

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh. Navdeep Singh, S/o Shri Manjer Singh
R/o Ward No. 6, Patti, Tarn Taran

.....Appellant

Vs

Public Information Officer,
O/o Punjab State Election Commission,
SCO 49, Sector 17E, Chandigarh

First Appellate Authority
O/o Punjab State Election Commission,
SCO 49, Sector 17E, Chandigarh

Registered post: Public Information Officer,
Deputy Commissioner, Tarn Taran

.....Respondent

AC.No. 443 of 2020

Through CISCO Webex

Present: (i) Sh. Navdeep Singh the appellant
(ii) For the respondent : Smt. Shruti, Sr. Assistant (9872211595)

ORDER

This order may be read with reference to the previous order dated 04.03.2020 vide which 30.03.2020 was given next date of hearing. But on 30.03.2020 the aforementioned Appeal case was postponed and fixed for hearing on 24.06.2020, i.e, today.

2. The appellant states that he is not satisfied with the information provided.
3. Respondent smt. Shruti states that the information is lying with the DC office, Tarn Taran.
4. The perusal of the file shows that during the last hearing, copy of the orders dated 04.03.2020 was also sent to the office of Deputy Commissioner, Tarn Taran, but today neither the respondent, o/o DC, Tarn Taran has appeared nor they have bothered to inform the commission. However, taking a lenient view , one last opportunity is given to the PIO, o/o DC, Tarn Taran to appear before the Commission.

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AC.No. 443 of 2020

5. Since, the information is lying with the PIO, O/o Deputy Commissioner, Tarn Taran. I, therefore, order that PIO, O/o Deputy Commissioner, Tarn Taran be impleaded as Respondent No.2. I further direct that PIO, O/o Deputy Commissioner, Tarn Taran should supply the information to the Appellant before the next date of hearing.
6. To come up on **08.07.2020 at 10.00 AM** through video conference facility in the office of Deputy Commissioner, Tarn Taran. Copy of the order be sent to the parties.

Chandigarh
Dated: 24.06.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Sh. Sandeep Kumar, S/o Sh. Tara chand
Ward No. 20, Near Pralad Factory, Street Tara Chand
Bhate Wale Di, Malout, Sri Mukatsar Sahib

.....Appellant

..Vs

Public Information Officer,
O/o, Director Food Civil Supplies and Consumer Affairs, Punjab
Annaj Mandi, Sector 39C, Chandigarh

First Appellate Authority
O/o, Director Food Civil Supplies and Consumer Affairs, Punjab
Annaj Mandi, Sector 39C, Chandigarh

Registered post: Public Information Officer
o/o Vigilance department
Kotkapura Road, Distt. Mukatsar

.....Respondent

AC No. 300 of 2020

Through CISCO Webex

Present (i) Sh. Sandeep Kumar the appellant
(ii) For the Respondent: Sh. Ripan Kalra, Inspector (8146900877)

ORDER

This order may be read with reference to the previous order dated 18.03.2020 vide which 18.03.2020 was given next date of hearing. But on 18.03.2020 the aforementioned Appeal case was postponed and fixed for hearing on 24.06.2020, i.e, today.

2. The appellant states that no information has been given to him so far.
3. Respondent states that the information is lying with the vigilance department for enquiry.
4. Since, the information is lying with the Vigilance department. I, therefore, order that PIO, O/o Vigilance department, Kotkapura Road, Distt. Mukatsar be impleaded as Respondent No.2. I further direct that PIO, O/o Vigilance department, Kotkapura Road, Distt. Mukatsar should appear before the Commission on the next date of hearing with complete reply.

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AC No. 300 of 2020

5. To come up on **08.07.2020 at 10.00 AM** through video conference facility in the office of Deputy Commissioner, Sri Mukatsar Sahib. Copy of the order be sent to the parties.

Chandigarh
Dated: 24.06.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Smt. Geeta Rani, W/o Shri Fakir chand
R/o Village Kariha, Tehsil Nawnahshar.
Distt. SBS Nagar

.....complainant

..Vs

Public Information Officer,
O/o Deputy Commissioner
SBS Nagar

.....Respondent

CC No. 210 of 2020

Through video conference

Present: (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Paramjeet Kumar, Court Clerk(9780756772)

ORDER

1. The RTI application is dated 20.09.2019 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.02.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 08.04.2020 in the Commission. But on 08.04.2020 due to lockdown, the aforementioned complaint case was postponed and fixed for hearing on 24.06.2020, i.e, today.
3. Today, the complainant is not present.
4. Respondent Sh. Paramjeet Kumar, Court Clerk is not aware about the facts of the case.
5. The perusal of the file shows that the notice of the complainant has been returned undelivered from the postal authorities with the endorsement of the postal authorities that the recipient was not available at his residence despite repeated visits. Even, the complainant has not mentioned her telephone/mobile number in the case file.
6. However, last opportunity is given to the respondent-PIO to appear before the Commission and state his case, failing which action under Section 20(1) of the RTI Act 2005 will be initiated.

