen the file and observed that the RTI application was filed on 29.01.2018 and the PIO has replied to the RTI application on 24.08.2018 i.e. 7 months after filing the RTI application. In the last order, the PIO was directed to explain the reasons for delay in handling the RTI application but the respondent has not complied with the orders of the Commission.

 The Commission has taken a serious note of this and directs the PIO to be present personally on the next date of hearing and explain the reasons for providing mismatching information and also delay in responding to the RTI application. The reply should come on an affidavit.

 The case is adjourned. Both the parties to be present on **03.10.2018 at 11.00 AM** for further hearing.

**Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018 State Information Commissioner**

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Sh.Manjit Singh, S/o Sh.Khushal Singh,

R/o village Shamshahbad,

Tehsil & Distt. Fazilka. . … Complainant

Versus

**Public Information Officer,**

O/o ADC, (D),

Fazilka. ...Respondent

**Complaint Case No. 543 of 2018**

**Present: Sh.Manjit Singh as Complainant**

 **Sh.Krishan Sagar, Jr.Assistant O/o DC Fazilka for the respondent**

**ORDER:** The case was last heard on 20.08.2018. The order is reproduced hereunder:

 **”**The complainant through RTI application dated 06.02.218 has sought information regarding grant provided by the Punjab Government for development work of village Shamsabad, Tehsil Fazilka and other information concerning the office of Deputy Commissioner, Fazilka. The complainant was not provided the information after which he filed complaint with the Commission on 15.05.2018.

 The complainant pleaded that the information has not been provided to him. I have seen the file and observed that the RTI which was transferred on 22.02.2018 is beyond time limit for transfer of RTI to the appropriate authority. It is further noted that the appropriate authority ADC (D) has not provided the information till date.

 APIO, O/o DC Fazilka is directed to explain the reasons for delay in transferring the RTI and the PIO-ADC (Development) is directed to explain the reasons for delay in providing the information.”

**Hearing dated 17.09.2018:**

 The respondent from the office of DC, Fazilka has pleaded that they have already transferred the RTI application to the PIO ADC (D) on 22.02.2018. Regarding reasons for delay in transferring the RTI application, the respondent present has brought a letter from the PIO, DC whereby the PIO has explained the entire circumstances into the delay in handling the RTI application. The PIO has mentioned that the delay has happened at the level of the Clerk Ms.Sandeep Kaur who now stands transferred to the office of DC, Faridkot. Ms.Sandeep Kaur, Clerk O/o DC, Faridkot is directed to be present on the next date of hearing and explain the reasons for not transferring the RTI application within the time prescribed under the RTI Act.

 In the last hearing, the PIO, ADC(D) was directed to explain the reasons for delay in providing the information. The Commission has received an email from the O/o ADC which is taken on the file of the Commission. It is observed that the PIO ADC(D) has transferred the RTI application further to the BDPO, Fazilka to attend to this RTI application. In the letter submitted to the Commission, it is also observed that the application was transferred on 26.07.2018 i.e. 4 months after it was transferred from the DC office to the ADC(D) office. It appears that a mockery has been made of the RTI Act, and a musical chair being played with this particular application. The Commission has taken a serious view of this scant regard of the RTI Act and directs the PIO- DC Fazilka, PIO- ADC(D), Fazilka, PIO-BDPO Fazilka and Ms.Sandeep Kaur, Clerk O/o DC, Faridkot to appear personally on the next date of hearing through video conference facility available in the office of the Deputy Commissioner, Fazilka. and explain the reasons for such delay.

 To come up on **15.10.2018 (at 11.00 AM)** for further proceedings to be heard through video conference facility available in the office of the Deputy Commissioner, Fazilka. Copies of the order be sent to the parties  ***through registered post***.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018 State Information Commissioner**

CC to: 1. Ms.Sandeep Kaur, Clerk O/o DC, Faridkot

2. The PIO, BDPO Fazilka **PUNJAB, STATE INFORMATION COMMISSION**

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Sh.Balvir Singh, S/o sh.Joginder Singh,

R/o Village Saide Ki (Khoo.Mohar Singh Wala),

P/O DulchiKe, Tehsil & Distt.Ferozepur. … Complainant

Versus

**Public Information Officer,**

O/o DDPO,

Ferozepur.

