

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)



Shri Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road,
Mandi Maullanpur,
Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Mandi Ahmedgarh,
District Sangrur.

First Appellate Authority

O/o Deputy Director,
Local Bodies, Patiala..

....Respondents

AC No.332 of 2020

Present: (i) **Shri Rakesh Kumar Gupta, appellant**
(ii) **Shri Balwinder Singh, Executive Officer, Municipal Council,
Mandi Ahmedgarh, District Sangrur/ PIO.**

ORDER

Heard through Cisco Webex

1. This order may be read with reference to the order dated 03.03.2020 passed by this Bench on the previous date of hearing.
2. An attempt was made to contact the appellant and the respondent through Cisco Webex. However, due to poor connectivity through Webex, the parties were contacted telephonically subsequently.
3. Shri Rakesh Kumar Gupta, appellant attends the hearing through Webex and subsequently through telephone. He states that as per directions given on previous hearing, deficiencies have been pointed out to the PIO vide his letter dated 02.03.2020, but no response thereafter has been received by him.
4. Shri Balwinder Singh, Executive Officer, M.C. Mandi Ahmedgarh/ PIO is contacted through Webex and telephone. He states that the information has already been supplied to the appellant vide letter dated 24.02.2020. He assures that deficiencies pointed out by the appellant will be rectified.
5. The appellant is now advised to visit the office of PIO on 07.07.2020 at 11.00 AM. He will inspect the official records and identify the documents as per his RTI application. The PIO is directed to provide the complete information so identified by the appellant.

...Cont..P-2



-2-

AC No332/2020

6. . PIO is also directed to file an affidavit signed by the PIO and duly attested by the Notary Public to the effect that complete information in AC No.332 of 2020, as available in the official records, has been provided to the appellant and nothing has been concealed therein. The information supplied is correct and authentic. The original copy of affidavit be sent to the appellant and photocopy thereof be sent to the Commission for record.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.08.2020 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
30.06.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**



Shri Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road,
Mandi Maullanpur,
Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Mandi Ahmedgarh,
District Sangrur.

First Appellate Authority

O/o Deputy Director,
Local Bodies, Patiala..

....Respondents

AC No.333 of 2020

Present: (i) **Shri Rakesh Kumar Gupta, appellant**
(ii) **Shri Balwinder Singh, Executive Officer, Municipal Council,
Mandi Ahmedgarh, District Sangrur/ PIO.**

ORDER

Heard through Cisco Webex

1. This order may be read with reference to the order dated 03.03.2020 passed by this Bench on the previous date of hearing.
2. An attempt was made to contact the appellant and the respondent through Cisco Webex. However, due to poor connectivity through Webex, the parties were contacted telephonically subsequently.
3. Shri Rakesh Kumar Gupta, appellant attends the hearing through Webex and subsequently through telephone. He states that as per directions given on previous hearing, deficiencies have been pointed out to the PIO vide letter dated 02.03.2020, but no response thereafter has been received by him.
4. Shri Balwinder Singh, Executive Officer, M.C. Mandi Ahmedgarh/ PIO is contacted through Webex and telephone. He states that the information has already been supplied to the appellant vide letter dated 24.02.2020. He assures that deficiencies pointed out by the appellant will be rectified.
5. The appellant is now advised to visit the office of PIO on 07.07.2020 at 11.00 AM. He will inspect the official records and identify the documents as per his RTI application. The PIO is directed to provide the complete information so identified by the appellant.



-2-

AC No333/2020

6. . PIO is also directed to file an affidavit signed by the PIO and duly attested by the Notary Public to the effect that complete information in AC No.333 of 2020, as available in the official records, has been provided to the appellant and nothing has been concealed therein. The information supplied is correct and authentic. The original copy of affidavit be sent to the appellant and photocopy thereof be sent to the Commission for record. e .

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.08.2020 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
30.06.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
State Information Commissioner, Punjab**

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Shri Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road,
Mandi Maullanpur,
Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council, Malerkotla
District Sangrur.

First Appellate Authority

O/o Deputy Director,
Local Bodies, Patiala..

....Respondents

AC No.334 of 2020

Present: (i) **Shri Rakesh Kumar Gupta, appellant**
(ii) **None on behalf of the PIO.**

ORDER

Heard through Cisco Webex

1. This order may be read with reference to the order dated 03.03.2020 passed by this Bench on the previous date of hearing.
2. An attempt was made to contact the appellant and the respondent through Cisco Webex. However, due to poor connectivity through Webex, the parties were contacted telephonically subsequently.
3. Shri Rakesh Kumar Gupta, appellant attends the hearing through Webex and subsequently through telephone. He states that as per directions given on previous hearing, deficiencies have been pointed out to the PIO vide letter dated 02.03.2020, but no response thereafter has been received by him.
4. Shri Harmel Singh, Junior Engineer, M.C. Malerkotla is contacted through telephone. He states that this hearing is to be attended by Shri Lal Singh, Junior Engineer. All attempts to connect to Shri Lal Singh on Webex as also on Mobile No.98145-51073 did not materialise. Shri Harmel Singh also refused to attend the hearing. This conduct of the officials concerned of the Municipal Council, Malerkotla is viewed adversely by the Bench.