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CC No. 210 of 2020

7. To come up on **08.07.2020 at 10.00 AM** through video conference facility in the office of Deputy Commissioner, SBS Nagar. Copy of the order be sent to the parties.

Chandigarh
Dated: 24.06.2020

Sd/-
(**PreetyChawla**)
State Information Commissioner
Punjab

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Sh. Kimti Lal Kashyap, S/o Shri Krishan Lal Kashyap,
R/o House No. 12, Teacher Colony (Shanti Nagar)
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o, Deputy Commissioner, SBS Nagar

Registered post: **Public Information Officer,**
o/o SSP, SBS Nagar

.....Respondent

CC No. 194 of 2020
Through video conference

Present: (i) Sh. Kimti Lal Kashyap the complainant (7589757100)
(ii) For the respondent: Sh. Vipin Bhandari, DRO (8968838368)

ORDER

The RTI application is dated 01.11.2019 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 24.02.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 08.04.2020 in the Commission. But on 08.04.2020 due to lockdown, the aforementioned Appeal case was postponed and fixed for hearing on 24.06.2020, i.e, today.

3. The respondent states that the information is lying with the PIO, o/o SSP, SBS Nagar and the RTI of the complainant has already been sent to the PIO, o/o SSP, SBS Nagar.

4. Since, the information is lying with the PIO, o/o SSP, SBS Nagar. I, therefore, order that PIO, o/o SSP, SBS Nagar be impleaded as Respondent No.2. I further direct that PIO, o/o SSP, SBS Nagar should appear before the Commission on the next date of hearing with complete reply.

5. Respondent no. 1 is directed to transfer the RTI of the Complainant to the concerned department

6. To come up on **08.07.2020 at 10.00 AM** through video conference facility in the office of Deputy Commissioner, SBS Nagar. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 24.06.2020

(Preety Chawla)
State Information Commissioner
Punjab

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(Registered Post)

Sh Sampooran Singh,
S/o S.Lal Singh, VPO Bakipur,
Tehsil & Distt: Tarn Taran-143302

.....Appellant

..Vs

Public Information Officer,
O/o General Manager,
District Industrial Centre, Amritsar

First Appellate Authority,
O/o DC, Amritsar

.....Respondent

AC No. 697 of 2020

Present: (i) Sh Sampooran Singh, Appellant alongwith Sh. Amritpal Singh (in the Commission office)
(ii) None for the Respondent

ORDER

This order may be read with reference to the previous order dated 18.03.2020 vide which both the parties were directed to be present on the next date of hearing i.e, 16.04.2020. However, on 16.04.2020 the abovementioned Appeal case could not be heard due to lockdown. Hence, the case was postponed and fixed for hearing on 24.06.2020, i.e today through CISCO-WEBEX.

2. The Appellant is appearing in the Commission office and states that he had visited the office of the Respondent and deposited documentation fee for the information but the information provided to him is not complete and he is not satisfied with the same.

3. No one has appeared on behalf of the Respondent today. They were not present on the previous date of hearing also.

4. After hearing the Appellant and perusing the record available on file it emerges that PIO has delayed/ denied in providing the information to the complainant. In view of the above, **PIO- O/o General Manager, District Industrial Centre, Amritsar is directed** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

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AC No. 697 of 2020

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission 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.

5. To come up for further proceedings on **08.07.2020 at 10:00AM through Video Conferencing facility in the office of DC, Tarn Taran**. Copy of the order be sent to the parties.

Chandigarh
Dated: 24.06.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Badal Singh, S/o Shri Gurdit Singh (M:95925-71518)
R/o Khane Ki Dhab, Tehsil Malout
Distt. Sri Mukatsar Sahib

.....Appellant

..Vs

Public Information Officer,
O/o, Director Food Civil Supplies and Consumer Affairs, Punjab
Annaj Mandi, Sector 39C, Chandigarh

First Appellate Authority
O/o, Director Food Civil Supplies and Consumer Affairs, Punjab
Annaj Mandi, Sector 39C, Chandigarh

.....Respondent

AC No. 303 of 2020
Through video conference

Present: (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Mandeep Singh, Inspector(M: 95922-57900)

ORDER

This order may be read with reference to the previous order dated 02.03.2020 vide which both the parties were directed to be present on the next date of hearing i.e, 26.03.2020. However, on 26.03.2020 the abovementioned Appeal case could not be heard due to lockdown. Hence, the case was postponed and fixed for hearing on 24.06.2020, i.e today through CISCO-WEBEX.