**First Appellate Authority,**

O/o DDPO,

Ferozepur. ...Respondent

**Complaint Case No. 552 of 2018**

**Present: Sh.Balvir Singh as Complainant**

 **None for the Respondent**

**ORDER:** The case was last heard on 20.08.2018. The order is reproduced hereunder:

 **“**The complainant through RTI application dated 26.02.2018 has sought information regarding utilization of Govt Grants for the development work of village Saide Tehsil and District Ferozepur during the tenure of Sarpanch Balwinder Kaur concerning the office of DDPO Ferozepur. The complainant was not provided the information after which he filed first appeal before the First Appellate Authority on 17.04.2018 which took no decision on the appeal.

 The complainant pleaded that despite his first appeal and again a letter sent to the DC Ferozepur on 17.04.2018 as well as his personal visits to the office of BDPO twice, he has not been provided the information.

 The PIO is directed to provide the information to the complainant within 15 days and be present on the next date of hearing with valid explanation for not providing the information within the prescribed time under the RTI Act.”

**Hearing dated 17.09.2018:**

In the last order, the PIO was directed to provide the information within 15 days.. He was also directed to be present personally with valid explanation for not providing the information with the prescribed time under the RTI Act. The appellant has informed that he has not received the information. The PIO is absent for the hearing on two consecutive dates. It appears that the PIO is not serious in attending to his duties and has disobeyed the orders of the Commission on three grounds; (i) for not providing the information to the appellant (ii) being absent & (iii) for not sending any explanation for delay in responding to the RTI application.

 The Commission has taken a serious view of this for not complying with the orders of the Commission and hereby directs the PIO **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.

 Both the parties to be present **on 05.11.2018 at 11.00 AM** for further hearing.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018 State Information Commissioner**

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Sh.Tarsem Singh, S/o Sh.Swaran Singh,

R/o Village Saide Ki (Khoo.Mohar Singh Wala),

P/O DulchiKe, Tehsil & Distt.Ferozepur. … Complainant

Versus

**Public Information Officer,**

O/o DDPO,

Ferozepur.

**First Appellate Authority,**

O/o DDPO,

Ferozepur. ...Respondent

**Complaint Case No. 553 of 2018**

**Present: Sh.Tarsem Singh as Complainant**

 **None for the Respondent**

**ORDER:** The case was last heard on 20.08.2018. The order is reproduced hereunder:

 **“**The complainant through RTI application dated 19.02.2018 has sought information regarding utilization of Govt Grants for the development work of village Saide Tehsil and District Ferozepur during the tenure of Sarpanch Balwinder Kaur concerning the office of DDPO Ferozepur. The complainant was not provided the information after which he filed first appeal before the First Appellate Authority on 17.04.2018 which took no decision on the appeal.

 The complainant pleaded that despite his first appeal and again a letter sent to the DC Ferozepur on 17.04.2018 as well as his personal visits to the office of BDPO twice, he has not been provided the information.

 The PIO is directed to provide the information to the complainant within 15 days and be present on the next date of hearing with valid explanation for not providing the information within the prescribed time under the RTI Act.”

**Hearing dated 17.09.2018:**

In the last order, the PIO was directed to provide the information within 15 days.. He was also directed to be present personally with valid explanation for not providing the information with the prescribed time under the RTI Act. The appellant has informed that he has not received the information. The PIO is absent for the hearing on two consecutive dates. It appears that the PIO is not serious in attending to his duties and has disobeyed the orders of the Commission on three grounds; (i) for not providing the information to the appellant (ii) being absent & (iii) for not sending any explanation for delay in responding to the RTI application.

 The Commission has taken a serious view of this for not complying with the orders of the Commission and hereby directs the PIO **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.

 Both the parties to be present **on 05.11.2018 at 11.00 AM** for further hearing.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018 State Information Commissioner**

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Sh.Sikander Singh, S/o Sh. Bhura Singh,

Multania Road, Street NO-4,

Bathinda. . … Complainant

Versus

**Public Information Officer,**

O/o Bathinda Development Authority,

PUDA, Bathinda ...Respondent

**Complaint Case No. 627 of 2018**

**Present: None for the Complainant**

**Sh.Harminder Singh, Asstt. Engineer O/o BDA PUDA Bhatinda for the Respondent**

**ORDER:** The case was last heard on 20.08.2018. The order is reproduced hereunder:

 **”**The complainant through RTI application dated 04.04.2018 has sought information regarding acquisition of land bearing khasra No.4593 Patti Utti, Beer Road Chowk, Phase-2 Bhatinda and other information concerning the office of Bhatinda Development Authority, PUDA The complainant was not provided the information after which he filed complaint with the Commission on 06.06.2018.

The respondent present has brought the information and handed over to the complainant. The complainant is not satisfied with the information as he says that he has sought information that has his land has been acquired by the PUDA or not.

 The PIO is directed to clarify further whether the land has been acquired by the PUDA or not and the information be sent to the complainant.”

