

# PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

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Bench: Sh.Sanjiv Garg, State Information Commissioner, Punjab

## Shri Vikram Vaid

# 1527, Gali No.2,  
Bagh Rama Nand  
Amritsar-(M-9855032897)

...Appellant

Versus

## Public Information Officer

O/o Sr. Medical Officer  
Civil Hospital, JBMM Ram Bagh  
Amritsar.

## First Appellate Authority

O/o Civil Surgeon,  
Taylor Road, Amritsar.

...Respondents

### Appeal Case No.1674 of 2018

Present: Sh.Vikram Vaid, Appellant is absent.  
Dr.Sandeep Aggarwal, Medical Officer, Civil Hospital, JBMM Ram Bagh, Amritsar of PIO/Respondent

### ORDER:

The case was last heard on 16.10.2018 and on the next date, the case was postponed to 17.12.2018.

On 16.10.2018, the appellant Sh. Vikram Vaid was present. He had stated that incomplete information had been provided to him. He also stated that he had pointed out some discrepancies in the information supplied.

None was present on behalf of PIO/Respondent, but an e-mail dated 08.10.2018 had been received stating that the discrepancies pointed out by the appellant through e.mail dated 24.09.2018 have been removed.

After discussing with the appellant and going through the file, the appellant was advised to point out discrepancies through registered post/e.mail to the PIO/Respondent before the next date. PIO/Respondent was also directed to supply the requisite information after removing the deficiencies by registered post. In case any information is not available with them, PIO was directed to file a proper written reply in the form of an affidavit as to why the information cannot be supplied to the appellant.

....1/2

**Appeal Case No.1674 of 2018**

Today, the Appellant is not present but an e-mail has been received 15.12.2018 stating that due to a religious journey, he cannot attend the hearing. He also refers to his letter dated 11.12.2018 regarding deficiencies which seems not to have been received as it is not available in the file.

Dr. Sandeep Aggarwal, Medical Officer comes present on behalf of the PIO/ Respondent. He states that the information has been supplied to the appellant vide 10.12.2018 regarding points No.1, 2, 3, 4 & 6. Regarding point no.5, he states that the MLR/PMP/X-Ray Film (CT Scan Film/Reports/Final Doctor opinion) have been sent to the concerned Police Station and the same can be obtained from them. He also submits a copy of the information supplied to the Commission which is taken on record. The Respondent/PIO is also directed to file a proper reply in regarding to the pending information which cannot be supplied in the form of an affidavit signed by the PIO, on the next date of hearing.

Last opportunity is given to the Appellant to appear before the Commission, otherwise the case will be decided on merits.

Both the parties to come present on the next date of hearing.

The case is adjourned to **12.02.2019 at 11.00 AM.**

Copies of the orders be sent to both the parties.

**Dated:17.12.2018**

**Sd/-  
(Sanjiv Garg)  
State Information Commissioner,  
Punjab**

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Bench: Sh.Sanjiv Garg, State Information Commissioner, Punjab

**(Regd. Post) Shri Tejinder Singh, Advocate**

R/o Village Bholapur, PO Ramgarh  
Chandigarh Road, Ludhiana.  
(M-90410004313)

...Appellant

**Versus**

**(Regd. Post) Public Information Officer**

O/o Food Safety Officer, Fazilka.

**(Regd. Post) First Appellate Authority**

O/o District Health Officer, Fazilka.

...Respondents

## **Appeal Case No.1645 of 2018**

**Present:** Sh.Tejinder Singh, Appellant is present.  
Ms. Gagandeep Kaur, Food Safety Officer, Fazilka,  
PIO/Respondent

### **ORDER:**

The case was last heard on 16.10.2018. On the last date, Sh. Karan Clerk had appeared on behalf of the PIO/Respondent. He had stated that the information will be sent to the appellant by registered post. He also handed over letter No.671 dated 20.08.2018 which is taken on record.

On the last date, the Appellant was absent but had requested vide an e-mail for adjournment of the case. He had stated in the e.mail that the information supplied is incomplete.

After discussing with the representative of PIO/ Respondent and going through the file, PIO/Respondent was directed to send information by registered post and also to produce postal receipt on the next date. It was further directed that if the information is not available, then a written reply in the form of affidavit signed by the PIO would be filed as to why the information cannot be supplied.

