

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864111, Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com),  
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## FINAL ORDER

**Sh. Rohit Sabharwal**, S/o Sh. Vijay Sabharwal,  
# 126, Model Gram, Ludhiana.

### **Versus**

- (i) Public Information Officer,**  
O/o Senior Town Planner (Building Branch),  
Municipal Corporation, Ludhiana.
- (ii) Public Information Officer,**  
O/o Executive Engineer (B&R) Zone-A,  
Municipal Corporation, Ludhiana.
- (iii) Public Information Officer,**  
O/o Executive Engineer (B&R) Zone-B,  
Municipal Corporation, Ludhiana.
- (iv) Public Information Officer,**  
O/o Executive Engineer (B&R) Zone-C,  
Municipal Corporation, Ludhiana.
- (v) Public Information Officer,**  
O/o Executive Engineer (B&R) Zone-D,  
Municipal Corporation, Ludhiana.
- (vi) Public Information Officer,**  
O/o Executive Engineer (O&M) Zone-A,  
Municipal Corporation, Ludhiana.
- (vii) Public Information Officer,**  
O/o Executive Engineer (O&M) Zone-B,  
Municipal Corporation, Ludhiana.
- (viii) Public Information Officer,**  
O/o Executive Engineer (O&M) Zone-C,  
Municipal Corporation, Ludhiana.
- (ix) Public Information Officer,**  
O/o Executive Engineer (O&M) Zone-D,  
Municipal Corporation, Ludhiana.
- (x) Public Information Officer,**  
O/o Executive Engineer (Workshop)  
Municipal Corporation, Ludhiana.
- (xi) Public Information Officer,**  
O/o Executive Engineer (Light Branch) Zone-A,  
Municipal Corporation, Ludhiana.
- (xii) Public Information Officer,**  
O/o Executive Engineer (Light Branch) Zone-B,  
Municipal Corporation, Ludhiana.
- (xiii) Public Information Officer,**  
O/o Executive Engineer (Light Branch) Zone-C,  
Municipal Corporation, Ludhiana.
- (xiv) Public Information Officer,**  
O/o Executive Engineer (Light Branch) Zone-D,  
Municipal Corporation, Ludhiana.
- (xv) Public Information Officer,**  
O/o Superintendent, Advertisement (Head Quarter),  
Municipal Corporation, Ludhiana.

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## Appeal Case No. 1833 of 2022

### **(xvi) Public Information Officer,**

O/o Superintendent, Tehbazari (Head Quarter),  
Municipal Corporation, Ludhiana.

### **(xvii) Public Information Officer,**

O/o Superintendent, Property Tax (Head Quarter),  
Municipal Corporation, Ludhiana.

### **(xviii) Public Information Officer,**

O/o Health Officer (Establishment)  
Municipal Corporation, Ludhiana.

### **(xix) Public Information Officer,**

O/o Superintendent, (Establishment Branch)  
Zone-A, Municipal Corporation, Ludhiana.

### **First Appellate Authority,**

Commissioner,  
Municipal Corporation, Ludhiana.

## Appeal Case No. 1833 of 2022

ORDER:

*(To be read in continuity with earlier order on 02.09.2022)*

1. The RTI application is dated **18.12.2021** vide which the appellant has sought information regarding as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **03.02.2022** and Second Appeal was filed in the Commission on **13.04.2022** under Section 19 of the Right to Information Act, 2005. This case was last heard on **02.09.2022**.

2. This Order was reserved on 02.09.2022. The Commission notes that the information sought in this RTI application, is as under:-

Kindly refer to Section-4 of the RTI Act, 2005 which mandates the Municipal Corporation, Ludhiana and every other public authority to maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerized.

Thus, as per the aforesaid Section-4 of the RTI Act, 2005 the Municipal Corporation, Ludhiana is bound to computerize all its records.

Hence, in this regard, in capacity of being a citizen of India within the meaning of Section 3 of The Right to Information Act, 2005, following information is being sought under The Right to Information Act, 2005 regarding the Complaints relating to the different branches of the Municipal Corporation, Ludhiana which still stands pending for conclusion with the Office of the Superintendent (Establishment Branch), Zone-A, Municipal Corporation, Ludhiana.

