

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,

Email: psic21@punjabmail.gov.in



Sh. Puneet Singh,

S/o Shri Anil Pathania,

1, Village Lahri, Tehsil and District Pathankot

Versus

Public Information Officer,

O/o District Development and Panchayat Officer,
Pathankot.

First Appellate Authority

O/o Director, Rural Development and
Panchayat Department, Punjab,
Chandigarh.

Appeal Case No. 5220 of 2023

PRESENT:

(Appellant) Absent

Kamaljeet Singh, Panchayat Secretary (for the Respondent) 70092-62979

ORDER:

(To be read in continuity with earlier orders on 7.3.2024)

1. The RTI application is dated **20.05.2023** vide which the appellant has sought information regarding:

Respected Sir,

You are requested under RTI Act, 2005 to provide the following information in serial order:

- 1) List of the names of Block Development and panchayat officer of block Gharota with their term of office from year 2020 to till date.
- 2) full Details (with a copy of the petition) about the case filed before DDPO-cum-collector, Pathankot by BDPO, Gharota in compliance with Hon'ble High court order dated 06 Feb 2023 (copy attached)

as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.06.2023** and Second Appeal was filed in the Commission on **10.08.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **7.3.2024**.

2. The appellant is absent. The respondent PIO, represented by Sh. Kamaljeet Singh, has submitted a copy of a reply sent to the appellant vide Letter No. 1695 Dated 14.6.2024, along with the information pertaining to point Nos. 1 and 2 of the RTI application. As per Sh. Kamaljeet Singh, the reply and information have also been provided to the appellant Sh. Puneet Singh. At the last Hearing on 7.3.2024, a Show Cause Notice was issued to the PIO office of, DDPO, Pathankot, to explain the delay in providing the information. The PIO has failed to make any written submission or to be heard in person at today's Hearing. The PIO office of, DDPO, Pathankot, is herewith directed to submit a written reply to the Show Cause Notice issued to him / her on 7.3.2024, within 10 days of receipt of this Order.

3. Since I will be concluding my Five-year term as State Information Commissioner, Punjab, on 9.7.2024, and there are no available dates to hear the case further, this case file be sent back to the Registry Branch to be put up before the Hon'ble Chief Information Commissioner, for reallocation as he deems appropriate.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

18.6.2024

Cc: Deputy Registrar, PSIC, along with case file.

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Sh. Baaj Singh,

S/o Sh. Tara Singh,
Village Variam, PO Makhu, Tehsil Zira,
District Ferozepur-142044.

Versus

Public Information Officer-cum

Block Development & Panchayat Officer,
Makhu, District Ferozepur.

First Appellate Authority,

District Development & Panchayat Officer,
Makhu, District Ferozepur.

Appeal Case No. 2786 of 2023

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

*(To be read in continuity with earlier orders on **16.6.2023, 26.7.2023, 20.9.2023, 09.11.2023, and 7.3.2024**)*

1. The RTI application is dated **3.6.2022** vide which the appellant has sought information regarding **work done during the period of Sarpach Baldev Raj from 2013 to 2018 and present Sarpach Lakhwinder Singh from 2019 to 2022**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on Nil and Second Appeal was filed in the Commission on **28.4.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **7.3.2024**.

2. Both parties are absent. The case is adjourned.

3. Since I will be concluding my Five-year term as State Information Commissioner, Punjab, on 9.7.2024, and there are no available dates to hear the case further, this case file be sent back to the Registry Branch to be put up before the Hon'ble Chief Information Commissioner, for reallocation as he deems appropriate.

Sd/-

(ASIT JOLLY)

State Information Commissioner
Chandigarh
18.6.2024

Cc: Deputy Registrar, PSIC, along with case file.

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Sh. Lajpat Rai Garg,

Romana Street, Jaito, District Faridkot.

Versus

Public Information Officer,

O/o Additional Deputy Commissioner (General),

Tarn Taran.

First Appellate Authority

O/o Additional Deputy Commissioner (General),

Tarn Taran.

