

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Shri Pawan Kumar (M: 75087-80269),
S/o Shri Shiv Lal,
R/o Village Rupana,
Tehsil & Distt. Sri Muktsar Sahib.

..... Appellant

Vs

Public Information Officer,
O/o SE, PWD (B&R) Circle,
Hoshiarpur.

First Appellate Authority,
O/o Chief Engineer,
PWD (B&R), Patiala.

.....Respondent

Appeal Case No. 3382 of 2019

Present:- Shri Pawan Kumar, appellant is present.
Shri Parwinder Singh, Jr. Asstt. is present on behalf of Shri Manjit Singh, PIO-cum-XEN, PWD (B&R) Circle, Hoshiarpur.

O R D E R

Shri Pawan Kumar, appellant filed RTI application dated 15.04.2018 and sought some information from the PIO, O/o SE, PWD (B&R) Circle, Hoshiarpur. The PIO wrote letter no.201 dated 02.05.2019 and asked the appellant to deposit the assessed fee of Rs.1200/- for providing the information to the appellant. The appellant deposited the amount of Rs.1000/- with the office of the PIO on 15.07.2019. When no information was provided to him by the PIO, then he filed First Appeal before the First Appellate Authority on 02.08.2019 and then Second Appeal before the Punjab State Information Commission on 12.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

Both the parties are present today. The Commission has received a mail sent by the PIO on 18.10.2019 and diarized vide no.20279, which is a copy of letter no.1547 dated 15.10.2019 along with a copy of letter no.1340 dated 11.10.2019 and photocopy of postal receipt dated 14.10.2019, through which the information was sent to the appellant by the PIO.

The Commission has received another mail sent by the appellant, Shri Pawan Kumar, which was received on 24.10.2019 and diarized vide no.20584.

The appellant stated that he has received 185 pages of attested copies of information which was sent to him by the PIO. Today at the time of hearing the respondent has

Appeal Case No. 3382 of 2019

provided 46 pages of attested copies of information to the appellant. The appellant has gone through the information and he stated that he is satisfied with the information.

As the appellant had deposited Rs.1,000/- as assessed fee with the office of the PIO, but total 231 pages of information has been provided to him, so the PIO is directed that excess money of Rs.538/- be returned to the appellant. The respondent at the same time returned the excess amount of Rs.538/- to the appellant today before the Bench.

The appellant has submitted a duly signed written submission dated 31.10.2019 that he has received the sought for information and he is satisfied. The said written submission is taken in the file of the Commission.

As the information has been provided to the appellant by the PIO and the appellant is satisfied, so the present appeal case is **disposed of and closed**.

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Hardeep Singh (M: 92176-71805),
VPO Ranipur,
Tehsil & Distt. Pathankot.

..... Complainant

Vs

Public Information Officer,
O/o XEN, Punjab Mandi Board,
Pathankot.

.....Respondent

Complaint Case No. 812 of 2019

Present:- Shri Hardeep Singh, complainant/applicant is present.
Shri Davinder Singh, Suptd. is present on behalf of Shri Raman Kumar, PIO-cum-XEN, Punjab Mandi Board, Pathankot.

O R D E R

Shri Hardeep Singh, complainant/applicant filed RTI application dated 22.03.2018 and sought some information from the PIO, O/o XEN, Punjab Mandi Board, Pathankot. A reply was sent to him by the PIO vide letter no.83 dated 26.03.2018. But not satisfied with the reply the appellant filed complaint against the PIO before the Punjab State Information Commission on 09.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

Shri Hardeep Singh, complainant/applicant is present and Shri Davinder Singh, Suptd. is present on behalf of the PIO. I have gone through the RTI application dated 22.03.2018 filed by Shri Jaswant Singh and others and discussed about the sought for information with the complainant/applicant and the respondent.

As per the Right to Information Act, 2005 any citizen of India can ask for information from the public authority, but the information must be according to the definition of the information as defined U/s 2(f) of the RTI Act, 2005, which is as follows :-

“ ‘Information’ means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any provide body which can be accessed by a public authority under any other law for the time being in force”.

The complainant/applicant filed RTI application dated 22.03.2018, but he has not sought any information in the form of any record, document, memos etc. envisage U/s 2(f) of the RTI Act, 2005.

Contd..p2..

Complaint Case No. 812 of 2019

So, the RTI application filed by the appellant does not come under the ambit of definition of information. Moreover the RTI application was filed on 22.03.2018 and the reply was sent to him by the PIO on 26.03.2018.

So, I dispose of the present complaint case, but in the larger interest of the general public the PIO-cum-XEN, Punjab Mandi Board, Pathankot is advised that he should get the demarcation of the road as detailed in the RTI application with the help of the concerned revenue authorities probably within 3 months.