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## Appeal Case No. 1833 of 2022

1. Provide the information (whether in the shape of list or any other format which is available on the records of your public authority) showing the Total Number of Complaints against the different branches of the Municipal Corporation, Ludhiana which still stands pending for conclusion with the Office of the Superintendent (Establishment Branch), Zone-A, Municipal Corporation, Ludhiana as mentioned above. **This information is required from the Period 01.01.2015 to 31.12.2015.**
2. Provide the information (whether in the shape of list or any other format which is available on the records of your public authority) showing the Total Number of Complaints against the different branches of the Municipal Corporation, Ludhiana which still stands pending for conclusion with the Office of the Superintendent (Establishment Branch), Zone-A, Municipal Corporation, Ludhiana as mentioned above. **This information is required from the Period 01.01.2016 to 31.12.2016.**
3. Provide the information (whether in the shape of list or any other format which is available on the records of your public authority) showing the Total Number of Complaints against the different branches of the Municipal Corporation, Ludhiana which still stands pending for conclusion with the Office of the Superintendent (Establishment Branch), Zone-A, Municipal Corporation, Ludhiana as mentioned above. **This information is required from the Period 01.01.2017 to 31.12.2017.**
4. Provide the information (whether in the shape of list or any other format which is available on the records of your public authority) showing the Total Number of Complaints against the different branches of the Municipal Corporation, Ludhiana which still stands pending for conclusion with the Office of the Superintendent (Establishment Branch), Zone-A, Municipal Corporation, Ludhiana as mentioned above. **This information is required from the Period 01.01.2018 to 31.12.2018.**
5. Provide the information (whether in the shape of list or any other format which is available on the records of your public authority) showing the Total Number of Complaints against the different branches of the Municipal Corporation, Ludhiana which still stands pending for conclusion with the Office of the Superintendent (Establishment Branch), Zone-A, Municipal Corporation, Ludhiana as mentioned above. **This information is required from the Period 01.01.2019 to 31.12.2019.**
6. Provide the information (whether in the shape of list or any other format which is available on the records of your public authority) showing the Total Number of Complaints against the different branches of the Municipal Corporation, Ludhiana which still stands pending for conclusion with the Office of the Superintendent (Establishment Branch), Zone-A, Municipal Corporation, Ludhiana as mentioned above. **This information is required from the Period 01.01.2020 to 31.12.2020**
7. Provide the information (whether in the shape of list or any other format which is available on the records of your public authority) showing the Total Number of Complaints against the different branches of the Municipal Corporation, Ludhiana which still stands pending for conclusion with the Office of the Superintendent (Establishment Branch), Zone-A, Municipal Corporation, Ludhiana as mentioned above. **This information is required from the Period 01.01.2021 to till date.**

Pertains to 19 different PIOs of various branches and Zones of Municipal Corporation, Ludhiana, to whom this RTI application was marked by the Superintendent, RTI, Head Quarter, M.C, Ludhiana under Section 6 of the RTI Act, which is as under:-

**“6** (1) *A person, who desires to obtain any information under this Act, shall make a request in writing or through electronic means in English or Hindi or in the official language of the area in which the application is being made, accompanying such fee as may be prescribed, to—*

(a) *the Central Public Information Officer or State Public Information Officer, as the case may be, of the **concerned** public authority;*

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## Appeal Case No. 1833 of 2022

(b) *the Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case may be, specifying the particulars of the information sought by him or her:*

*Provided that where such request cannot be made in writing, the Central Public Information Officer or State Public Information Officer, as the case may be, shall render all reasonable assistance to the person making the request orally to reduce the same in writing.*

(2) *An applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him.*

(3) *Where an application is made to a public authority requesting for an information,—*

(i) *which is held by another public authority; or*

(ii) *the subject matter of which is more closely connected with the functions of another public authority,*

*the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer:*

*Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.”*

4. The appellant, Sh. Rohit Sabharwal is a lawyer and RTI Activist who has been seeking information from various public authorities in public interest. The Commission is of the view that it is incumbent upon appellants, especially those who are well aware of the provisions of the RTI Act, to address their RTI applications to the **concerned** PIOs. The Superintendent, RTI Headquarters in the O/o Commissioner, Municipal Corporation Ludhiana cannot be expected to serve as a post office for transferring the RTI applications to multiple PIOs.