2. The Appellant is not present today.
3. The Respondent states that he has brought the complete information today.
4. The perusal of the file shows that the Appellant is not present today. He was not present on the previous date of hearing also. The Respondent has brought the information today. Hence, the Respondent is directed to send a copy of the information to the Appellant by post.
5. To come up for further proceedings on **08.07.2020 at 10:00AM through Video Conferencing facility in the office of DC, Sri Mukatsar Sahib**. Copy of the order be sent to the parties.

Chandigarh
Dated: 24.06.2020

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Registered post

Sh. Sarvjeet Singh,(M:9416160422)
S/o SardarJagir Singh,
Jagdish Nagar Colony, Hansi,
DisttHisar, Haryana

.....Complainant

Vs

Public Information Officer,
O/o SMO, Patti, Distt Tarn Taran
First Appellate Authority,
Civil Surgeon, Tarn Taran

.....Respondent

AC.No. 4152 of 2019

Present : (i) Sh. Sarvjeet Singh, Appellant.(in the Commission office)
(ii) for the Respondent: Dr Bhatia (through CISCO-WEBEX)

ORDER

This order may be read with reference to the previous order dated 03.03.2020 vide which an amount of Rs. 5000/- was awarded to the Appellant as compensation. Accordingly, the next date of hearing was fixed for 30.03.2020. However, on 30.03.2020 the above-mentioned Appeal case could not be heard due to lockdown. Hence, the case was postponed and fixed for hearing on 24.06.2020, i.e today through CISCO-WEBEX.

2. Today, the Appellant is appearing in the Commission office and states that he has not received the information till date. Further, he states that he has not received the amount of compensation also.

3. Dr Bhatia who is appearing on behalf of the Respondent is not aware about the facts of the case. Hence, Dr Barinder Kaur, SMO was contacted telephonically from the Commission office. But, she has not aware about the facts of the case.

The perusal of the file shows that respondent-PIO was absent for first two hearings i.e. 20.01.2020 and 17.02.2020. On third hearing i.e. 27.02.2020, Dr. Sumeet Singh, M.O was present. On that date SMO , Patti was directed to come present on the next date of hearing i.e. 03.03.2020, but on 03.03.2020 neither the respondent-PIO nor their representative

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were present, which shows that the respondent-PIO has no regard for the orders issued by the Commission. This is indeed a serious matter. This has proved that the respondent- PIO has not performed his/her duty as mandated by the RTI regime. Such kind of behavior of a Government servant needs to be condemned and such employees need to be taught a good lesson so that rest of the employees have a right kind of message to wake up and perform their duties under the RTI Act for ensuring complete transparency and due accountability in the governance affairs of the public authorities.

She may take note that Act was enacted to promote transparency and accountability in the working of every public authority in order to strengthen the core constitutional values of a democratic republic. It is clear that the Parliament enacted the said Act keeping in mind the rights of an informed citizenry in which transparency of information is vital in curbing corruption and making the Government and its instrumentalities accountable. The Act is meant to harmonise the conflicting interests of Government to preserve the confidentiality of sensitive information with the right of citizens to know the functioning of the governmental process in such a 4 way as to preserve the paramountcy of the democratic ideal. The preamble would obviously show that the Act is based on the concept of an open society.

4. However, considering the prevailing situations arising due to Covid-19 , one last opportunity is given to her to provide the complete information and the amount of compensation to the Appellant. **Respondent-PIO is also directed to file her reply to the show-cause before the next date of hearing , failing which strict action will be taken against him/her.**

5. To come up for further proceedings on **08.07.2020 at 10:00AM through Video Conferencing facility in the office of DC, Tarn Taran.** Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 24.06.2020

(Preety Chawla)
State Information Commissioner
Punjab

Through Registered Post

1. Dr Barinder Kaur, SMO O/o SMO, Patti, Distt: Tarn Taran
2. Principal Secretary, Health and Family Welfare,Pb Pb Civil secretariat-I, Chandigarh for necessary action)
3. Director, Health and Family Welfare, Pb , Sector-34, Chandigarh for necessary action