With this observation the present complaint case is **disposed of and closed**.

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Vijay Kumar Garg, (M: 98880-98668),
Warehouse Manager (Retd.),
R/o Flat No.202, Azure Height,
Supertech-34, Pavilion,
Sector-34, Noida.

..... Complainant

Vs

Public Information Officer,
O/o Managing Director,
Punjab State Warehousing Corporation,
SCO 74-75, Bank Square,
Sector-17, Chandigarh.

.....Respondent

Complaint Case No. 819 of 2019

Present:- Shri Hanish Kumar, son of Shri Vijay Kumar Garg, complainant/applicant is present on his behalf.
None is present on behalf of the PIO, O/o MD, Punjab State Warehousing Corporation, Chandigarh.

O R D E R

Shri Vijay Kumar Garg, complainant/applicant filed RTI application dated 23.12.2017 and sought some information from the PIO, O/o Managing Director, Punjab State Warehousing Corporation, Chandigarh. When no information was provided to him by the PIO then he filed complaint against the PIO before the Punjab State Information Commission on 11.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

Shri Hanish Kumar Garg, son of Shri Vijay Kumar Garg, complainant/applicant has come present on his behalf and he stated that incomplete information has been provided to the complainant/applicant by the PIO.

So, Smt. Taranjit Kaur Bajwa, PIO, O/o Punjab State Warehousing Corporation is directed that she should personally come present on the next date of hearing and file reply to the complaint filed by the complainant/applicant. In case of non compliance of the Order of the Commission a Show Cause Notice will be issued to her on the next date of hearing.

Both the parties should personally come present on the next date of hearing on **27.11.2019 at 11:00 A.M.**

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Ravi Kant, S/o Shri Sansari Lal,
R/o Krishna Bazar, Ward No.4,
Dhariwal

..... Appellant

Vs

Public Information Officer,
O/o EO, Nagar Council,
Dhariwal.

First Appellate Authority,
O/o Deputy Director,
Urban Local Bodies,
Amritsar.

.....Respondent

Appeal Case No. 3309 of 2019

Present:- Shri Ravi Kant, appellant is absent.
Shri Jatinder Mahajan, PIO-cum-EO, Nagar Council, Dhariwal is present.

O R D E R

Shri Ravi Kant, appellant filed RTI application dated 04.07.2019 and sought some information from the PIO, O/o EO, Nagar Council, Dhariwal. When no information was provided to him by the PIO then he filed First Appeal before the First Appellate Authority on 08.08.2019. Then he filed Second Appeal before the Punjab State Information Commission on 06.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

The appellant is absent, whereas Shri Jatinder Mahajan, PIO has come present and he stated that the sought for information has been provided to the appellant by hand on 24.10.2019 vide letter no.3086 dated 24.10.2019. He has submitted a copy of letter no.3086 dated 24.10.2019 through which the information was provided to the appellant by the PIO. The said letter bears the duly signed noting dated 24.10.2019 made by the appellant that he has received 54 pages of information. The PIO counter signed the said noting that the appellant has received the sought for information on 24.10.2019 and after receiving the information he has made the noting in his presence.

As the PIO has resolved the matter involved in the RTI application and provided the sought for information to the appellant, so the present appeal case is **disposed of and closed.**

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Jasbir Singh, (M: 98882-96107),
Village Bholapur, Jhabewal,
Post Office Ramgarh,
Distt. Ludhiana.

..... Appellant

Vs

Public Information Officer,
O/o State Transport Commissioner, Punjab,
Sector 17, Chandigarh.

First Appellate Authority,
O/o State Transport Commissioner, Punjab,
Sector-17, Chandigarh.

.....Respondent

Appeal Case No. 3354 of 2019

Present:- Shri Jasbir Singh, appellant is absent.
Shri Gural Singh, APIO has come present on behalf of Shri Pyara Singh, PIO,
O/o State Transport Commissioner, Punjab, Chandigarh.

O R D E R

Shri Jasbir Singh, appellant filed RTI application dated 08.06.2019 and sought some information from the PIO, O/o State Transport Commissioner, Punjab, Chandigarh. When no information was provided to him by the PIO then he filed First Appeal before the First Appellate Authority on 24.07.2019. Then he filed Second Appeal before the Punjab State Information Commission on 11.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

The appellant though is absent, but he has sent a mail, which was received in the office of the Commission on 29.10.2019 and diarized vide no.20808. He has submitted in the mail that the PIO has not provided him any information as was sought by him through his RTI application.

The APIO stated that the information was sent to the appellant through letter no.31619 dated 31.10.2019. He has submitted a copy of this letter. This is the letter of today.