Appeal Case No. 5964 of 2023

PRESENT:

Lajpat Rai Garg (Appellant is present via Webex)

Varinder Pal Singh, ADC(G) (Respondent) 98145-28007

Anil Chopra, PIO-cum-EO (Respondent) 96468-11000

ORDER:

(To be read in continuity with earlier orders on 7.3.2024)

1. The RTI application is dated **19.06.2023** vide which the appellant has sought information regarding **the Village Sahib Nagar alias Theri during the period from 01.04.2018 to 31.03.2023**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.07.2023** and Second Appeal was filed in the Commission on **08.09.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **7.3.2024**.

2. Both parties are present. The appellant is present via Webex but the Audio Link is not working. At the last Hearing on 7.3.2024, a Show Cause Notice was issued to the ADC(G), Tarn Taran, who has submitted a reply to the Show Cause Notice vide Letter No. 647 Dated 14.6.2024, wherein he states that his office has neither received the original RTI application nor the First Appeal and that he has only become aware of this RTI application on receiving the Show Cause Notice issued to him vide this Commission's Order Dated 7.3.2024. The Show Cause Notice issued to PIO-cum-ADC(G), Tarn Taran, is hereby withdrawn. It emerges that RTI application was marked to the PIO office of DC, Tarn Taran, who mark same to the PIO-cum-EO, MC, Patti. The PIO-cum-EO, MC, Patti, Sh. Anil Chopra, is present in person and states that the RTI application is still not addressed simply because the appellant Sh. Lajpat Raj Garg, had submitted a number of related RTI applications seeking voluminous information.

3. The PIO is hereby directed to provide a suitable reply to the RTI application as per provisions of the RTI Act, 2005. This must be done within 30 days of receipt of this Order.

4. The Case is adjourned with the aforesaid directions. Since I will be concluding my Five-year term as State Information Commissioner, Punjab, on 9.7.2024, and there are no available dates to hear the case further, this case file be sent back to the Registry Branch to be put up before the Hon'ble Chief Information Commissioner, for reallocation as he deems appropriate.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

18.6.2024

Cc: Deputy Registrar, PSIC, along with case file.

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Sh. Inderbir Singh Arora,
#239. Cheema Nagar,
Mithapur Road, Jalandhar City.

Versus

Public Information Officer-cum-MTP,
Building Branch, Municipal Corporation,
Jalandhar.

Sh. Rampal,
Public Information Officer-cum-XEN,
B&R Branch, Municipal Corporation,
Jalandhar.

Public Information Officer,
o/o Municipal Corporation,
Jalandhar.

First Appellate Authority
Commissioner,
Municipal Corporation, Jalandhar.

Appeal Case No. 101 of 2023

PRESENT:

Karanbir Singh Chawla Advocate (for the Appellant) 94170-07700

Vijay Kumar, PIO-cum-MTP (Respondent) 98887-32720

Raj Kumar, ATP (for the Respondent) 98142-45582

Ram Paul, PIO-cum-XEN (Respondent) 94173-04034

ORDER:

*(To be read in continuity with earlier Orders on **29.3.2023, 5.9.2023, 27.9.2023, and 21.5.2024**)*

1. The RTI application is dated **24.6.2022** vide which the appellant has sought information **regarding illegal encroachment, Cheema Nagar Extension, Jalandhar**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **12.8.2022** and Second Appeal was filed in the Commission on **20.12.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **21.5.2024**.

2. Both parties are present. As directed at the last Hearing on 21.5.2024, the PIO-cum-MTP, has submitted a reply to the Show Cause Notice issued to him vide this Commission's Order of 21.5.2024. Said PIO has submitted a fresh reply to the RTI application.

3. Post deliberations at this Hearing, the PIO-cum-MTP, who is hereby deemed the PIO in this Appeal Case, is directed to submit aforesaid reply Dated 14.6.2024 by way of a notarized affidavit on E-Stamp paper. Said affidavit must include point No. 1 of the RTI application with a clear reply to whether the cited Map is available in the records of the Building Branch.