Today, the PIO Ms. Gagandeep Kaur is present and hands over copies of 2 letters dated 06.03.2018 & 20.08.2018 for having supplied information to the Appellant. Copies are taken on record.

As per point wise reply given as per the letters, the Appellant is satisfied with the copies of Forms 5 & 6 as at Point No.1. He points out variation in the reply to other points in three letters through which the reply has been supplied to the Appellant (i.e. 06.03.2018, 20.08.2018 & 20.08.2018). At Point No.2, the number of licenses issued under FSSAI from January, 2014 to January, 2018 is 854, 897 & 896 number respectively. Similarly, in reply to Point No.6, there is variation as letter dated 06.03.2018 shows number of cases 16 and both letters dated 20.08.2018 show 18 number of cases.

**Appeal Case No.1645 of 2018**

Regarding reply to Point No.3, when asked by the Court as to when the inspections of licenses and registration under FSSAI have been done, PIO/Respondent states that no inspections have been done. PIO/Respondent is directed to give in writing that no inspection of licenses and registration is being done under FSSAI. Regarding reply to Point 4 & 5 i.e. action taken regarding selling open food, and preparing food without gloves, PIO states that Special Food Awareness Day programmes are organized on every Friday and the people are educated about food safety. Regarding Point No.7, letter dated 06.03.2018 shows that one Food Safety Officer has done special work to educate people for food safety, whereas one copy of letter dated 20.08.2018 shows no special work to have been done, but another copy of letter dated 20.08.2018 makes no mention whether any special work was done to educate the people for food safety, and it only mentions about the posting of three Food Safety Officers during different periods.

As per Section 20 (2), when asked by the Court about the variations as pointed out above, no explanation is given by the PIO present, in spite of reasonable opportunity being given to the Respondent. It implies that the Court is being misled in supply of the information to the Appellant by the Respondent/PIO. **Penalty of Rs.5000/- (Rupees Five Thousand Only/-) is imposed on Ms. Gagandeep Kaur, O/o Food Safety Officer, Fazilka. The amount of penalty i.e. Rs. 5,000/- should be deducted from the salary of Ms. Gagandeep Kaur and be deposited in the Government treasury under head 0070-Other Administrative Services-60-Other Services-800-Other Receipts-86-Fees under the Right to Information Act. The Respondent/PIO is also directed to submit the proof of having deposited the penalty on the next date of hearing. PIO is also directed to supply the remaining information before the next date of hearing. A copy of this order be sent to her through registered post for his ready reference.**

The Appellant is advised to go through the requisite information and point out the deficiencies, if any, in written to the Respondent/PIO with a copy to the Commission, once he receives the requisite information from the Respondent/PIO. The Appellant is also advised to appear in person on the next date of hearing. Both the parties to come present on the next date of hearing.

The case is adjourned to **05.02.2019 at 11.00 AM.**

**Copies of the orders be sent to all the parties through registered post.**

**Dated: 17.12.2018**

**(Regd. Post)**

**Public Information Officer (By Name)  
O/o Food Safety Officer, Fazilka.**

**Sd/-  
(Sanjiv Garg)  
State Information Commissioner,  
Punjab**

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Bench: Sh.Sanjiv Garg, State Information Commissioner, Punjab

**(Regd. Post)Shri Tejinder Singh, Advocate**

R/o Village Bholapur, PO Ramgarh  
Chandigarh Road, Ludhiana.  
(M-90410004313)

...Appellant

Versus

**(Regd. Post) Public Information Officer**

O/o Food Safety Officer,  
Fazilka.

**(Regd. Post) First Appellate Authority**

O/o District Health Officer,Fazilka.

...Respondents

## **Appeal Case No.1646 of 2018**

**Present:** Sh.Tejinder Singh, Appellant is present.  
Ms. Gagandeep Kaur, Food Safety Officer, Fazilka,  
PIO/Respondent

### **ORDER:**

The case was last heard on 16.10.2018. On the last date, Sh.Karan Clerk had appeared on behalf of the PIO/Respondent. He had stated that the information will be sent to the appellant by registered post. He also handed over letter No.671 dated 20.08.2018 which is taken on record

On the last date, the Appellant was absent but had requested vide an e-mail for adjournment of the case. He had stated in the e.mail that the information supplied is incomplete.