The appellant is directed that in case he is not satisfied with the information, which was sent to him through the above said letter, then he should bring the deficiencies in writing to the notice of the PIO within 5 days and in case the appellant submits list of deficiencies to the notice of the PIO, then the PIO should provide the remaining information to the appellant within a week from the receipt of list of deficiencies.

The PIO as well as the appellant both should personally come present on the next date of hearing on **27.11.2019 at 11:00 A.M.**

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Jaspreet Singh, Advocate, (M: 98154-00285),
Chamber No. 5031, Lawyers Chamber Part-II,
District Courts, Ludhiana.

..... Appellant

Vs

Public Information Officer,
O/o Secretary, Regional Transport Authority,
Ludhiana.

First Appellate Authority,
O/o State Transport Commissioner, Punjab,
SCO 177-178,
Sector-17, Chandigarh.

.....Respondent

Appeal Case No. 3363 of 2019

Present:- Shri Jaspreet Singh (Advocate), appellant is absent.
Shri Amardeep Singh, Clerk is present on behalf of Shri Kesar Pal Singh, PIO-
cum-ATO, O/o Secretary, RTA, Ludhiana.

O R D E R

Shri Jaspreet Singh (Advocate), appellant filed RTI application dated 02.05.2019 and sought some information from the PIO, O/o Secretary, Regional Transport Authority, Ludhiana. When no information was provided to him by the PIO then he filed First Appeal before the First Appellate Authority and then Second Appeal before the Punjab State Information Commission on 12.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

The appellant is absent today, whereas the respondent has come present on behalf of the PIO. He has submitted a copy of letter no.9357 dated 24.10.2019 and it is submitted in para no.2 that the RTI application was received in the office of the PIO on 02.05.2019 and the appellant/applicant was informed through letter no.1754 dated 09.05.2019 that the RTI application made by him was incomplete as the same was not accompanied by proof of identity, however no reply was received from the appellant. It means the appellant has not annexed his identity proof along with the RTI application. Moreover he has not sent his identity proof to the public authority even after asking the same through letter dated 09.05.2019.

The RTI application filed by the appellant is incomplete as he has not annexed his identity proof along with it. The present appeal case is disposed of and closed with the observation that in case the appellant wants to file fresh RTI application then he is at liberty to file another RTI application to be annexed with identity proof. With this observation the present appeal case is **disposed of and closed**.

(Avtar Singh Kaler)

State Information Commissioner, Punjab.

Dated: 31.10.2019

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Shri Jaspreet Singh, Advocate, (M: 98154-00285),
Chamber No. 5031, Lawyers Chamber Part-II,
District Courts, Ludhiana.

..... Appellant

Vs

Public Information Officer,
O/o Secretary, Regional Transport Authority,
Ludhiana.

First Appellate Authority,
O/o State Transport Commissioner, Punjab,
SCO 177-178,
Sector-17, Chandigarh.

.....Respondent

Appeal Case No. 3383 of 2019

Present:- Shri Jaspreet Singh (Advocate), appellant is absent.
Shri Amardeep Singh, Clerk is present on behalf of Shri Kesar Pal Singh, PIO-
cum-ATO, O/o Secretary, RTA, Ludhiana.

O R D E R

Shri Jaspreet Singh (Advocate), appellant filed RTI application dated 02.05.2019 and sought some information from the PIO, O/o Secretary, Regional Transport Authority, Ludhiana. When no information was provided to him by the PIO then he filed First Appeal before the First Appellate Authority and then Second Appeal before the Punjab State Information Commission on 12.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

The appellant is absent today, whereas the respondent has come present on behalf of the PIO. He has submitted a copy of letter no.9358 dated 24.10.2019 and it is submitted in para no.2 that the RTI application was received in the office of the PIO on 02.05.2019 and the appellant/applicant was informed through letter no.1755 dated 09.05.2019 that the RTI application made by him was incomplete as the same was not accompanied by proof of identity, however no reply was received from the appellant. It means the appellant has not annexed his identity proof along with the RTI application. Moreover he has not sent his identity proof to the public authority even after asking the same through letter dated 09.05.2019.

The RTI application filed by the appellant is incomplete as he has not annexed his identity proof along with it. The present appeal case is disposed of and closed with the observation that in case the appellant wants to file fresh RTI application then he is at liberty to file another RTI application to be annexed with identity proof. With this observation the present appeal case is **disposed of and closed**.

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Harpreet Singh Sethi, (M: 95010-24535),
S/o Shri Manjit Singh Sethi,
Street No. 1-B, Unna Road,
Hoshiarpur.

..... Applicant

Vs

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Hoshiarpur.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Hoshiarpur.

.....Respondent

Appeal Case No. 3375 of 2019

Present:- Shri Harpreet Singh Sethi, appellant is present.
Shri Amrik Singh, PIO-cum-ATO, O/o Secretary, RTA, Hoshiarpur is present.