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Appeal Case No. 101 of 2023

4. The Commission further impleads the Corporation Engineer, Sh. Ram Paul, XEN, B&R and O&M, and also directs to submit a notarized affidavit on E-Stamp Paper, reproducing point No. 1 of this RTI application and clearly stating whether the cited Map is available in his records or not. In case said Map is available in the records, duly attested copy of full size be provided along with the affidavit. This must be done before the next Hearing.

5. Next Hearing on 24.6.2024 at 11.00 AM at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

18.6.2024

PUNJAB STATE INFORMATION COMMISSION

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Sh. Inderbir Singh Arora,
#239. Cheema Nagar,
Mithapur Road,
Jalandhar City.

Versus

Sh. Raj kumar,
Public Information Officer-cum-ATP,
Building / MTP Branch,
Municipal Corporation,
Jalandhar.
Public Information Officer-cum-XEN,
O&M Cell, Municipal Corporation,
Jalandhar.
Sh. Rampal,
Public Information Officer-cum-XEN,
B&R Branch, Municipal Corporation,
Jalandhar.
First Appellate Authority
Commissioner,
Municipal Corporation,
Jalandhar.

Appeal Case No. 3499 of 2022

PRESENT:

Karanbir Singh Chawla Advocate (for the Appellant) 94170-07700
Vijay Kumar, PIO-cum-MTP (Respondent) 98887-32720
Raj Kumar, PIO-cum-ATP (Respondent) 98142-45582
Ram Paul, PIO-cum-XEN (Respondent) 94173-04034

ORDER:

(To be read in continuity with earlier Orders on 2.11.2022, 18.1.2023, 28.3.2023, 5.9.2023, 27.9.2023, and 21.5.2024)

1. The RTI application is dated **15.4.2022** vide which the appellant has sought information **regarding removal of encroachment / illegal construction**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **26.5.2022** and Second Appeal was filed in the Commission on **28.7.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **21.5.2023**.
2. Both parties are present. At the last Hearing on 21.5.2024, a Show Cause Notice was issued to the PIO-cum-ATP, Building / MTP Branch, MC, Jalandhar, Sh. Raj kumar, who has submitted a reply to the same vide Letter No. 14.6.2024. Further, he was directed to submit a fresh pointwise reply to the RTI application.
3. The Commission has examined the reply and directs the PIO-cum-ATP, Building Branch, to submit a foresaid reply by way of duly notarized affidavit on E-Stamp Paper on or before next Hearing.

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Appeal Case No. 3499 of 2022

4. At the last Hearing a Show Cause Notice was also issued to the PIO-cum-XEN, O&M Cell and B&R, Building Branch. The PIO-cum-XEN, has submitted a reply Dated 14.6.2024, which is taken on record. The PIO-cum-XEN, B&R and O&M Cell Sh. Ram Paul, is hereby directed to submit a fresh pointwise reply to point Nos. 1 to 7 and 14 to 18 of this RTI application along with duly attested copies of the information sought, as available in the records. The aforesaid reply is to be submitted by way of a duly notarized affidavit on E-Stamp Paper and must specifically address the RTI application with no reference any earlier information / reply provided to the appellatant. This must be done on or before next Hearing.

5. Next Hearing on 24.6.2024 at 11.00 AM at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Sd/-
(ASIT JOLLY)
State Information Commissioner
Chandigarh
18.6.2024

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Sh. Gurdip Singh, S/o SH. Bhajan Singh,
Village Taggar, P.O Pasla, Tehsil Phillaur,
District Jalandhar.

Versus

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

First Appellate Authority
O/o Deputy Commissioner,
Jalandhar.

Appeal Case No. 5967 of 2023

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 7.3.2024)

1. The RTI application is dated **17.04.2023** vide which the appellant has sought information regarding **enquiry report on letter 658-659 Dated 17.03.2023**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.05.2023** and Second Appeal was filed in the Commission on **13.09.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **7.3.2024**.

2. Both parties are absent. The case is adjourned.

3. Since I will be concluding my Five-year term as State Information Commissioner, Punjab, on 9.7.2024, and there are no available dates to hear the case further, this case file be sent back to the Registry Branch to be put up before the Hon'ble Chief Information Commissioner, for reallocation as he deems appropriate.