After discussing with the representative of PIO/ Respondent and going through the file, PIO/Respondent was directed to send information by registered post and also to produce postal receipt on the next date. It was further directed that if the information is not available, then a written reply in the form of affidavit signed by the PIO would be filed as to why the information cannot be supplied.

Today, the PIO Ms. Gagandeep Kaur comes present and hands over copies of two letters dated 20.08.2018 and 24.10.2017 showing to have supplied the information to the Appellant. Copies are taken on record.

On perusal of point wise reply given as per both the letters, the Appellant points out variation in the reply in both the letters. As per him, at point no.I, letter dated 24.10.2017 makes mention of 224 samples taken from Jan. 2017 to October 05, 2017, but the letter dated 20.08.2018 in addition to 224 samples taken, also makes mention of 52 cases reported to have been prepared and sent to the ADC court. In Reply to Point No.II, the number of sub-standard cases referred to ADC court are 46 and 44, according to letter dated 24.10.2017 and 20.08.2018 respectively, showing variation of 2 no. At reply to Point No.IV, there is variation as both the replies show no. of licenses created as 223 and 50 respectively. Reply to point V is incomplete.

As regards reply to Point XI, letters dated 24.10.2017 and letter dated 20.08.2018 show the information as nil whereas as per RTI Application, specific information has been sought that as all the milk products coming from China are banned, how many shops & showrooms in the Fazilka district were checked. This point is required to be clarified by the PIO/Respondent.

As per Section 20 (2), when asked by the Court about the variations as pointed out above, no explanation is given by the PIO present, in spite of reasonable opportunity being given to the Respondent. It implies that the Court is being misled in supply of the information to the Appellant by the Respondent/PIO. **Penalty of Rs.5000/- (Rupees Five Thousand Only/-) is imposed on Ms. Gagandeep Kaur, O/o Food Safety Officer, Fazilka. The amount of penalty i.e. Rs. 5,000/- should be deducted from the salary of Ms. Gagandeep Kaur and be deposited in the Government treasury under head 0070-Other Administrative Services-60-Other Services-800-Other Receipts-86-Fees under the Right to Information Act. The Respondent/PIO is also directed to submit the proof of having deposited the penalty on the next date of hearing. PIO is also directed to supply the remaining information before the next date of hearing. A copy of this order be sent to her through registered post for his ready reference.**

**Besides, due to wastage of valuable time of the court as well as of the Appellant, compensation of Rs. 2000/- (Rupees Two Thousand only) is hereby awarded. The compensation shall be paid by the public authority concerned by way of crossed Cheque/ Demand Draft in the name of Tejinder Singh.** The crossed Cheque/Demand Draft shall be made from the bank account of public authority concerned and not from the individual official. The respondent PIO is also directed to produce a copy of the crossed Cheque/Demand Draft in the Commission on the next date of hearing to establish the fact that order of the Commission has been complied with.

The Appellant is advised to go through the requisite information and point out the deficiencies in written, if any, to the Respondent/PIO with a copy to the Commission, once he receives the requisite information from the Respondent/PIO. The Appellant is also advised to appear in person on the next date of hearing.

Both the parties to come present on the next date of hearing.

The case is adjourned to **05.02.2019 at 11.00 AM.**

**Copies of the orders be sent to all the parties through registered post.**

**Dated: 17.12.2018**

**(Regd. Post) Public Information Officer (By Name)  
O/o Food Safety Officer, Fazilka.**

**Sd/-  
(Sanjiv Garg)  
State Information Commissioner,  
Punjab**

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Bench: Sh.Sanjiv Garg, State Information Commissioner, Punjab

**Shri Tejinder Singh, Advocate**

R/o Village Bholapur, PO Ramgarh

Chandigarh Road, Ludhiana.

(M-90410004313

...Appellant

Versus

**Public Information Officer**

O/o Sub Divisional Magistrate-cum-

Licensing & Registering Authority, Ropar

**First Appellate Authority**

O/o Deputy Commissioner,

Ropar.

...Respondents

## Appeal Case No.1647 of 2018

**Present:** Sh. Tejidner Singh, Appellant is present.  
Sh. Kamaljit Singh, Steno is present on behalf of PIO/Respondent

### ORDER:

The case was last heard on 16.10.2018 when the appellant was absent. However, an e-mail had been received from him requesting for adjournment.