5. Accordingly, the appellant is advised to seek specific information from the concerned PIO, as listed above. There is no further cause for action. The appeal is **Disposed of.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

30.05.2024

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## FINAL ORDER

**Sh. Pardeep Kumar Mahajan,**  
# 494, Basant Nagar, Majitha Road,  
Near Gopal Mandir, Amritsar.

**Versus**

**Sh. Iqbalpreet Singh Randhawa,**  
**Public Information Officer-cum-Municipal Town Planner,**  
O/o Municipal Corporation, Abohar, District Fazilka.

**Sh. Paramjit Singh**  
**Public Information Officer-cum-Assistant Town Planner**  
O/o Municipal Corporation  
Pathankot.

**Public Information Officer,**  
O/o Commissioner, Municipal Corporation  
Amritsar.

**First Appellate Authority,**  
O/o Commissioner, Municipal Corporation  
Amritsar.

### Appeal Case No. 2234 of 2022

ORDER:

*(To be read in continuity with earlier order on 11.08.2022, 07.10.2022, 02.12.2022, 23.02.2023, 17.03.2023, 20.04.2023, 09.05.2023, 08.06.2023, 13.06.2023, 07.07.2023 and 29.08.2023)*

1. The RTI application is dated **03.06.2018** vide which the appellant has sought information regarding:

Additional Commissioner,  
Municipal Corporation, Amritsar

**Subject:- Application for issue of detailed information in respect to the illegal construction and encroachment in Basant Nagar, Majitha Road, Amritsar**

Sir,

The applicant submits as under that:

1. The applicant is having its residence at 494 – Basant Nagar, Majitha Road, Amritsar and copy of Adhaar Card is being enclosed herewith.
2. M/S Mahajan Karyana Store at 495 – Basant Nagar, Majitha Road, quite adjacent to applicant's residence has created a mess by illegal construction viz by violating house line, constructing basement, encroaching about 3-4 feet of roads on both sides of his building (being corner one), blocking of drain courses and conversion of his building to totally commercial without paying CLU to Municipal Corporation.
3. In this respect, matter was alerted to State Information Commission, Chandigarh vide Appeal # 3219/16 where your MTP has stated vide two affidavits copies of which are being enclosed herewith stating that you office was not having any information about illegal construction by the subject.
4. Since your office has come to know about the captioned illegal construction which is well on the record, by means of the present application, the applicant hereby asks for detailed information in respect of the action taken to remove illegal construction against the violator.
6. A requisite fee of Rs 10/- is being enclosed herewith in the form of Postal Order dt 11.09.2017 having sr # 42F 415299 and the applicant further undertakes to bear all the other expenses, if any, required for the supply of the sought information.

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## Appeal Case No. 2234 of 2022

as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **01.08.2018** and Second Appeal was filed in the Commission on **06.05.2022** under Section 19 of the Right to Information Act, 2005. This case was last heard on **29.08.2023**.

2. This Order was reserved on 29.08.2023. Sh. Iqbalpreet Singh Randhawa, who served as PIO-cum-MTP, Amritsar from 03.06.2018 to 18.02.2020 and 21.10.2022 to 05.07.2022, appeared before this Commission on 29.08.2023. He further made a written submission which was received via email on 28.08.2023. Sh. Randhawa states that the RTI application was pending with Smt. Harpreet Kaur, Building Inspector on 14.08.2018. He has also attributed the delay to the COVID-19 pandemic.

3. The Commission notes that this RTI application was submitted on 03.06.2018 but there is nothing on record to prove that the PIO addressed this RTI application for five years, which shows the callous attitude of the concerned officials. Although, Sh. Iqbalpreet Singh Randhawa contends that the RTI application had been marked to the aforesaid Building Inspector, it was his responsibility as PIO to ensure that the same has been addressed in the stipulated time as prescribed under the RTI Act, 2005.