O R D E R

Shri Harpreet Singh Sethi, appellant filed RTI application dated 16.05.2019 and sought some information from the PIO, O/o Secretary, Regional Transport Authority, Hoshiarpur. When no information was provided to him by the PIO then he filed First Appeal before the First Appellate Authority on 15.07.2019. Then he filed Second Appeal before the Punjab State Information Commission on 13.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

Both the parties are present today. The PIO stated that the sought for information/reply has been sent to the appellant vide letter no.988 dated 23.09.2019 through registered post. He has submitted a copy of letter no.1191 dated 30.10.2019 along with copy of letter no.988 dated 23.09.2019 and a report dated 19.09.2019 made by the Section Officer. All the papers are taken in the file of the Commission.

The appellant stated that he has received the information/reply which was sent to him by the PIO vide letter no.988 dated 23.09.2019.

As the PIO has sent the information/reply to the appellant, so the present appeal case is **disposed of and closed**.

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Harjinder Singh Sarkaria, (M: 70093-29092),
S/o Shri Namberdar Mohinder Singh Sarkaria,
H.No.270, Abadi Gali Sarkaria Wali,
B/s Gurudwara Patti Sarkar, KOt Khalsa,
P.O. Khalsa College, Amritsar.

..... Complainant

Vs

Public Information Officer,
O/o Punjab Sangeet Natak Academy,
Rose Garden, Sector 16-B,
Chandigarh.

.....Respondent

Complaint Case No. 822 of 2019

Present:- Shri Harjinder Singh Sarkaria, complainant/applicant is present.
Shri Bavit Kumar, Multi Tasking Executive is present on behalf of the PIO, O/o Punjab Sangeet Natak Academy, Chandigarh.

O R D E R

Shri Harjinder Singh Sarkaria, complainant/applicant filed RTI application dated 02.08.2019 and sought some information from the PIO, O/o Punjab Sangeet Natak Academy, Chandigarh. A reply was sent to him by the PIO vide letter dated 27.07.2019. Then he filed complaint against the PIO before the Punjab State Information Commission on 12.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

Both the parties are present today. The respondent stated that the sought for information/reply had already been sent to the appellant vide letter no.7 dated 27.07.2019.

The appellant stated that he has received the sought for information/reply and he is satisfied. He has submitted a duly signed written submission dated 31.10.2019 that he has received the sought for information and he is satisfied. The said written submission is taken in the file of the Commission.

As the PIO has provided the sought for information/reply to the complainant/applicant and the complainant/applicant is satisfied, so the present complaint case is **disposed of and closed**.

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Harjinder Singh Sarkaria, (M: 70093-29092),
S/o Shri Namberdar Mohinder Singh Sarkaria,
H.No.270, Abadi Gali Sarkaria Wali,
B/s Gurudwara Patti Sarkar, KOt Khalsa,
P.O. Khalsa College, Amritsar.

..... Complainant

Vs

Public Information Officer,
O/o Virsa Vihar Society,
Near Guru Nanak Stadium,
Amritsar.

.....Respondent

Complaint Case No. 824 of 2019

Present:- Shri Harjinder Singh Sarkaria, complainant/applicant is present.
None present on behalf of the PIO, O/o Virsa Vihar Society, Amritsar.

O R D E R

Shri Harjinder Singh Sarkaria, complainant/applicant filed RTI application dated 02.08.2019 before the PIO, O/o Deputy Commissioner, Amritsar and he sought some information related to Virsa Vihar Society, Amrtisar. The RTI application was transferred U/s 6(3) of the RTI Act, 2005 by the PIO, O/o D.C., Amritsar to the PIO, O/o Virsa Vihar Society, Amritsar. When no information was provided to the complainant/applicant by the PIO then he filed complaint against the PIO before the Punjab State Information Commission on 12.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

The complainant/applicant is present today, whereas none has come present on behalf of the PIO. The complainant/applicant stated that no information has been provided to him by the PIO.

So, the PIO, O/o Virsa Vihar Society, Amrtisar is directed that he should personally come present on the next date of hearing and file reply to the complaint filed by the complainant/applicant. In case he would not come present then action will be taken against the PIO under the provisions of the RTI Act, 2005.

Both the parties should personally come present on the next date of hearing on **28.11.2019 at 11:00 A.M.**

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Harjinder Singh Sarkaria, (M: 70093-29092),
S/o Shri Namberdar Mohinder Singh Sarkaria,
H.No.270, Abadi Gali Sarkaria Wali,
B/s Gurudwara Patti Sarkar, KOt Khalsa,
P.O. Khalsa College, Amritsar.

..... Complainant

Vs

Public Information Officer,
O/o Virsa Vihar Society,
Near Guru Nanak Stadium,
Amritsar.