Cont...P-2



-2-

AC No.334/2020

5. The PIO, Executive Officer, Municipal Council, Malerkotla, District Sangrur is issued show cause notice to explain his absence and to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for the delay caused in the supply of information to the appellant.. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply 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 proceeding against him ex-parte.

7. The appellant is advised to visit the office of PIO on 07.07.2020. He will inspect the official records and identify the documents as per his RTI application. The PIO is directed to provide the complete information so identified by the appellant failing which the penal consequences shall follow.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.08.2020 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

Chandigarh
30.06.2020

Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
State Information Commissioner, Punjab`

By Regd. Post

CC: PIO O/o E.O., M.C. Malerkotla, Sangrur (By Name)

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Sh.Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road,
Mandi Maullanpur,
Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council, Malerkotla
District Sangrur.

First Appellate Authority

O/o Deputy Director,
Local Bodies, Patiala..

....Respondents

AC No.335 of 2020

Present: (i) **Shri Rakesh Kumar Gupta, appellant**
(ii) **None on behalf of the PIO.**

ORDER

Heard through Cisco Webex

1. This order may be read with reference to the order dated 03.03.2020 passed by this Bench on the previous date of hearing.
2. An attempt was made to contact the appellant and the respondent through Cisco Webex. However, due to poor connectivity through Webex, the parties were contacted telephonically subsequently.
3. Shri Rakesh Kumar Gupta, appellant attends the hearing through Webex and subsequently through telephone. He states that as per directions given on previous hearing, deficiencies have been pointed out to the PIO vide letter dated 02.03.2020, but no response thereafter has been received by him.
4. Shri Harmel Singh, Junior Engineer, M.C. Malerkotla is contacted through telephone. He states that this hearing is to be attended by Shri Lal Singh, Junior Engineer. All attempts to connect to Shri Lal Singh on Webex as also on Mobile No.98145-51073 did not materialise. Shri Harmel Singh also refused to attend the hearing. This conduct of the officials concerned of the Municipal Council, Malerkotla is viewed adversely by the Bench.

Cont...P-2



5. The PIO, Executive Officer, Municipal Council, Malerkotla, District Sangrur is issued show cause notice to explain his absence and to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for the delay caused in the supply of information to the appellant.. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply 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 proceeding against him ex-parte.

7. The appellant is advised to visit the office of PIO on 07.07.2020. He will inspect the official records and identify the documents as per his RTI application. The PIO is directed to provide the complete information so identified by the appellant failing which the penal consequences shall follow.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.08.2020 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

Chandigarh
30.06.2020

Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
State Information Commissioner, Punjab

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Dr. K.V. Sharma, Advocate

S/o Late Shri Sadhu Ram Sharma
R/o 1446/13, Urban Estate,
Karnal (Haryana).

.....Appellant

Versus

Public Information Officer

O/o The Tehsildar,
Batala Distt. Gurdaspur

First Appellate Authority-cum-,

O/o The Tehsildar,
Batala Distt. Gurdaspur

Public Information Officer-cum-

Office Kanungo,
O/o Tehsildar, Batala,
District Gurdaspur

...Respondents

AC No.504/2020

Present:

- (i) Dr.K.V. Sharma, Appellant
- (ii) Shri Baljinder Singh, Tehsildar Batala, District Gurdaspur/PIO.

ORDER

Heard through Cisco Webex

1. This order may be read with reference to the order dated 04.03.2020 passed by this Bench on the previous hearing.
2. An attempt was made to contact the appellant and the respondent through Cisco Webex. However, due to poor connectivity through Webex, the parties were contacted telephonically subsequently.
3. Shri Baljinder Singh, Tehsildar, Batala/ PIO attends hearing through telephone. He states that the appellant has been sent para-wise reply to his RTI application vide their office letter dated 29.06.2020, a copy thereof has also been sent to the Commission by e.mail. He further states that the information has been provided on the basis of their official records and nothing beyond that is available in the official records.
4. Dr.K.V. Sharma, Appellant is contacted through telephone. He is informed about the information sent by the PIO vide letter dated 29.06.2020 wherein PIO has stated that --except the information sent, nothing beyond that is available in the official records. He is further informed that PIO has now been directed to file an affidavit to this effect. The appellant agrees with the observation of the Bench and gives his consent for closure of the case.

Cont....P-2



5. . PIO is now directed to file an affidavit in next seven days signed by the PIO and duly attested by the Notary Public to the effect that complete information in AC No.504 of 2020, as available in the official records, has been provided to the appellant and nothing has been concealed therein. The information supplied is correct and authentic. The original copy of the affidavit be sent to the appellant and photocopy thereof be sent to the Commission for record.

6. With the aforesaid directions, **the appeal is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
30.06.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
State Information Commissioner, Punjab`**

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Shri S.K. Jindal, Tehsildar (Retd.)
R/o 199, GF, P-14, Sector-24,
ROHINI, NEW DELHI-110085

.....Appellant

Versus

Public Information Officer
O/o The Tehsildar, Budhlada,
District Mansa.