4. The Commission also notes that the PIO had ample opportunity to address the RTI request because he was the PIO from 03.06.2018 to 18.02.2020 and once again from 21.10.2022 to 05.07.2022. Keeping all the facts of the case in mind, this is a fit case to invoke Section 20 of RTI Act and impose a penalty on the respondent PIO Section 20(1), which reads as under:

*“Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub Section (1) of Section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of 250/- Rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed Twenty Five Thousand Rupees;*

*Provided that the Central Public Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him;*

*Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Information Officer, as the case may be.”*

The onus and responsibility lie on the PIO to ensure the transmission of the complete information to the appellant. **The PIO-cum-MTP, Sh. Iqbalpreet Singh Randhawa, who was incumbent at the time of filling the RTI application Dated 03.06.2018 and currently posted at M.C, Abohar,** is hereby held guilty for not providing the information on time as prescribed under Section 7, which is within 30 days of the receipt of the request and for repeated and willful defiance of the Punjab State Information Commission's orders.

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## Appeal Case No. 2234 of 2022

5. A penalty of **Rupees Twenty Five Thousand (Rs. 25.000.00)** is hereby imposed upon the **The PIO-cum-MTP, Sh. Iqbalpreet Singh Randhawa**, which be deducted from his salary and deposited in the Punjab Government Treasury under head “**0070-Other Administrative Services-60-other Services-800-Other Receipts-86-Fees Under the Right to Information Act.**” The PIO Municipal Corporation, Amritsar, is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan at the next hearing of this appeal case.

6. In view of the harassment and detriment caused to the appellant, Sh. Pardeep Kumar Mahajan, this Commission deems it appropriate to award him a **compensation of Rupees Ten Thousand (10.000.00)**. This is to be paid vide a crossed cheque / demand draft, by the Public Authority, in this instance, the office of **Municipal Corporation, Amritsar**, within 15 days of receiving this Order. Proof of payment is to be submitted to this Commission.

7. In view of the aforesaid directions, the appeal is **Disposed of.**

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner, Punjab.  
Chandigarh  
30.05.2024

Cc: 1. Deputy Registrar O/o PSIC (for compliance).  
2. Director, Local Government, Punjab, Chandigarh (for compliance)

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## FINAL ORDER

**Sh. Harjinder Singh**, S/o Sh. Ram Kishan,  
Main Road, Surjit Colony, Raho Road,  
Basti Jodhewal, Ludhiana.

Versus

**Sh. Mandeep Singh**,  
**Public Information Officer-cum-XEN**,  
Water Supply and Sanitation Department,  
Division No.2, Ludhiana.

**Smt. Surjit Kaur**, W/o Sh. Gurjinder Singh,  
Sarpanch of Yadwinder Colony,  
Jai Singh Nagar, Street No.2,  
Yadwinder Colony, Abadi Jagirpur,  
Ludhiana.

**Smt. Manjeet Kaur**, W/o Sh. Harwinder Singh,  
Sarpanch of Gautam Colony, # 277, Street No.1,  
Gautam Colony, Abadi Jagirpur, Ludhiana.

## Complaint Case No. 1016 of 2021

ORDER:

(To be read in continuity with earlier orders on  
**12.10.2021, 21.12.2021, 09.03.2022, 20.07.2022, 10.11.2022, 09.06.2023, 18.07.2023** and  
**13.09.2023**)

1. The complainant, **Sh. Harijinder Singh**, filed this RTI application Dated **07.04.2021** and sought information regarding:

ਸ਼੍ਰੀਮਾਨ ਜੀ,

ਬੇਨਤੀ ਹੈ ਕਿ ਪਾਣੀ ਵਾਲੀ ਟੱਕੀ ਗੋਤਮ ਕਲੋਨੀ ਦੇ ਸਬੰਧੀ ਕਾਰਗਜ਼ਾਤ ਦੀ ਹੇਠ ਲਿਖੀ ਤਸਦੀਕਸ਼ੁਦਾ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ।

