**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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E-mail-Psicsic30@punjabmail.gov.in

Sh.Gurnam Singh,

Muktsar Road, Near Kutimor,

Guruharsahai, DisttFerozepur. . … Complainant

Versus

**Public Information Officer,**

Director, School Education (SE),

Phase-8, Mohali. ...Respondent

**Complaint Case No. 526 of 2018**

**Present: None for the Complainant**

**Sh.Abhinav Sharma, Clerk O/o DPI for the Respondent**

**ORDER:** The case was last heard on 28.08.2018. The order is reproduced hereunder:

**“**The complainant through RTI application dated 26.02.2018 has sought information regarding enquiry report conducted by Sh.Ram Chand, Deputy Director on his complaint against Sh.Suresh Kumar and other information concerning the office of Director School Education, Mohali. The complainant was not provided the information after which he filed complaint with the Commission on 09.05.2018.

The respondent present has pleaded that the RTI application was transferred to them by the Education Department on 23.03.2018 after which they sent reply to the complainant on 13.04.2018 stating that the case is pending for enquiry. The respondent further pleaded that the appellant has filed another RTI on 03.05.2018 asking the same information and the appellant was sent the information on 13.06.2018, a copy of which is submitted to the Commission.

The respondent has also brought along a copy of enquiry report which the complainant has sought in the RTI. A copy of the enquiry report is submitted to the Commission which is taken on the file of the Commission. The PIO is directed to send it to the complainant through registered post.

The complainant is absent. The case is adjourned.”

**Hearing dated 18.09.2018:**

The respondent present has pleaded that the information has been sent to the complainant vide registered letter dated 27.08.2018. The complainant is absent for hearing on two consecutive dates. It is presumed that the complainant is satisfied with the information and there is no discrepancy.

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: 18.09.2018 State Information Commissioner**

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Sh.Ravinder Dhingra,

R/o H.No.733, First Floor,

Sector 43-A, Chandigarh.

… Appellant

**Public Information Officer,**

O/o City Police Station,

Main Bazar Kharar.

**First Appellate Authority,**

O/o Punjab Police Head Quarter,

Sector 9, Chandigarh. ...Respondent

**Appeal Case No. 1273 of 2018**

Present: None for the Appellant

Sh.Avtar Singh, ASI Police Chowki, Sunny Enclave, Kharar on behalf of the Respondent

**ORDER:**

The case was first heard on 19.06.2018 and again on 24.07.2018. The case was last heard on 21.08.2018. The order is reproduced hereunder:

“The respondent present has pleaded that he has brought the information. The appellant is not satisfied. The appellant has pleaded that he has sought information relating to Police Station, Kharar and not Police Chowki, Sunny Enclave or Mullanpur. The respondent also pleaded that he will rectify and provide the information pertaining to Police Station Kharar within 10 days.

The PIO Police Station, Kharar is directed to review the RTI application and provide the information as per the RTI application within 10 days.”

**Hearing dated 18.09.2018:**

The respondent present has brought the information regarding Police Station Kharar which can be handed over to the appellant. The same is being taken on the file of the Commission. However, since the appellant is absent and vide letter received in the Commission on 14.09.2018, he has sought adjournment, the respondent is directed to send the information duly certified to the appellant within 5 days through registered post. The same is also being attached with the orders of the Commission.

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

**Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated:18.09.2018. State Information Commissioner**

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Sh Ashok Kumar,

H.No.214, Pine Homes, Dhakoli,

Zirakpur. … Appellant

**Public Information Officer,**

O/o Executive Officer,

N.C. Kharar, Distt.Mohali.

**First Appellate Authority,**

O/o Regional Deputy Director,

Local Government Bodies,

Patiala. ...Respondent

**Appeal Case No. 1274 of 2018**

Present: Sh.Ashok Kumar as Appellant

Sh.Amit Kumar, SDO, NC Kharar for the Respondent

**ORDER:**

The case was first heard on 19.06.2018.

The case was again heard on 24.07.2018. The Commission found that the fee of Rs.916/- was not calculated as prescribed under section 7(1) of the RTI Act, 2005. The PIO was directed to re-calculate the fee under section 7(1) of the RTI Act,2005 and intimate the same to the appellant. He was also directed to provide the information to the appellant on receipt of requisite fee in accordance with RTI Act 2005. “

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 16.08.2018, he has shown his inability to attend the hearing. He has further informed that the PIO in non-compliance with orders of the Commission has not recalculated the fee as per RTI Act.