**Hearing dated 17.09.2018:**

 The respondent present has pleaded that the information has been sent to the appellant vide registered letter dated 07.09.2018 and a copy of the same is submitted to the Commission. The Commission has received a telephonic call from the complainant at around 10.00 AM whereby he has informed that he has received the information and is satisfied.

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

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018 State Information Commissioner**

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Sh.Raghuvir Singh S/o Sh.Mansa Ram,

R/o H.No.162, Janta Colony,

Naya Gaon, Distt.Mohali.

 … Appellant

**Public Information Officer,**

O/o SHO Police Station,

Naya Gaon, Distt.Mohali

**First Appellate Authority,**

O/o SSP

Mohali. ...Respondent

**Appeal Case No. 1262 of 2018**

**Present: Sh.Raghuvir Singh as Appellant**

**Sh.Nirmal Singh, HC, Police Station, Naya Gaon for the Respondent**

**ORDER:** The case was first heard on 24.07.2018. The PIO was directed to provide the information to the appellant within 10 days of the receipt of orders and explain the reason for his two consecutive absences. He was also directed to be present personally on the next date of hearing alongwith suitable reply that why action should not be taken against him under RTI Act 2005 for not complying with the orders of the Commission.”

The case was last heard on **20.08.2018:** The order is reproduced hereunder:

 **“**The Commission has received a letter diary No.16537 dated 14.08.2018 from the Police Station, Naya Gaon whereby the PIO has informed that the copy of compromise which was entered into between the appellant and other party before Sh.Jasmer Singh, ASI is not available in their record and cannot be provided.

The respondent present has also pleaded that the available information has been provided to the appellant. The appellant says that he had signed one more compromise before the ASI Sh.Jasmer Singh for which the respondent says that there is no official record of the compromise.

 The PIO is directed to call Sh.Jasmer Singh, ASI and record his statement and provide the same to the appellant.”

**Hearing dated 17.09.2018:**

The respondent present has brought statement of Sh.Jasmer Singh,ASI and a copy of the statement was provided to the appellant. The respondent present has informed that Sh.Jasmer Singh was called by the PIO and his statement was recorded. In the statement, Sh.Jasmer Singh has stated that there is no compromise which was held between the appellant and other parties before him. The statement is being provided to the appellant for his record.

 The appellant pleaded that the information is not certified. The PIO is directed to send the certified copy of the statement and all other information already provided to the appellant within 5 days.

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

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018. State Information Commissioner**

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Sh.Ramesh Kumar, S/o Sh Amar Nath,

Village Dudhrai, P/O BhalaPind,

Tehsil Ajnala, Distt Amritsar. Appellant.

Versus

**Public Information Officer,**

O/o DPI (SE), P.S.E.B,

Phase-8, Mohali.

**First Appellate Authority,**

O/o DPI (SE), P.S.E.B,

Phase-8, Mohali. ...Respondent

**Appeal Case No. 1659 of 2018**

**Present: None for the Appellant**

 **Sh.Rajiv Kumar Clerk O/o DPI(SE) Mohali for the Respondent**

**ORDER:** The case was last heard on 21.08.2018. The order is reproduced hereunder:

 **“**The appellant is absent. Vide letter received in the Commission on 20.08.2018, the appellant has shown his inability to attend the hearing due to having sustained some injury.

 The appellant through RTI application dated 10.01.2018 has sought information regarding decision of the State Govt. to de-reserve the five posts of Science Teachers which were reserved for dependents of ex-servicemen (General) under Recruitment of Ex-Serviceman Rules 1982 and other information concerning the office of DPI(SE), PSEB Mohali. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 12.03.2018 which took no decision on the appeal.

 The respondent present has pleaded that the enquiry is pending and the information cannot be provided till the enquiry is completed.

 However the Commission has noticed that the appellant was not sent any reply within the prescribed time limit. The PIO is hereby directed to apprise the appellant about his RTI application. He is also directed to explain to the Commission the reasons for delay in responding to the RTI as per RTI Act.”

**Hearing dated 17.09.2018:**

The respondent present has pleaded that they have already sent the reply to the appellant vide letter dated 15.06.2018 after which the appellant had raised a further query vide letter dated 10.07.2018. The appellant is absent to point out any discrepancy in the information. He however, vide email, has sought adjournment. I have seen the reply to the RTI application and the further query raised by the appellant. The Commission observes that if the appellant wants any further information other than his RTI application, he should file a fresh RTI application for the same. The appellant is asked to point out only discrepancy, if any, in the information provided.