On last date, on behalf of PIO/Respondent, Sh.Kamaljit Singh, Steno was present. He had stated that requisite information through registered post. He also submitted a copy letter dated 09.07.2018 which was taken on record.

After discussing with the representative of Respondent/PIO and going through the case file, PIO/Respondent is directed to supply the requisite information to the appellant before the next date and if the information is not available with them, PIO was directed to file proper reply in the form of an affidavit signed by the PIO as to why the same cannot be supplied. PIO was also directed in person and produce postal receipt for supplying the information on the next date.

The Appellant was also advised to point out deficiencies on receipt of information, if any.

Today, the representative of PIO/Respondent comes present and refers to the letters dated nil and dated 09.07.2018 vide which information has been supplied.

Appellant states that information has been supplied as per these two letters referred to by PIO's representative. He states that he is satisfied with the information on Points No.I, III, IV, VI. Regarding Points No.II, he points out variation in the date of starting the track.

The Appellant further states that information on point No.VII is incomplete. Regarding Point No.V & IX, the information is reported to have been transferred to the PIO, State Transport Commissioner, Punjab, Chandigarh. Regarding information on Point No.VIII, the Appellant states that the supervision of on line driving test is done by the Clerk and not by the Licensing Authority.

**In view of the above, PIO O/o, The Sub Divisional Magistrate-cum-Licensing & Registering Authority, Ropar will Show Cause under Section 20 (1) of the RTI Act, as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.**

**In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing.**

PIO/Respondent is directed to come personally with the complete information on the next date, clarifying the position with regard to Point No.II and VIII and information on point No.V & IX, whatever available with him or else give proper reply in the form of an affidavit as to why the said information cannot be supplied. The appellant is advised to point out deficiencies, if any, on receipt of information by him.

Both the parties to come present on next date of hearing.

The case is adjourned to **12.02.2019 at 11.00 A.M.**

Copies of the order be sent to both the parties.

**Dated:17.12.2018**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commissioner,**  
**Punjab**

**Show Cause:**

**(Regd. Post) Public Information Officer, (By Name)**  
O/o The Sub Divisional Magistrate-cum-  
Licensing & Registering Authority,  
Ropar

**Encl. RTI Application**



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Bench: Sh.Sanjiv Garg, State Information Commissioner, Punjab

**Shri Jasbir Singh,**

R/o Village Bholapur Jhabewal,

PO Ramgarh, Ludhiana.

(M-9888296107)

...Appellant

Versus

**Public Information Officer**

O/o The Sub Divisional Magistrate-cum-

Licensing & Registering Authority,

Chamkaur Sahib, Distt. Ropar.

**First Appellate Authority**

O/o The Deputy Commissioner,

Ropar

...Respondents

## Appeal Case No.1711 of 2018

Present: Sh. Jasbir Singh, Appellant is present.

Sh.Surinder Pal Singh, Clerk and Ms. Jaspal Kaur, RTI Clerk are present on behalf of PIO/Respondent,

### ORDER:

The case was last heard on 16.10.2018. On the last date, the appellant was absent. On behalf of PIO/Respondent, Sh.Surinder Pal Singh, Clerk had appeared and stated that the requisite information has been supplied to the Appellant through registered post. He had also produced a copy of letter dated 21.08.2018 alongwith postal receipt.

On the last date, the appellant Sh.Jasbir Sigh was absent, as such, no statement could be recorded.

After discussing with the Respondent/PIO and going through the file, the Respondent/PIO was directed to appear in person or through any of his representative on the next date of hearing. The Appellant was advised to point out deficiencies, if any, in the information supplied.

Today, Sh.Surinder Pal Singh, Clerk and Ms. Jaspal Kaur, RTI Clerk come present on behalf of the PIO/Respondent. They state that the information has already been supplied to the Appellant.

The Appellant Sh. Jasbir Singh who is present, states that he is satisfied with the information supplied to him by the PIO/ Respondent and has also given in writing in the court that he is satisfied with the information supplied.