.....Respondent

Complaint Case No. 825 of 2019

Present:- Shri Harjinder Singh Sarkaria, complainant/applicant is present.
None present on behalf of the PIO, O/o Virsa Vihar Society, Amritsar.

O R D E R

Shri Harjinder Singh Sarkaria, complainant/applicant filed RTI application dated 22.05.2019 and sought some information from the PIO, O/o Virsa Vihar Society, Amritsar. When no information was provided to him by the PIO then he filed complaint against the PIO before the Punjab State Information Commission on 12.09.2019. The case was registered and allocated to the Bench. Notice of hearing was issued to both the parties for today.

The complainant/applicant is present today, whereas none has come present on behalf of the PIO. The complainant/applicant stated that no information has been provided to him by the PIO.

So, the PIO, O/o Virsa Vihar Society, Amrtisar is directed that he should personally come present on the next date of hearing and file reply to the complaint filed by the complainant/applicant. In case he would not come present then action will be taken against the PIO under the provisions of the RTI Act, 2005.

Both the parties should personally come present on the next date of hearing on **28.11.2019 at 11:00 A.M.**

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

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Shri Pargat Singh, (M: 98140-52117),
S/o Shri Sardara Singh,
R/o Village Dehra Sahib,
Tehsil & Distt. Tarn Taran.

..... Complainant

Vs

Public Information Officer,
O/o Returning Officer,
Cluster-2, Chohla Sahib,
Distt. Amritsar.

.....Respondent

Complaint Case No. 222 of 2019

Present:- Shri Pargat Singh, complainant/applicant is absent.
Smt. Rajinderjit Kaur (M: 70098-64016), BDPO, Chohla Sahib, Distt. Tarn Taran
is present.

O R D E R

Shri Pargat Singh, complainant/applicant is absent, but he has sent an e-mail that he is unable to come present before the Commission at the time of hearing and requested for adjournment of the case.

Smt. Rajinderjit Kaur, BDPO, Chohla Sahib, Distt. Tarn Taran is present and she has submitted a duly signed reply dated 31.10.2019 to the Show Cause Notice issued to her along with the copies of the following letters:

- a) Letter no.2102 dated 31.10.2019
- b) Letter no.81 dated 09.08.2019
- c) Letter no.114 dated 21.08.2019
- d) Letter no.119 dated 23.08.2019
- e) Letter no.132 dated 26.08.2019
- f) Letter no.140 dated 28.08.2019
- g) Letter no.Spl-II dated 05.09.2019
- h) Letter no.166 dated 19.09.2019
- i) Letter no.177 dated 27.09.2019
- j) Letter no.205 dated 10.10.2019
- k) Letter no.215 dated 18.10.2019
- l) Letter no.229 dated 22.10.2019

All the papers are taken in the file of the Commission.

Complaint Case No. 222 of 2019

Shri Pargat Singh, complainant/applicant filed RTI application dated 23.01.2019 and when no information was provided to him, then he filed complaint before the Punjab State Information Commission.

On the first date of hearing i.e. 11.06.2019, Shri Gurinder Singh was present on behalf of the complainant/applicant and Shri Harbans Singh, Returning Officer, Cluster-2, Chohla Sahib was present along with Shri Surinder Singh, Suptd. and after hearing the case Shri Harbans Singh, Returning Officer was exempted from personal appearance and Smt. Rajinderjit Kaur, BDPO, Chohla Sahib, Distt. Tarn Taran was directed to come personally present on the next date of hearing and file reply to the complaint filed by the complainant/applicant.

On 10.07.2019, both the parties were absent and a direction was issued to Smt. Rajinderjit Kaur, BDPO, Chohla Sahib to appear personally on the next date of hearing and file reply to the complaint filed by the complainant/applicant.

On 08.08.2019, Shri Gurinder Singh was present on behalf of the complainant/applicant and Shri Avtar Singh, Panchayat Officer was present on behalf of Smt. Rajinderjit Kaur, BDPO, Chohla Sahib and a Show Cause Notice was issued to Smt. Rajinderjit Kaur, BDPO, Chohla Sahib.

On 12.09.2019 Shri Gurinder Singh was present on behalf of the complainant/applicant and Smt. Rajinderjit Kaur, BDPO, Chohla Sahib was present along with Ms. Prabhjot Kaur, Panchayat Secretary, Dehra Sahib and the case was adjourned for 30.09.2019.

On 30.09.2019 Shri Gurinder Singh was present on behalf of the complainant/applicant and Smt. Rajinderjit Kaur, BDPO, Chohla Sahib was present along with Ms. Prabhjot Kaur, Panchayat Secretary, Dehra Sahib and the respondents sought a week's time to provide the information to the complainant/applicant.

But today the Commission has received an e-mail sent by the complainant/applicant that he is unable to come present today and informed that no information has been provided to him by the PIO.