On the last hearing, the PIO was asked to recalculate the fee and intimate to the appellant. As the PIO has not raised demand of recalculated fee as ordered in the interim order on 24.07.2018, he is directed to recalculate the fee and intimate to the appellant. The appellant is also directed to be present on the next date of hearing failing which the case will be decided in his absence.”

**Hearing dated 18.09.2018:**

The respondent present pleaded that the information has been sent to the appellant free of cost vide letter dated 12.09.2018. The appellant informed that he has not received the information. The respondent has again provided a copy of the information to the appellant. The appellant has again pleaded that the information regarding point 2 has not been provided. The PIO is directed to resend the information to the appellant duly certified by the competent authority through registered post with a forwarding letter addressing both the points of the RTI application.

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

**Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 18.09.2018. State Information Commissioner**

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Sh. Prem Kumar Rattan,

H No-78/8, Park Road, New Mandi,

Dhuri, Distt Sangrur Appellant.

Versus

**Public Information Officer,**

Punjab State Information Commission,

Sec-16, Madhya Marg, Near Rose Garden,

Chandigarh.

**First Appellate Authority,**

Secretary Punjab State Information Commission,

Sec-16, Madhya Marg, Near Rose Garden,

Chandigarh ...Respondent

**Appeal Case No. 1619 of 2018**

Present: None for the Appellant

Sh.Sudhir Kumar, SO on behalf of Respondent

Sh.Sadhu Ram, PS to Secretary, PSIC

**ORDER:**

The case was first heard on 03.07.2018.

The case was again heard on 31.07.2018. The appellant was not satisfied with the information and the PIO was directed to relook the RTI and provide the information in accordance with the RTI Act.”

The case was last heard on **29.08.2018:** The order is reproduced hereunder:

**“**The appellant is absent. The respondent present informed that he has brought the information. The PIO is directed to send the information through registered post**.**

**Hearing dated 18.09.2018:**

The respondent present has pleaded that the information has been sent to the appellant vide letter dated 29.08.2018. The appellant is absent and vide email, he has sought adjournment. The appellant has not pointed out any discrepancy in the information. One more opportunity is granted to the appellant and he is asked to point out the discrepancy, if any, in the information before the next date of hearing.

The case is adjourned. Both the parties to be present on **20.11.2018 at 11.00 AM** for further hearing.

**Sd/-** `

**Chandigarh (Khushwant Singh)**

**Dated: 18.09.2018 State Information Commissioner**

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Sh.Sudesh Khosla,

C/o Khosla Agro Chowk,

Near Bye Pass Chowk,

Amritsar Road, Batala. Appellant.

Versus

**Public Information Officer,**

Registrar of Firms and Societies,

Room No-12, 3rd Floor, 17 Bays Building,

Sec-17, Bear G.P.O,Chandigarh.

**First Appellate Authority,**

Director of Industry & Commerce,

17, Bays Building, Sec-17, Chandigarh. ...Respondent

**Appeal Case No. 1348 of 2018**

Present: None for the Appellant

None for the Respondent

**ORDER:**

The case was first heard on 02.07.2018. The PIO was directed to provide the information to the appellant in accordance with RTI Act within 10 days. He was further directed to explain the reason for not providing the information on time and be present personally on the next date of hearing.”

The case was again heard on  **01.08.2018:** The PIO was directed to provide the information duly attested within 5 days of the receipt of copy of the list from the appellant. The PIO was also directed to explain the valid reasons for not providing the information and why he should not be penalized under the RTI Act.2005.”

The case was last heard on **05.09.2018:** The order is reproduced hereunder:

“The respondent present has pleaded that the information has been provided. The advocate on behalf of the appellant has informed that the information has been received as per RTI application.

The PIO during the hearing on 02.07.2018 and again on 01.08.2018 was directed to explain the reasons for not responding to the RTI application within the prescribed time under the RTI Act 2005 and for delay in providing the information. The PIO was also directed to be present personally with solid reasons to explain the delay in providing the information. The PIO has failed to submit any reply in compliance with the orders of the Commission.

The Commission has taken serious view of this and the **PIO is directed 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.”

**Appeal Case No. 1348 of 2018**

**Hearing dated 18.09.2018:**

In the last order, the PIO was issued show cause notice and was directed to appear before the Commission with the written replies. The PIO is absent without intimation to the Commission.

The PIO is hereby granted one more opportunity and is directed to appear before the Commission on the next date of hearing alongwith the written reply on an affidavit regarding (i) delay in providing the information, (ii) for his absence and (iii) non-reply to the show cause notice.

The case is adjourned. To come up on **05.11.2018 at 11.00 AM.**

**Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 18.09.2018 State Information Commissioner**