- 1) ਬੈਂਕ ਦੀ ਸਟੇਟਮੈਂਟ ਜਾਂ ਪਾਸਬੁਕ ਦੀਆਂ ਕਾਪੀਆਂ 19 ਦਸੰਬਰ 2019 ਤੋਂ 20 ਦਸੰਬਰ 2020 ਤੱਕ।
- 2) ਜੀ ਪੀ ਡਬਲਯੂ ਐਸ ਸੀ ਕਮੇਟੀ ਦੇ ਮਤਿਆਂ ਵਾਲੇ ਰਜਿਸਟਰ ਦੀਆਂ ਕਾਪੀਆਂ ਦਸੰਬਰ 2019 ਤੋਂ ਦਸੰਬਰ 2020 ਤੱਕ।
- 3) ਕੈਸ਼ਬੁਕ ਦੀਆਂ ਕਾਪੀਆਂ ਦਸੰਬਰ 2019 ਤੋਂ ਦਸੰਬਰ 2020 ਤੱਕ
- 4) ਦਸੰਬਰ 2019 ਤੋਂ ਅੱਜ ਤੱਕ ਜਿੰਨੀਆਂ ਹਜੀਦਾਂ ਬਿਲ, ਵੇਚਰਾਂ ਦੀਆਂ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।
- 5) ਖਾਤੇ ਵਾਲੇ ਰਜਿਸਟਰ ਤਿੰਨੋਂ ਪੰਚਾਇਤਾਂ ਦੀ ਕਾਪੀਆਂ ਤਸਦੀਕਸ਼ੁਦਾ ਦਿੱਤੀਆਂ ਜਾਣ।

When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **02.08.2021**. This case was last heard on **13.09.2023**.

2. This Order was reserved on 13.09.2023, where on the respondent PIO had informed the Commission vide Letter No.2909 Dated 11.09.2023, that a Show Cause Notices issued vide this Commission's Order Dated 18.07.2023 were delivered to Smt. Manjit Kaur, Sarpanch of Gautam Colony and Smt. Surjit Kaur, Sarpanch of Yadwinder Colony but neither have submitted any reply to said Show Cause Notices.

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## Complaint Case No. 1016 of 2021

3. Accordingly, the Commission directs the PIO to obtain necessary Orders from the competent authority to launch proceedings, including Legal Action, as per State Government Rules, against the aforesaid Sarpanches. Thereafter, the requested information be retrieved from the lady sarpanches.

4. While, the Commission is satisfied that there is no malafie intention on the part of the respondent PIO in withholding the information, it is also to the fact that the complainant Sh. Harjinder Singh, has been unfairly denied access to the information sought by him vide his RTI application dated 07.04.2021.

5. In view of the harassment and detriment caused to the complainant, Sh. Harjinder Singh, this Commission deems it appropriate to award a **compensation of Rupees Ten Thousand (Rs. 10,000.00)**. This is to be paid vide a crossed cheque / demand draft, by the Public Authority, in this instance, the office of **XEN, Water Supply and Sanitation Department, Division No.2, Ludhiana**, within 15 days of receiving this Order. Proof of payment is to be submitted to this Commission.

6. With the aforesaid directions, the appeal is accordingly, **Disposed of.**

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

**30.05.2024**

Cc: Deputy Registrar O/o PSIC (along with the case file)