Smt. Rajinderjit Kaur, BDPO, Chohla Sahib has come present today and she has filed duly signed reply dated 31.10.2019 to the Show Cause Notice. She has submitted in the reply to the Show Cause Notice that as per the Punjab Govt. notification dated 10.10.2005, she is the PIO at the block level and the panchayat secretaries of the concerned gram panchayats are the public information officers at the gram panchayat level. She further submitted that she is not the PIO of the gram panchayat regarding which the complainant/applicant sought

Complaint Case No. 222 of 2019

information. She submitted that Ms. Prabhjot Kaur is the PIO-cum-panchayat secretary of gram panchayat Dehra Sahib, Block Chohla Sahib. She further submitted in the reply that the Show Cause Notice has been wrongly issued to her. She submitted that she has issued notices and instructed the Panchayat secretary-cum-PIO to provide the information to the complainant/applicant, but she has not bothered about the instructions issued by her and has not provided the information to the complainant/applicant. She further submitted that she has wrote another letter no.RTI/119 dated 23.08.2019 to the District Development and Panchayat Officer, Tarn Taran to take action against the concerned panchayat secretary for not doing her duties as per the law and rules because she was not providing the information to the complainant/applicant and not obeying the instruction issued to her. The copies of all the letters are taken in the file of the Commission.

The BDPO, Chohla Sahib further stated that she has also written letter no.140 dated 28.08.2019 to the Director, Rural Development and Panchayat Department, Mohali to take action against the above said panchayat secretary.

So, as per the reply submitted by Smt. Rajinderjit Kaur, BDPO, Chohla Sahib, Distt. Tarn Taran, she is not the PIO at the gram panchayat level rather panchayat secretaries are the PIOs at the gram panchayat level vide Notification dated 10.10.2005 issued by the Punjab Government.

The concerned panchayat secretary i.e. Ms. Prabhjot Kaur, was present before the Commission on the last date of hearings i.e. 12.09.2019 and 30.09.2019, but today she has not come present neither she has provided the information to the complainant/applicant.

The complainant/applicant filed RTI application dated 23.01.2019 and he sought information regarding Gram panchayat Dehra Sahib, Block Chohla Sahib, Distt. Tarn Taran.

So, as per the RTI application dated 23.01.2019 and the Order dated 30.09.2019 the concerned panchayat secretary of above said gram panchayat is liable for the delay in providing the information to the complainant/applicant. The conduct of the concerned panchayat secretary amounts to denial of information and defiance of the provisions of the RTI Act, 2005. She is not bothering about the instructions issued by the Commission as well as about the written instructions issued by the BDPO, Chohla Sahib from time to time for providing the information to the complainant/applicant.

So, under these circumstances a Show Cause Notice is issued to Ms. Prabhjot Kaur, PIO-cum-panchayat secretary of gram panchayat Dehra Sahib, Block Chohla Sahib, who has been transferred about a week ago to Block Naushehra Pannua, Distt. Tarn Taran, that why you have not provided the sought for information to the complainant/applicant within the

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stipulated period and why you have not come present before the Commission at the time of hearing and so why you may not be penalized U/s 19(8) of the RTI Act, 2005 and why the case may not be referred to the Government for taking disciplinary action against you.

Ms. Prabhjot Kaur, PIO-cum-panchayat secretary of gram panchayat Dehra Sahib, Block Chohla Sahib, is directed to come personally present before the Commission on the next date of hearing and file reply to the Show Cause Notice that why you may not be penalized and why the case may not be recommended for taking disciplinary action against you to the Government under the service rules applicable. An opportunity of personal hearing will be afforded to her on the Show Cause Notice. In case the concerned she would not come present on the next date of hearing then it will be assumed that she do not want to file reply to the Show Cause Notice and the Show Cause Notice will be decided in her absence.

Both the parties to come present on the next date of hearing on **13.11.2019 at 11:00 A.M.**

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.

CC: BDPO, Chohla Sahib, Distt. Amritsar.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864119, Email: - psic29@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Shri Gurinder Singh, (M: 98140-52117),
S/o Shri Naranjan Singh,
R/o Village Dehra Sahib,
Tehsil & Distt. Tarn Taran.

..... Complainant

Vs

Public Information Officer,
O/o Returning Officer, Cluster-2,
Chohla Sahib, Distt. Amritsar.

.....Respondent

Complaint Case No. 226 of 2019

Present:- Shri Gurinder Singh, complainant/applicant is absent.
Smt. Rajinderjit Kaur (M: 70098-64016), BDPO, Chohla Sahib, Distt. Tarn Taran is present.

O R D E R

Shri Gurinder Singh, complainant/applicant is absent, but he has sent an e-mail that he is unable to come present before the Commission at the time of hearing and requested for adjournment of the case.