As the information has been supplied to the Appellant and he is satisfied with the information supplied, **the Appeal is disposed of and the case is closed.**

Sd/-

(Sanjiv Garg)

State Information Commissioner,  
Punjab

**Dated:17.12.2018**

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Bench: Sh.Sanjiv Garg, State Information Commissioner, Punjab

**Shri Bachittar Singh,**

S/o Shri Mukhtar Singh

R/o Opp. ITI College,

Khemkaran Road, Bhikhiwind

Tehsil Patti, Distt. Tarn Taran

(M-9463400192)

...Appellant

Versus

**Public Information Officer**

O/o The Civil Surgeon,

TarnTaran.

**First Appellate Authority**

O/o The Civil Surgeon,

Tarn Taran.

...Respondents

## Appeal Case No.1700 of 2018

Present: Sh. Bachittar Singh, Appellant is present.  
Sh. Hardavinder Singh, Junior Assistant is present  
on behalf of PIO/Respondent, O/o Civil Surgeon, Tarn Taran.

### ORDER:

The case was last heard on 16.10.2018. On the last date, the appellant was absent. On behalf of PIO/Respondent, Sh.Hardavinder Singh, Junior Assistant had appeared and stated that the requisite information has been supplied to the Appellant and some of the information is pending. He had also submitted a letter dated 21.08.2018 alongwith certain documents which was taken on record.

On the last date, the Appellant was absent, as such no statement could be recorded.

After discussing with the Respondent/PIO and going through the file, the Respondent/PIO was directed to supply the complete information to the Appellant before the next date of hearing by registered post. If the information is not available with him, it was directed to file a proper written reply in the form of an affidavit signed by the PIO as to why the same cannot be supplied to the Appellant. He was also directed to come in person or through his representative on next date of hearing along with postal receipt.

The Appellant was advised to point out deficiencies, if any, after the information is received by him.

Today, Sh. Hardavinder Singh, Junior Assistant comes present on behalf of the PIO/Respondent. He produces letter dated 13.12.2018 stating therein that the information has already been supplied to the Appellant vide letter dated 11.12.2018.

The Appellant Sh. Bachittar Singh who is present today, states that he has received the information and is satisfied with the same. He has also given in writing in the court that he is satisfied with the information supplied to him.

As the information has been supplied to the Appellant and he is satisfied with the information supplied, **the Appeal is disposed of and the case is closed.**

**Sd/-  
(Sanjiv Garg)**

**State Information Commissioner,  
Punjab**

**Dated:17.12.2018**

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Bench: Sh.Sanjiv Garg, State Information Commissioner, Punjab

**Ms. Asha Bakshi,**  
H.No.4, Rose Garden,  
Civil Lines, Ludhiana  
(M-9988002126)

...Appellant

Versus

**Public Information Officer**  
O/o The Executive Engineer  
Municipal Corporation, Ludhiana.

**First Appellate Authority**  
O/o Municipal Corporation,  
Ludhiana.

...Respondents

## Appeal Case No.1969 of 2018

Present: The Appellant Ms. Asha Bakshi is absent.  
Sh.Daya Ram, Estt. Clerk is present on behalf of PIO/Respondent,  
O/o The Executive Engineer, Municipal Corporation, Ludhiana.

### ORDER:

The case was last heard on 16.10.2018. On the last date, the appellant was absent without any intimation to the Commission. Nobody was present on behalf of PIO/Respondent,

After going through the file and the documents placed on record, the Respondent/PIO was directed to supply the requisite information to the Appellant Ms. Asha Bakshi through registered post before the next date of hearing or else serious view would be taken. PIO/Respondent was also directed to come in person or through his representative on next date of hearing.

The Appellant was also advised to come in person or through any of her representative on the next date of hearing.

Today, Sh.Daya Ram who came present on behalf of PIO/Respondents, hands over the remaining information to the representative of the Appellant, Shri Anil Bakshi.

Sh. Anil Baksh son of Appellant Ms. Asha Bakshi comes present today. He states that he has received the complete information and is satisfied with the same. He has also given in writing in the court that he is satisfied with the information supplied to him.

As the information has been supplied to the Appellant and he is satisfied with the information supplied, **the Appeal is disposed of and the case is closed.**

**Dated:17.12.2018**

Sd/-  
**(Sanjiv Garg)**  
State Information Commissioner,  
Punjab

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Bench: Sh.Sanjiv Garg, State Information Commissioner, Punjab

**Sh. Surjit Singh,**

H.No.2990/76, Street No.4

Guru Gobind Singh Nagar

Near Mair Di Chowki,

PO Daba, Ludhiana.

