

# PUNJAB STATE INFORMATION COMMISSION

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## Sh. Arun Kumar

S/o Sh. Brij Mohan  
Superintendent SSS Board,  
Forest Complex, Sector-68,  
Mohali  
(M:9779740797)

..Appellant

Vs

## Public Information Officer,

O/o Superintendent  
Secretariat Establishment -1 Branch,  
Punjab Civil Secretariat-1, Chandigarh

## First Appellate Authority

O/o Under Secretary,  
Secretariat Establishment -1 Branch,  
Punjab Civil Secretariat-1, Chandigarh

..respondent(s)

### Appeal Case No. 3098 of 2024

**Present :** Sh. Arun Kumar, the appellant.  
Sh. Vikram Tondon, APIO (9803402425) on behalf of the respondent.

### ORDER

This order may be read with reference to the previous order dated 07.11.2024.

2. The respondent submits that the appellant was directed to visit the office of the respondent but he has not come for the inspection of the record. The appellant admitted that he has received the said letter but has not gone to inspect the record.

3. After having detailed deliberations with the parties, the appellant is advised to visit the office of respondent with prior intimation for the inspection of record and the respondent PIO is directed to supply the information except the information which is exempted under Section 8 of the RTI Act, 2005 and the appellant is at liberty to file the submissions, if any, to take the matter to its logical end.

4. Both the parties are directed to remain present on the next date of hearing for deliberations, failing which case will be decided on merit, ex-parte.

5. To come up on **19.03.2025 at 11:30 A. M. at Chandigarh.**

**Date:18.12.2024**

G

**(Inderpal Singh)**  
**Chief Information Commissioner**  
**Punjab**

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## Sh. Arun Kumar

S/o Sh. Brij Mohan  
Superintendent SSS Board,  
Forest Complex, Sector-68,  
Mohali  
(M:9779740797)

..Appellant

Vs

## Public Information Officer,

O/o Superintendent  
Secretariat Establishment -3 Branch,  
Punjab Civil Secretariat-1, Chandigarh

## First Appellate Authority

O/o Under Secretary,  
Secretariat Establishment -3 Branch,  
Punjab Civil Secretariat-1, Chandigarh

..respondent(s)

### Appeal Case No. 4964 of 2024

**Present :** Sh. Arun Kumar, the appellant.  
Ms. Mandeep Kaur, Superintendent-cum-PIO (9872792927) on behalf of the respondent.

### ORDER

This order may be read with reference to the previous order dated 07.11.2024.

2. The respondent submitted the death certificate and a copy of circular issued in respect of Smt. Ravinder Kaur Bhatia, D/o Sh. Inderjit Singh regarding his death on 24.04.2019, information related to whom has been sought by the appellant. The respondent also submits that the husband of the third party was asked that why the information may not be supplied to the appellant but he made the submissions that the service book of his wife Ms. Ravinder Kaur Bhatia, Superintendent who passed away on 24.04.2019 be not supplied to the appellant.

3. Keeping in view the above, the appellant is directed to send the written submissions, if any, to the respondent PIO with a copy to the Commission within thirty days from today. Also, the respondent PIO is directed to file the counter submissions, if any, to take the matter to its logical end.

4. Both the parties are directed to remain present on the next date of hearing for deliberations, failing which case will be decided on merit, ex-parte.

5. To come up on **19.03.2025 at 11:30 A. M. at Chandigarh.**

Date:18.12.2024

G

(Inderpal Singh)  
Chief Information Commissioner  
Punjab

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**Sh. Anil Bhatia,**

# 1523, Sector 13,

Hisar- 125005 (Haryana)

(M.-9017397100)

.....Appellant

Vs

**Ms. Harleen Bedi,**

Deputy Director(Grants - II Branch)-cum-

Public Information Officer,

O/o The Director, Public Instructions (Colleges) Pb.,

Vidya Bhawan, P.S.E.B. Complex,

Sector 62, SAS Nagar (Mohali)

**First Appellate Authority**

O/o The Director,

Public Instructions (Colleges) Pb.,

Vidhya Bhawan, P.S.E.B. Complex,

Sector 62, SAS Nagar (Mohali)

.....Respondents

## Appeal Case No. 6130 of 2022

**Present :** Sh. Anil Bhatia, the appellant.  
None on behalf of the respondent.

### ORDER

This order may be read with reference to the previous order dated 19.09.2024.

2. The appellant requested to penalize the respondent PIO. also, in support of his submissions he has relied upon the judgments Smt. Chander Kanta Vs. State Information Commission and others, Decision dated 19.05.2016 (passed by Hon'ble Punjab and Haryana High Court in CWP No. 17758 of 2014) and Sh. Sanjay Hindwan Vs. State Information Commission and others, Decision dated 24.08.2012 (passed by the Hon'ble Himachal Pardesh High Court in CWP No. 640 of 2012-Ds) and Sh. Gambhirdan K. Gadhvi Vs. The State of Gujrat, Decision dated 03.03.2022 (passed by the Hon'ble Supreme Court of India).