Smt. Rajinderjit Kaur, BDPO, Chohla Sahib, Distt. Tarn Taran is present and she has submitted a duly signed reply dated 31.10.2019 to the Show Cause Notice issued to her along with the copies of the following letters:

- m) Letter no.2101 dated 31.10.2019
- n) Letter no.48-50 dated 14.06.2019
- o) Letter no.77-79 dated 05.08.2019
- p) Letter no.86 dated 09.08.2019
- q) Letter no.96-98 dated 19.08.2019
- r) Letter no.122 dated 23.08.2019
- s) Letter no.125-27 dated 26.08.2019
- t) Letter no.137 dated 28.08.2019
- u) Letter no.160-62 dated 19.09.2019
- v) Letter no.171-173 dated 27.09.2019
- w) Letter no.199-201 dated 10.10.2019
- x) Letter no.222-24 dated 22.10.2019

All the papers are taken in the file of the Commission.

Contd..p2..

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Shri Gurinder Singh, complainant/applicant filed RTI application dated 23.01.2019 and when no information was provided to him, then he filed complaint before the Punjab State Information Commission.

On the first date of hearing i.e. 11.06.2019, the complainant/applicant, Shri Gurinder Singh was present and Shri Harbans Singh, Returning Officer, Cluster-2, Chohla Sahib was present along with Shri Surinder Singh, Suptd. and after hearing the case Shri Harbans Singh, Returning Officer was exempted from personal appearance and Smt. Rajinderjit Kaur, BDPO, Chohla Sahib, Distt. Tarn Taran was directed to come personally present on the next date of hearing and file reply to the complaint filed by the complainant/applicant.

On 10.07.2019, both the parties were absent and a direction was issued to Smt. Rajinderjit Kaur, BDPO, Chohla Sahib to appear personally on the next date of hearing and file reply to the complaint filed by the complainant/applicant.

On 08.08.2019 the complainant/applicant was present and Shri Avtar Singh, Panchayat Officer was present on behalf of Smt. Rajinderjit Kaur, BDPO, Chohla Sahib and a Show Cause Notice was issued to Smt. Rajinderjit Kaur, BDPO, Chohla Sahib.

On 12.09.2019 the complainant/applicant was present and Smt. Rajinderjit Kaur, BDPO, Chohla Sahib was present along with Ms. Prabhjot Kaur, Mr. Sarabjit Singh and Mr. Jagdish Singh, Panchayat Secretaries and the case was adjourned for 30.09.2019.

On 30.09.2019 the complainant/applicant was present and Smt. Rajinderjit Kaur, BDPO, Chohla Sahib was present along with Ms. Prabhjot Kaur, Mr. Sarabjit Singh and Mr. Jagdish Singh, Panchayat Secretaries and the respondents requested for a period of two weeks and assured the Commission that the information will be provided to the complainant/applicant.

But today the Commission has received an e-mail sent by the complainant/applicant that he is unable to come present today and informed that no information has been provided to him by the PIO.

Smt. Rajinderjit Kaur, BDPO, Chohla Sahib has come present today and she has filed duly signed reply dated 31.10.2019 to the Show Cause Notice. She has submitted in the reply to the Show Cause Notice that as per the Punjab Govt. notification dated 10.10.2005, she is the PIO at the block level and the panchayat secretaries of the concerned gram panchayats are the public information officers at the gram panchayat level. She further submitted that she is not the PIO of the gram panchayats regarding which the complainant/applicant sought information. She submitted that Ms. Prabhjot Kaur is the PIO-cum-panchayat secretary of gram

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panchayat Dehra Sahib, Block Chohla Sahib, Mr. Sarabjit Singh is the PIO-cum-panchayat secretary of gram panchayat Jhander Mahapurkhan, Block Chohla Sahib and Mr. Jagdish Singh is the PIO-cum-panchayat secretary of gram panchayat Karmuwal, Block Chohla Sahib. She further submitted in the reply that the Show Cause Notice has been wrongly issued to her. She submitted that she has issued notices and instructed the Panchayat secretaries-cum-PIOs to provide the information to the complainant/applicant, but they have not bothered about the instructions issued by her and not provided the information to the complainant/applicant. She further submitted that she has wrote another letter no.RTI/122 dated 23.08.2019 to the District Development and Panchayat Officer, Tarn Taran to take action against the concerned panchayat secretaries for not doing their duties as per the law and rules because they were not providing the information to the complainant/applicant and not obeying the instruction issued to them by her. The copies of all the letters are taken in the file of the Commission.

The BDPO, Chohla Sahib further stated that she has also written letter no.137 dated 28.08.2019 to the Director, Rural Development and Panchayat Department, Mohali to take action against the above said panchayat secretaries.