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## FINAL ORDER

**Sh. Yogesh Maini**, S/o Late Sh. Kapil Bhusan,  
H.No.678/1, Prem Nagar, Shiv Mandir Road,  
Civil Lines, Ludhiana.

**Versus**

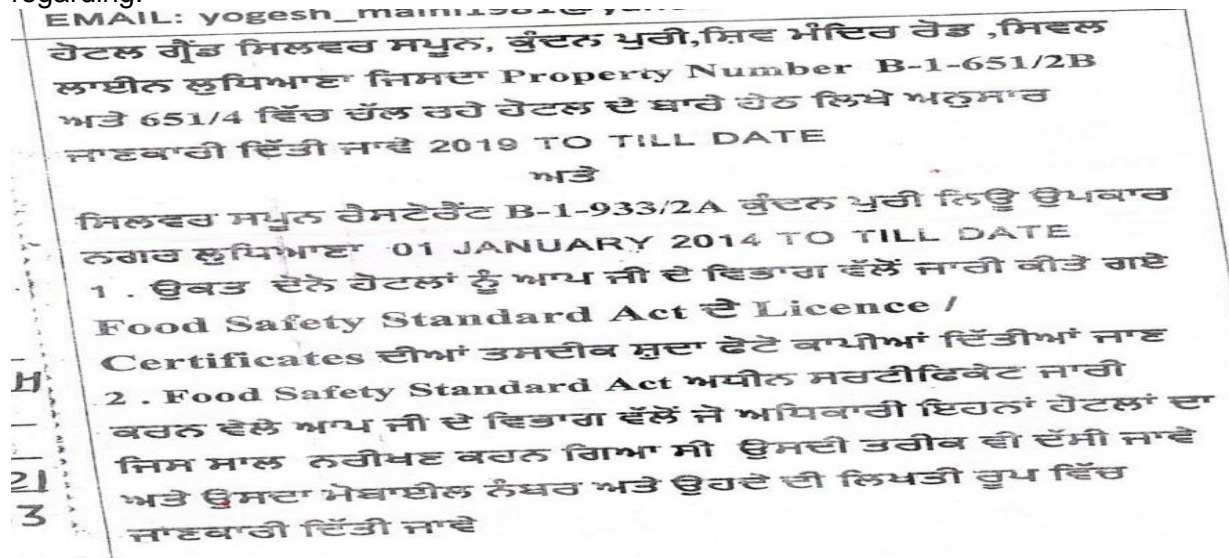
**Dr. Gupreet Singh**  
**Public Information Officer-cum-District Health Officer,**  
O/o Civil Surgeon, Ludhiana.  
**Public Information Officer,**  
O/o Civil Surgeon, Ludhiana.  
**First Appellate Authority,**  
O/o Civil Surgeon, Ludhiana.

## Appeal Case No. 4810 of 2021

ORDER:

(To be read in continuity with earlier order on 18.05.2022, 01.08.2022, 10.10.2022, 30.01.2023 and 26.05.2023)

1. The RTI application is dated **26.07.2021** vide which the appellant has sought information regarding:



as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **01.09.2021** and Second Appeal was filed in the Commission on **22.10.2021** under Section 19 of the Right to Information Act, 2005. This case was last heard on **26.05.2023**.

2. This case was earlier heard by Hon'ble State Information Commissioner, Sh. Khushwant Singh, who passed the following Order:

*"On the date of first hearing on 18.05.2022, as per appellant, the information was not provided. The respondent present pleaded that since the information relates to District Health Officer (DHO) Ludhiana, the RTI application was transferred to them on 02.08.2021. The respondent also sent a copy of the transfer letter to the Commission through email which was taken on record. The PIO-DHO was absent.*

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## Appeal Case No. 4810 of 2021

Due to delay of more than eleven months in attending to the RTI application, the PIO was issued a show cause notice under section 20 of the RTI Act 2005 and directed to file reply on an affidavit. The PIO-DHO O/o Civil Surgeon, Ludhiana was again directed to provide information to the appellant within 15 days of the receipt of the order and send a compliance report to the Commission.

On the next date of hearing on **01.08.2022**, the appellant claimed that the PIO has not supplied the information. The PIO O/o the DHO, Ludhiana, was again absent nor had filed reply to the show cause notice.

As per the record procured from the DHO Ludhiana office, Dr. Rajesh, SMO, was the DHO-cum-PIO at the time of the filing of the RTI application (from 04.03.2020 to Nov. 21) and was currently posted at CHC Ahmedgarh Mandi district Malerkotla. The Commission directed Dr. Rajesh Garg, to file a reply to the show cause notice and the current PIO was directed to supply the information to the appellant within 15 days.

On the date of hearing on **10.10.2022**, Dr. Rajesh Garg pleaded that the information has already been supplied to the appellant vide letter dated 28.09.2021 and he was transferred to CHC Ahmedgarh after 03.11.2021 and after that the responsibility to attend the case was with the then First Appellate Authority-cum-DHO, Ludhiana.