First Appellate Authority
O/o Deputy Commissioner,
Mansa.

...Respondents

AC No.372/2020

Present:

- (i) Appellant- absent
- (ii) Shri Amarjit Singh, Tehsildar, Mansa with additional charge of Tehsildar, Budhladaon/PIO.
- (iii) Shri Gurpreet Singh Bhatti, Patwari O/o Tehsildar, Budhlada, in person at Chandigarh.

ORDER

Heard through Cisco Webex

1. This order may be read with reference to the order dated 26.02.2020 passed by this Bench on the previous hearing.
2. An attempt was made to contact the appellant and the respondent through Cisco Webex. However, due to poor connectivity through Webex, the parties were contacted telephonically subsequently.
3. Shri S.K. Jindal, Appellant could not be contacted either through Webex or through telephone. However, a letter dated 26.05.2020 has been received from him by post wherein the appellant has stated that the copy of Mutation No.26850 sent by the PIO on 16.03.2020, has been received by him on 18.05.2020. It is further stated therein that though Mutation has been sanctioned but it does not show demarcation map.
4. PIO Shri Amarjit Singh, Tehsildar, Budhlada attends the hearing through telephone. He expresses his ignorance about full facts of the case. Shri Gurpreet Singh Bhatti, Patwari O/o Thsildar, Budhlada comes present in person before the Bench at Chandigarh. He states that copy of the Mutation No.26850 duly sanctioned has been sent to the appellant and so far as the request of the appellant regarding demarcation, the action is to be taken at the level of appellant. On the asking of the Bench, Shri Gurpreet Singh Bhatti also talks to Shri Amarjit Singh, Tehsildar on phone and briefs him about the facts of the case.
5. The matter is discussed with the PIO thereafter. From perusal of the file, the Bench observes that the appellant has been sent copy of the mutation No.26850 duly sanctioned vide letters dated 16.03.2020



and 17.06.2020. As regards the contention of appellant regarding Demarcation, the Bench, on perusing the RTI application finds that it is not a part of the information and requires action by the appellant. However, the Bench directs the PIO/ representative of PIO present in person to help the appellant to resolve the issue of demarcation.

6. The PIO is now directed to file an affidavit duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the office records in AC No.372/2020, has been supplied to the appellant. Nothing has been concealed therein and the statement made is correct and authentic. The original copy of the affidavit be sent to the appellant and a photocopy thereof be sent to the Commission for record.

7. The PIO is also directed to file reply to the show cause notice issued on the previous date of hearing. For filing affidavit and the reply, the PIO is given 15 days' time.

8. With the aforesaid directions, **the appeal case is disposed off and closed.** Copies of the order be sent to the parties.

**Chandigarh
30.06.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Shri Prem Kumar Rattan
H.No.78/8, Park Road,
New Mandi, Dhuri
District Sangrur.

.....Appellant

Versus

Public Information Officer
O/o Sr. Superintendent of Police,
Patiala.

First Appellate Authority,
O/o Inspector General of Police,
Patiala Zone, Patiala.

...Respondents

AC No.4046/2019

Present: i) **Shri Prem Kumar Rattan, appellant**
 ii) **Shri Pritpal Singh, Sub Inspector, O/o SSP Patiala.**

ORDER

Heard through Cisco Webex

1. This order may be read with reference to the order dated 16.03.2020 passed by this Bench on the previous hearing..
2. An attempt was made to contact the appellant and the respondent through Cisco Webex. However, due to poor connectivity through Webex, the parties were contacted telephonically subsequently.
3. Shri Prem Kumar Rattan, Appellant is contacted through Webex and through telephone subsequently. He states that he has not been supplied the information as per his RTI application and that 110 pages already received by him do not serve his purpose and the information given is irrelevant. He states that he needs the papers relating to his registration.
4. Shri Pritpal Singh, Sub Inspector O/o SSP Patiala, the representative of the the PIO is contacted through telephone. He states that requisite information has already been supplied to the appellant on 10.03.2020 by hand and intimation has also been given to the Commission vide letters dated 18.03.2020 and again on 20.06.2020. He also states that acknowledgement has also been given by the appellant for the receipt of information.
5. The Bench points out to the representative of the PIO regarding the contention of the appellant to the effect that the information supplied is not relevant to his RTI application and that the appellant needs papers relating to his registration from relevant file. Shri Pritpal Singh states that the papers relating to registration of appellant are also contained in the information supplied. The information available in their official records has been supplied to the appellant and nothing beyond that is available with them. He also states that NOC as required by appellant is issued by the office concerned at Amritsar.



6. Post deliberations, the PIO is directed to file an affidavit duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the office records in AC No.4046/2019, has been supplied to the appellant. Nothing has been concealed therein. The statement made is correct and authentic. The original copy of the affidavit be sent to the appellant and a photocopy thereof be sent to the Commission for record, within seven days' time.

7. With the aforesaid directions, **the appeal case is disposed off and closed.** Copies of the order be sent to the parties.

**Chandigarh
30.06.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**