So, as per the reply submitted by Smt. Rajinderjit Kaur, BDPO, Chohla Sahib, Distt. Tarn Taran, she is not the PIO at the gram panchayat level rather panchayat secretaries are the PIOs at the gram panchayat level vide Notification dated 10.10.2005 issued by the Punjab Government.

The concerned panchayat secretaries i.e. Ms. Prabhjot Kaur, Mr. Sarabjit Singh and Mr. Jagdish Singh were present before the Commission on the last date of hearings i.e. 12.09.2019 and 30.09.2019, but today they have not come present neither they have provided the information to the complainant/applicant.

The complainant/applicant filed RTI application dated 23.01.2019 and he sought information regarding all the villages falling under Block Chohla Sahib, but on 30.09.2019 at the time of hearing he left his claim for the remaining villages and he sought information only regarding three villages i.e. Dehra Sahib, Karmuwal and Jhander Mahapurkhan.

So, as per the RTI application dated 23.01.2019 and the Order dated 30.09.2019 the concerned panchayat secretaries of above said gram panchayats are liable for the delay in providing the information to the complainant/applicant. The conduct of the concerned panchayat secretaries amounts to denial of information and defiance of the provisions of the RTI Act, 2005. They are not bothering about the instructions issued by the Commission as well as about the written instructions issued by the BDPO, Chohla Sahib from time to time for providing the information to the complainant/applicant.

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So, under these circumstances a Show Cause Notice is issued to Ms. Prabhjot Kaur, PIO-cum-panchayat secretary of gram panchayat Dehra Sahib, Block Chohla Sahib, who is transferred about a week ago to Block Naushehra Pannua, Distt. Tarn Taran, secondly to Mr. Sarabjit Singh, PIO-cum-panchayat secretary of gram panchayat Jhander Mahapurkhan, Block Chohla Sahib and thirdly to Mr. Jagdish Singh, PIO-cum-panchayat secretary of gram panchayat Karmuwal, Block Chohla Sahib that why you have not provided the sought for information to the complainant/applicant within the stipulated period and why you have not come present before the Commission at the time of hearing and so why you may not be penalized U/s 19(8) of the RTI Act, 2005 and why the case may not be referred to the Government for taking disciplinary action against you.

Ms. Prabhjot Kaur, PIO-cum-panchayat secretary of gram panchayat Dehra Sahib, Block Chohla Sahib, Mr. Sarabjit Singh, PIO-cum-panchayat secretary of gram panchayat Jhander Mahapurkhan, Block Chohla Sahib and Mr. Jagdish Singh, PIO-cum-panchayat secretary of gram panchayat Karmuwal, Block Chohla Sahib are directed to come personally present before the Commission on the next date of hearing and file reply to the Show Cause Notice that why you may not be penalized and why the case may not be recommended for taking disciplinary action against you to the Government under the service rules applicable. An opportunity of personal hearing will be afforded to them on the Show Cause Notice. In case the concerned PIOs-cum-panchayat secretaries would not come present on the next date of hearing then it will be assumed that they do not want to file reply to the Show Cause Notice and the Show Cause Notice will be decided in their absence.

Both the parties to come present on the next date of hearing on **13.11.2019 at 11:00 A.M.**

Dated: 31.10.2019

**(Avtar Singh Kaler)
State Information Commissioner, Punjab.**

CC: BDPO, Chohla Sahib, Distt. Amritsar.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864119, Email: - psic29@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Shri Trilochan Singh, (M: 79735-14050),
848-A, MIG, Punjab Housing Board Colony,
Jamalpur, Ludhiana-141010.

..... Complainant

Vs

Public Information Officer,
O/o Municipal Corporation,
Ludhiana.

.....Respondent

Complaint Case No. 782 of 2019

Present:- Shri Trilochan Singh, complainant/applicant is absent.
Shri Chander Parkash, Draftsman is present on behalf of Shri Satish Kumar
Malhotra, PIO-cum-Asstt. Town Planner, O/o M.C., Ludhiana.

O R D E R

Shri Trilochan Singh, complainant/applicant filed RTI application dated
20.07.2019 and sought some information from the PIO, O/o Municipal Corporation, Ludhiana.

The complainant/applicant is absent today, whereas the respondent has come
present on behalf of the PIO.

The PIO, O/o M.C., Ludhiana is directed that he should personally come present
on the next date of hearing and file reply to the complaint filed by the complainant/applicant. In
case of non compliance of the Order of the Commission strict action will be taken against the
PIO under the provisions of the RTI Act, 2005.

The PIO as well as the complainant/applicant both should personally come
present on the next date of hearing on **28.11.2019 at 11:00 A.M.**

Dated: 31.10.2019

(Avtar Singh Kaler)
State Information Commissioner, Punjab.