M-98143-54654)

....Appellant

**Versus**

**Public Information Officer**

O/o The Commissioner,

Municipal Corporation,

Ludhiana

**First Appellate Authority**

O/o The Commissioner

Municipal Corporation,

Ludhiana.

....Respondents

## **Appeal Case No.1729 of 2018**

**Present:** The Appellant Shri Surjit Singh is absent.  
None is present on behalf of PIO/Respondent.

### **ORDER:**

The case was last heard on 16.10.2018. The Appellant was absent without any intimation to the Commission.

Since nobody was present on behalf of the PIO/Respondent, no statement could be recorded.

After going through the case file and the documents placed on record, the PIO/Respondent was directed to supply the requisite information to the Appellant, Sh.Surjit Singh through registered post before the next date of hearing or else serious view would be taken. He was also directed to appear in person or through his representative alongwith the sought for information alongwith a copy of the postal receipt for having supplied the information, on the next date.

The Appellant was also advised to appear in person or through any of his representative on the next date of hearing.

**Appeal Case No.1729 of 2018**

The Appellant has been absenting himself on three consecutive hearings.

Though nobody has come present on behalf of the PIO/Respondent today, but an e-mail dated 17.12.2018 has been received from Shri Harvinder Singh, PIO-cum-ATP Zone-C, Municipal Corporation, Ludhiana. Vide e-mail, PIO has informed that the information has been supplied to the Appellant Shri Surjit Singh and has also enclosed therewith a letter from Shri Surjit Singh that he has received the information and he is satisfied with the information supplied to him. The request of the PIO/Respondent for disposal of the case cannot be accepted unless a similar request is received from the Appellant signed by him.

Since today, neither the Appellant, Sh. Surjit Singh has come in person nor has sent any intimation himself to the Commission, he is given last opportunity to appear before the Commission to affirm as to whether he has received the information to his satisfaction or not, otherwise the case will be decided on merits.

Both the parties to come present on next date of hearing.

The case is adjourned to **12.02.2019 at 11.00 A.M.**

Copies of the order be sent to both the parties.

**Dated:17.12.2018**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commissioner,**  
**Punjab**

# **PUNJAB STATE INFORMATION COMMISSION**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**

**Shri Ashok Kumar Gupta, Advocate**  
Chamber No.7, Lawyers' Chambers,  
District Courts, Panchkula.  
(M-9855754117)

.... Appellant

**Vs.**

**Public Information Officer,**  
**O/o Executive Officer,**  
Municipal Council, Zirakpur.  
District S.A.S Nagar (Mohali)

**First Appellate Authority,**  
O/o Executive Officer,  
Municipal Council, Zirakpur  
District S.A.S. Nagar (Mohali).

...Respondents

## **Appeal Case No. 1732 of 2018**

**Present:** The Appellant Sh.Ashok Kumar Gupta is present.  
None is present on behalf of Respondents/PIO.

### **ORDER:**

The case was last heard on 16.10.2018. The Appellant Shri Ashok Kumar Gupta was absent on the last date. Nobody was present on behalf of the PIO/Respondent.

Since none was present on behalf of PIO/Respondent, no statement could be recorded. After going through the case file and the documents placed on record, an opportunity was given to the Respondent/PIO to supply the requisite information to the Appellant through registered post before next date of hearing or else a serious view would be taken of this. He was also directed to appear in person or through his representative alongwith the sought for information with a copy of the postal receipt for having supplied the information. It is, however, observed that the PIO/Respondent has been absent on the last three consecutive hearings.

**In view of the above, PIO O/o, Executive Officer, Municipal Council, Zirakpur District S.A.S Nagar (Mohali) will Show Cause under Section 20 (1) of the RTI Act, as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant under the provisions of the RTI Act, 2005.**

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**Appeal Case No. 1732 of 2018**

**In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing.**

It is also observed that respondent/PIO has not supplied the requisite information to the appellant till date. I am of the view that due to evasive attitude of the Respondent/PIO concerned, the Applicant has suffered a lot.