As per the appellant, the PIO vide letter dated 28.09.2021 had denied the information u/s 8(1)(j) and u/s 11 of the RTI stating that the information is third-party information. Appeal Case No. 4810 of 2021 Since there was an enormous delay of more than one year in supplying the information because of which there was a clear loss and detriment suffered by the appellant during the long period in obtaining the information, the PIO was directed to provide a compensation amount of Rs.5000/- by way of a bank draft and submit proof of having compensated the appellant. As per the respondent, after his transfer to CHC Ahmedgarh, Dr. Tarun Bansal, joined as PIO-cum-Food Safety Officer, Ludhiana. However, Dr. Rajesh Garg was directed to procure the information and supply certified information to the appellant with a copy to the Commission. Dr. Rajesh Garg was further directed to file a reply to the show cause notice before the next date of hearing for he was the PIO when the RTI application was filed and a violation of section 7 occurred during his tenure. The Commission also directed the current PIO-cum-Food Safety Officer Dr. Bansal to ensure the supply of certified information to the appellant and he should also be present on the next date of hearing.

## Hearing dated 30.01.2023:

The case has come up for hearing today through video conferencing at DAC Ludhiana. Dr. Rajesh Garg is present and informed that he has already been transferred from Ludhiana to Ahmedgarh on 03.11.2021 and Sh. Tarun Bansal is the current PIO-cum-Food Safety Officer. However, the information has already been provided by the concerned PIO-cum-Food Safety Officer vide letter dated 24.11.2022.

The appellant is not satisfied with the provided information and stated that the PIO has sent information for the year 2022 whereas he has asked for information from the year 2014 and 2019. As per the appellant, the information that has been provided is not certified and the PIO has also not paid the compensation amount.

At the last hearing, the current PIO-Dr. Tarun Bansal was directed to ensure the supply of certified information to the appellant and also be present on the next date of hearing to reconcile the case. Dr. Bansal is absent nor has complied with the order of the Commission to supply complete information as well as not paid the compensation amount to the appellant.

Keeping the above-mentioned facts of the case, it is clear that Dr. Tarun Bansal, Food Safety officer-cum-PIO O/o Civil Surgeon, Ludhiana is flouting the spirit of the RTI Act continuously.

# PUNJAB STATE INFORMATION COMMISSION

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## Appeal Case No. 4810 of 2021

*The PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not appearing before the commission despite various orders of the Commission.*

*To secure an earring PIO's presence before the commission, the Information Commission is empowered to issue warrants to the PIO Under Section 18(3) of the RTI Act. A bailable Warrant of the Dr. Tarun Bansal, Food Safety officer-cum-PIO O/o Civil Surgeon, Ludhiana is hereby issued through Senior Superintendent of Police, Ludhiana for his presence before the Commission on 18.04.2023. Dr. Rajesh Garg is exempted for appearance. "*

2. At the last Hearing on 30.1.2023 a Bailable Warrant was issued for Dr. Tarun Bansal Food Safety Officer, Ludhiana to ensure his presence at the hearing slated for 18.4.2023. The aforesaid hearing however, could not be held since Hon'ble State Information Commissioner, Sh. Khushwant Singh retired from service.

3. Subsequently, this case was marked to the undersigned and Notice for Hearing was issued to both the parties for 26.05.2023. During the proceedings on 26.05.2023, the respondent PIO was absent but has submitted a copy of a reply sent to the appellant sent vide Letter No. FOOD/2023/92 dated 10.3.2023 along with four pages of information. The Orders was reserved.

4. On examination of the case file, it now appears that, as directed by the Commission during the last proceedings, certified copies of the information had again been provided to the appellant vide Letter No. Food/2023/92 Dated 10.03.2023, which was sent by registered post to both the appellant and the Commission.

5. In view of the above, the appeal is **Disposed of.**

Sd/-  
(ASIT JOLLY)  
State Information Commissioner, Punjab.  
Chandigarh  
30.05.2024