 In the last hearing, the PIO was directed to explain the reasons for delay in providing the information but the respondent has not brought any valid explanation. The Commission has taken a serious view of this and directs the PIO to be present personally on the next date of hearing with valid explanation for reasons of delay in responding to the RTI application.

 The case is adjourned. Both the parties to be present **on 03.10.2018 at 11.00 AM** for further hearing.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018 State Information Commissioner**

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Sh Ramesh Kumar, S/o Sh Amar Nath,

Village Dudhrai, P/O BhalaPind,

Tehsil Ajnala, Distt Amritsar. ….Appellant.

Versus

**Public Information Officer,**

O/o DPI (SE), P.S.E.B,

Phase-8, Mohali.

**First Appellate Authority,**

O/o DPI (SE), P.S.E.B,

Phase-8, Mohali. ...Respondent

**Appeal Case No. 1660 of 2018**

**Present: None for the Appellant**

 **None for the Respondent**

**ORDER:** The case was last heard on 21.08.2018. The order is reproduced hereunder:

 **“**The appellant is absent. Vide letter received in the Commission on 20.08.2018, the appellant has shown his inability to attend the hearing due to having sustained some injury.

 The appellant through RTI application dated 08.01.2018 has sought information regarding orders of the Directorate on the justification of 3 number Science Teachers who got appointment violating the reservation rules and other information concerning the office of DPI(SE), PSEB Mohali. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 13.02.2018 which took no decision on the appeal.

 The respondent present has pleaded that the enquiry is pending and the information cannot be provided till the enquiry is completed.

 However the Commission has noticed that the appellant was not sent any reply within the prescribed time limit. The PIO is hereby directed to apprise the appellant about his RTI application. He is also directed to explain to the Commission the reasons for delay in responding to the RTI as per RTI Act.”

**Hearing dated 17.09.2018:**

In the last order, the PIO was directed to apprise the appellant about his RTI application. The PIO was also directed to explain to the Commission the reasons for delay in responding to the RTI as per RTI Act.

 The PIO is absent without intimation to the Commission. The Commission has taken a serious view of this and directs the PIO to be present personally on the next date of hearing with valid explanation for being absent and for not responding to the RTI as per RTI Act. The appellant is also directed to be present on the next date of hearing for pleading his case otherwise the case will be decided ex-parte.

 The case is adjourned. Both the parties to be present **on 03.10.2018 at 11.00 AM** for further hearing.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018 State Information Commissioner**

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Sh.Ajit Singh, S/o Sh.Ganesha Singh,

Village Bharounjian, P/O Parol,

Tehsil Kharar, Distt.Kharar. …Appellant.

Versus

**Public Information Officer,**

O/o Estate Office, Land Acquisition Department,

GMADA, Mohali.

**First Appellate Authority,**

O/o Addl, Chief Administrator,

GMADA, Mohali. ...Respondent

**Appeal Case No. 1799 of 2018**

**Present: None for the Appellant**

 **Sh.Gurvinder Singh APIO GMADA Mohali for the Respondent**

**ORDER:** The case was last heard on 20.08.2018. The order is reproduced hereunder:

 **“**The appellant through RTI application dated 05.01.2018 has sought information on 7 points regarding acquisition of land falling in khasra No.411/1 and 4066 Hadbast No.160 village Bharaonjian Distt SAS Nagar, concerning the Estate Office, Land Acquisition Department, GMADA Mohali. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 26.02.2018 which took no decision on the appeal.

The Estate Officer, Land Acquisition vide letter dated 04.05.2018 has asked the appellant to clarify under which section of Land Acquisition Act , the objections were raised.

 The respondent present has sought time to prepare the information. In the interest of justice, one more opportunity is granted.

 The PIO is directed to send point-wise information to the appellant and explain the reasons for not providing the information within the prescribed time under the RTI Act. The PIO is also instructed that if any information on certain point does not pertain to their Department, the same be forwarded to the concerned Department.”

**Hearing dated 17.09.2018:**

 The respondent present has pleaded that the information has been sent to the appellant vide registered letter dated 13.09.2018 and a copy of the same is submitted to the Commission. The appellant is absent to point out any discrepancy in the information. The appellant is asked to point out any discrepancy in the information to the PIO and the PIO is directed to sort out the discrepancy.

 In the last order, the PIO was also directed to explain the reasons for not providing the information within the prescribed time under the RTI Act. The respondent has submitted a handwritten apology and has promised to be careful in future while dealing the RTI applications. The Commission accepts his apology with a warning to ensure that the RTI applications are disposed off well in time as per the RTI Act.

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

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 17.09.2018 State Information Commissioner**