Sd/-
(ASIT JOLLY)
State Information Commissioner
Chandigarh
18.6.2024

Cc: Deputy Registrar, PSIC, along with case file.

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SHOW CAUSE NOTICE

Sh. Jasbir Singh,
Guru Nanak Nagar,
Village Bholapur, Jhabewal,
PO Ramgarh, District Ludhiana.

Versus

Public Information Officer-cum-ATP,
Building Branch, Zone-B
Municipal Corporation, Ludhiana.
First Appellate Authority
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 5069 of 2023

PRESENT:

Jasbir Singh (Appellant)
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on **14.9.2023, 09.11.2023, and 7.3.2024**)

1. The RTI application is dated **16.5.2023** vide which the appellant has sought information regarding **Application Dated 2.5.2023**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.6.2023** and Second Appeal was filed in the Commission on **4.8.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **7.3.2024**.

2. The appellant Sh. Jasbir Singh is present in person. The respondent PIO is absent without intimation. At the last Hearing on 7.3.2024, the PIO-cum-ATP, Zone B, was directed to provide a suitable reply to the RTI application. PIO has failed to submit any written reply or to be heard in person at today's Hearing. Accordingly, the Commission deems it appropriate to issue this Show Cause Notice to the **PIO-cum-ATP, Zone B, MC, Ludhiana**.

3. The respondent **PIO-cum-ATP, Zone B, MC, Ludhiana**, is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **16.5.2023**. **If there is / are other PIO / PIOs responsible for the delay in providing the information, the incumbent PIO is directed to inform such PIO(s) of the Show Cause and direct them to appear before the Commission along with written replies.**

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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*." Copies of this order be sent to the parties through registered post.

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Appeal Case No. 5069 of 2023

4. The PIO is further directed to provide duly attested copies of the information, as directed at the last Hearing on 7.3.2024, within 20 days of receipt of this Order.

5. The Case is adjourned with the aforesaid directions. Since I will be concluding my Five-year term as State Information Commissioner, Punjab, on 9.7.2024, and there are no available dates to hear the case further, this case file be sent back to the Registry Branch to be put up before the Hon'ble Chief Information Commissioner, for reallocation as he deems appropriate.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

18.6.2024

Cc: Deputy Registrar, PSIC, along with case file.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Shivam Goyal, S/o Sh. Ashok Kumar,
R/O # 43/B, Bank Street Near Basti, Nabha.
District Patiala.

Versus

Mrs. Taranjit Kaur Bajwa,
Public Information Officer-cum-Warehouse Manager,
O/o Punjab State Warehouse Corporation, Punjab,
Sector:17, Chandigarh.
First Appellate Authority,
Punjab State Warehouse Corporation, Punjab,
Sector:17, Chandigarh.

Appeal Case No. 3865 of 2023 and 3866 of 2023 (Heard together)

PRESENT:

Shivam Goyal (Appellant) 96538-22888

Taranjit Kaur Bajwa, PIO-cum-Warehouse Manager (Respondent) 98147-08284

S.S.Gill (Counsel for the Respondent)

Chaman Lal, JE (for the Respondent) 94654-39201

ORDER:

*(To be read in continuity with earlier orders on **31.08.2023, 02.11.2023, 15.12.2023 and 15.3.2024**)*

1. The RTI applications are dated **19.10.2022 and 25.11.2022** vide which the appellant has sought information **regarding: "M/s Bhadur Singh Co-Owner of a Rice Mill, Phagwal Village, Tehsil Bhawanigarh, District Sangrur"** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.04.2023** and Second Appeal was filed in the Commission on **14.06.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.3.2024**.

2. Both parties are present. At the last Hearing on **15.3.2024**, the cited third party namely Sh. Ashok Kumar was given further opportunity either be present in person or submit an affidavit as to whether information sought by the appellant Sh. Shivam Goyal, in these two RTI applications, be disclosed to him or not. Sh. Ashok Kumar, has submitted an affidavit, which was received in the Commission vide Diary No 8304 Dated **18.6.2024**, a copy of the same has been provided to the respondent.