Since the PIO/Respondent, besides his absence on the last three hearings (16.10.2018, 20.08.2018 and 09.07.2018), is also absent today without any information **Therefore, compensation be awarded to the Appellant Sh. Ashok Kumar Gupta.**

**Hence, I award a compensation of Rs. 2,500/- (Two Thousand and Five Hundred Rupees only) to the Appellant. The compensation amount must be paid by the Respondent/PIO concerned through cheque or demand draft in favor of Ashok Kumar Gupta from the account of Public Authority and not from the individual's account.** Respondent/PIO is directed to produce a copy of the cheque or demand draft on the next date of hearing.

PIO/Respondent may note that in case he does not supply the requisite information to the appellant, file his submissions and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

The Appellant is also advised to appear in person on the next date of hearing.  
Both the parties to come present on next date of hearing.

The case is adjourned to **12.02.2019 at 11.00 A.M.**

Copies of the order be sent to both the parties.

**Dated:17.12.2018**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commissioner,**  
**Punjab**

**Show Cause:**

**(Regd. Post) Public Information Officer, (By Name)**  
**O/o The Executive Officer**  
**Municipal Council, Zirakpur.**

**Encl. RTI Application**

# **PUNJAB STATE INFORMATION COMMISSION**

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

Fax 0172-2864110 Phone No-0172-2864120

Email: [psicsic31@punjabmail.gov.in](mailto:psicsic31@punjabmail.gov.in) Visit us - [www.infocommpunjab.com](http://www.infocommpunjab.com)

**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**

**Shri Tilak Raj**

C/o Amritsar Cooperative Labour &  
Construction Union Ltd.  
Albert Road, Amritsar.

....Appellant

**Vs.**

**Public Information Officer,**

O/o Executive Engineer,  
Construction Division No.2  
PWD (B&R), Amritsar.

**First Appellate Authority,**

O/o Superintending Engineer,  
Construction Circle  
PWD (B&R), Amritsar.

...Respondents

## **Appeal Case No. 2752 of 2018**

**Present:** The Appellant Sh. Tilak Raj is present.  
None is present on behalf of Respondents/PIO.

### **ORDER:**

The case was last heard on 31.10.2018. The Appellant Shri Ashok Kumar Gupta was present on the last date, but nobody was present on behalf of the PIO/Respondent.

The appellant has informed on the last date that he has not received any information.

Today, nobody is present on behalf of the PIO/Respondent. However, an e-mail dated 17.12.2018 has been received from the PIO that most of the officers/official have been deployed on election duty in the Panchayat Elections and as such, has requested for adjournment of the date of hearing. There is another e-mail from the PIO of the same date that the information has been supplied to the Appellant on 13.12.2018.

The Appellant Shri Tilak Raj who is present today states that he has not received any information till date.

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**Appeal Case No. 2752 of 2018**

Last time, show cause notice was issued to the PIO/Respondent i.e. The Executive Engineer, Construction Division No.2, PWD (B&R), Amritsar to show cause under Section 20(1) of the RTI Act as to why penalty be not imposed for the willful delay in supplying the information to the Appellant. He was also given opportunity under Section 20(1) of the RTI Act for a personal hearing with the sought for information before the imposition of such penalty, on the next day.

The PIO/Respondent is given last opportunity to supply the information to the Appellant before the next date through registered post and produce postal receipt on the next date of hearing for having supplied the information, otherwise penalty will be imposed on the next date of hearing.

The Appellant is advised to point out deficiencies, if any, in the information supplied after the same is received by him.

The case is adjourned to the next date of hearing.

Both the parties to come present on **12.02.2019 at 11.00 AM.**

Copies of the orders be sent to the parties.

**Dated:17.12.2018**

**Sd/-  
(Sanjiv Garg)  
State Information Commissioner,  
Punjab**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**

**Shri Surjit Singh Aujla**

Village Aujla Dhak,

PO Liddar Kalan

District Jalandhar.

....Complainant

**Vs.**

**Public Information Officer,**

O/o District Transport Officer

(Now Secretary,

Regional Transport Authority)

Jalandhar.

...Respondents

## **Complaint Case No. 895 of 2018**

**Present:** The Appellant Sh.Surjit Singh Aujla is absent.  
Sh. Avtar Singh, Steno Typist is present on behalf of  
Respondent/PIO.

### **ORDER:**

The case was last heard on 31.10.2018. The Complainant Shri Surjit Singh was absent without any intimation on the last date. Sh.Avtar Singh, Steno was present on behalf of the PIO/Respondent.

The appellant has informed on the last date that he has not received any information.

On the last date, Sh. Avtar Singh, Steno was present on behalf of the PIO/Respondent. Neither he could produce any authority letter to appear before the Commission nor he was fully aware of the facts of the case. A letter dated 18.07.2018 was produced by him before the Commission stating that the RTI application of the complaint had been returned to the complainant being incomplete and the same was taken on record.

The Complainant Shri Surjit Singh Aujla was advised to submit complete RTI alongwith Id. Proof and postal order duly filled and come present on the next date.

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**Complaint Case No.895 of 2018**

Today, neither any intimation has been received from the complainant regarding his absence nor anything in written is available on record showing the complainant to have complied with the direction of Commission given on the last date.

Today, Sh.Avtar Singh, Steno comes present. He produces a copy of the notification 05.11.2018 relating to fixation of rate and freights for stage carriage in the State of Punjab. On the asking of the court in regard to the reply to RTI application point-wise, he shows his ignorance. As observed on the last hearing, he has appeared before the Commission without being fully aware of facts of the case.

The PIO/Respondent is directed to come present in person along with complete information sought the Appellant on the next date of hearing.

The Complaint is also advised to come present on the next date of hearing.

The case is adjourned to the next date of hearing.

Both the parties to come present on **12.02.2019 at 11.00 AM.**

Copies of the orders be sent to the parties.

**Dated:17.12.2018**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commissioner,**  
**Punjab**

# **PUNJAB STATE INFORMATION COMMISSION**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**

**Shri Ajmel Singh**  
Village Sangatpura,  
Tehsil Jagraon,  
District Ludhiana.

....Complainant

**Vs.**

**Regd.Post**  
**Public Information Officer,**  
O/o President, Gurdwara  
Parbandhak Committee,  
Sangatpura, Tehsil Jagraon  
District Ludhiana.

**Regd. Post**  
**Public Information Officer**  
O/o President,  
Shiromani Gurdwara  
Prabandhak Committee,  
Amritsar.

...Respondents

## **Complaint Case No. 914 of 2018**

**Present:** The Complainant Sh.Ajmel Singh Aujla is present.  
None is present on behalf of Respondent/PIO.

### **ORDER:**

The case was last heard on 31.10.2018. The Complaint Shri Ajmel Singh was absent without any intimation on the last date. Nobody was present on behalf of the PIO/Respondent.

The Complainant Sh.Ajmel Singh who come present today, states that he has not received any information.

On the last date, it was observed that RTI application sent to PIO/Respondent vide No.21907 dated 03.10.2018 was received back with the remarks "Refused to receive". Accordingly a copy of the order alongwith RTI applicant was again sent through registered post to PIO/Respondent O/o President, Bhai Behlo Gurdwara Prabandhak Committee, Sangatpura, Tehsil Jagraon, District Ludhiana.

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Today, on going through the file, it is observed that the order sent to the PIO/President, Bhai Behlo Gurdwara Prabandhak Committee, Sangatpura, Tehsil Jagraon, District Ludhiana has again been received back with the remarks on the envelop "May be returned- Pardhan Sahib Iqbal Singh, Gurdwara Sangatpura".

Query was made by the Court to the complainant whether this Gurdwara comes under the jurisdiction of Shiromani Gurdwara Prabandhak Committee, he replied in affirmative.

In view of this, the Public Information Officer, Shiromani Gurdwara Prabandhak Committee, Amritsar be impleaded as party.

PIO/President, Bhai Behlo Gurdwara Prabandhak Committee, Sangatpura, Tehsil Jagraon, District Ludhiana as well as the Public Information Officer, Shiromani Gurdwara Prabandhak Committee, Amritsar are directed to come present before the Commission on the next date of hearing.

The complainant is also advised to come present on the next date of hearing.

The case is adjourned to next date of hearing.

All the parties to come present on **12.02.2019 at 11.00 AM.**

Copies of the orders be sent to the parties.

**Dated:17.12.2018**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commissioner,**  
**Punjab**