3. Accordingly, the exemption sought by the respondent PIO, as per Seciton 8(1)(j) of the RTI Act, 2005, is no longer valid. The PIO, is directed to provide a pointwise reply and duly attested copies of the information sought in this RTI application to the appellant Sh. Shivam Goyal, within 20 days of receipt of this Order.

4. Further, Sh. Shivam Goyal, is to be invited to inspect the concerned record as per the RTI application appended to Appeal Case No. 3866 of 2023, on a mutually agreeable date and time. After inspection the record requested by the appellant provided to him free of cost.

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Appeal Case No. 3865 of 2023 and 3866 of 2023 (Heard together)

5. The Case is adjourned with the aforesaid directions. Since I will be concluding my Five-year term as State Information Commissioner, Punjab, on 9.7.2024, and there are no available dates to hear the case further, this case file be sent back to the Registry Branch to be put up before the Hon'ble Chief Information Commissioner, for reallocation as he deems appropriate.

Sd/-
(ASIT JOLLY)
State Information Commissioner
Chandigarh
18.6.2024

Cc: Deputy Registrar, PSIC, along with case file.

PUNJAB STATE INFORMATION COMMISSION

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SHOW CAUSE NOTICE

Sh. Gurpreet Singh, S/o Sh. Amarjit Singh,
V&PO Khera Gajju,
Tehsil Rajpura, District Patiala.

Versus

Sh. Mohinder Singh,
Public Information Officer-cum-
Block Development & Panchayat Officer,
Rajpura, District Patiala.
First Appellate Authority,
District Development and Panchayat Officer,
Patiala.

Appeal Case No. 5939 of 2023

PRESENT:

Gurpreet Singh (Appellant is present via Webex)
Amandeep Kaur, PIO-cum-DDPO (Respondent) 98557-45036
Jaswinder Kaur, Steno (for the Respondent)
Gurpreet Singh, Steno (for the Respondent) 81463-60915

ORDER:

(To be read in continuity with earlier orders on 7.3.2024)

1. The RTI application is dated **05.06.2023** vide which the appellant has sought information **regarding Ramgaria Bhawan, Khera Gajju, Tehsil**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.07.2023** and Second Appeal was filed in the Commission on **12.09.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **7.3.2024**.

2. Both parties are present. The appellant is present via Webex but the Audio Link is not working. The respondent PIO-cum-DDPO, Smt. Amandeep Kaur, is present in person and has submitted a reply to the Show Cause Notice issued to her vide this Commission's Order of 7.3.2024. The same is taken on record. This RTI application was submitted online to the Director Rural Development and Panchayats and thereafter assigned to Smt. Amandeep Kaur, DDPO, Patiala. As per the DDPO, Smt. Amandeep Kaur, the information pertains to the BDPO, Rajpura and was accordingly transferred vide Letter 504 Dated 7.6.2023. The PIO-cum-BDPO, Rajpura, has submitted a copy of a reply sent to the appellant vide Letter No. 156 Dated 17.5.2024, along with copies of the information. Aforesaid copies are not attested.

3. The Commission deems it appropriate to issue this Show Cause Notice to the PIO-cum-BDPO, Rajpura, Sh. Mohinder Singh.

4. The respondent **PIO-cum-BDPO, Rajpura, Sh. Mohinder Singh**, is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as

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Appeal Case No. 5939 of 2023

far back as on 5.6.2023. If there is / are other PIO / PIOs responsible for the delay in providing the information, the incumbent PIO is directed to inform such PIO(s) of the Show Cause and direct them to appear before the Commission along with written replies.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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*.” Copies of this order be sent to the parties through registered post.

5. The PIO-cum-BDPO, Sh. Mohinder Singh, is further directed to resubmit his reply and information after due attestation as per supplied under RTI Act, 2005. This must be done before 21.6.2024.

6. Next Hearing on 21.6.2024 at 11.00 AM at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Sd/-
(ASIT JOLLY)
State Information Commissioner
Chandigarh
18.6.2024

Cc: 1. Director, Rural Development and Panchayat Department, Punjab, Mohali, for further necessary action.