3. However, the respondent PIO is absent without intimation. It is also a fact that a show cause notice was issued to her in spite of that she is absent and also no Superintendent/Assistant Grant 2 Branch of DPI (Colleges) are present in this case. In the interest of natural justice, one last opportunity is granted to the respondent PIO, Superintendent and Assistant of Grant-2 Branch to remain present on the next date of hearing.

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## Appeal Case No. 6130 of 2022

4. Also a copy of this order is being sent to the Principal Secretary to Government of Punjab, Department of Higher Education And D.P.I.(Colleges), Mohali, who are directed to ensure the presence of the concerned PIO on the next date of hearing.
5. It is also clarified that in case of defiance of this order, the presence of the concerned Public Information Officer will be procured by issuing **BAILABLE WARRANTS** and/or disciplinary action may be recommended in this case to the competent authority as per the procedure established by the Law.
6. It is also clarified that in case of the absence of the concerned officer/official on the next date of hearing the DPI (Colleges), Mohali may be directed for personal appearance being the head of the department
7. To come up on **19.03.2025 at 11:30 A. M. at Chandigarh.**

**Date:18.12.2024**

G

**(Inderpal Singh)**  
**Chief Information Commissioner**  
**Punjab**

**CC:**

**Sh. Kamal Kishor Yadav, IAS**  
Principal Secretary to Government of Punjab,  
Department of Higher Education  
Punjab Civil Secretariat -2, Sector – 9,  
Chandigarh

**Sh. Amrit Singh, IAS,**  
The Director, Public Instructions (Colleges) Pb.,  
Vidhya Bhawan, P.S.E.B. Complex,  
Sector 62, Phase-9,  
S.A.S. Nagar (Mohali)

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**Sh. Jaswinder Singh**

S/o Sh. Mohan Singh

R/o Village Mianpur

Tehsil & District Roopnagar

(M:9914282489)

....Appellant

V/s

**Public Information Officer,**

O/o Tehsildar,

SAS Nagar (Mohali)

**First Appellate Authority,**

O/o SDM, Mohali

...Respondents

## Appeal Case No. 2984 of 2024

**Present :** Sh. Jaswinder Singh, the appellant.  
None on behalf of the respondent.

### ORDER

The RTI application is dated 08.11.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 18.01.2024 and second appeal was filed in the Commission on 28.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing for today i.e. 22.05.2024.

2. The appellant submits that the directions may be issued to the respondent PIO to supply the sought information. However, the respondent PIO is absent without intimation. It is also a fact that notice of hearing was sent to him through registered post but even though he is absent.

3. Viewing the attitude in dealing with the RTI application by the respondent casually, **Sh. Arjun Grewal-Tehsildar-cum- Public Information Officer, is, thus, issued a show cause notice, by name,** to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay/denial of the information to the RTI applicant and to show cause why a compensation under section 19(8) of the RTI Act,2005, may not be paid to the appellant for causing willful delay/denial of the information for detriment suffered by him.

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## **Appeal Case No. 2984 of 2024**

In addition to the written reply, the Public Information Officer is also 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 take a note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

4. Accordingly, a copy of this order is **being sent** to the Financial Commissioner (Revenue), Punjab to ensure the presence of the present concerned PIO-cum-Tehsildar, Mohali. It is also clarified that in case of defiance of this order, the presence of the concerned Public Information Officer will be procured by issuing **BAILABLE WARRANTS** and/or disciplinary action may be recommended in this case to the competent authority as per the procedure established by the Law.

5. A copy of this order is also **being sent** to the Deputy Commissioner, Mohali to ensure the compliance of this order.

6. To come up on **19.03.2025 at 11:30 A. M. at Chandigarh.**

**Date:18.12.2024**

G

**(Inderpal Singh)**  
**Chief Information Commissioner**  
**Punjab**

**CC:**

**Sh. Anurag Verma, IAS**  
Financial Commissioner (Revenue), Punjab  
Punjab Civil Secretariat-1,  
Chandigarh

**(for the compliance of this order)**

**Ms. Aashika Jain, IAS**  
Deputy Commissioner,  
Mohali

**Sh. Arjun Grewal,**  
**Public Information Officer-**  
Cum-Tehsildar,  
SAS Nagar (Mohali)  
(M:9216611111)

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## Sh. Amardeep Singh

House No. 122,  
Sector-16 A, Chandigarh  
(M:9779000080)

....Appellant

V/s

## Public Information Officer,

O/o Deputy Commissioner,  
SAS Nagar (Mohali)

## First Appellate Authority,

O/o Deputy Commissioner,  
SAS Nagar (Mohali)

...Respondents

### Appeal Case No. 5142 of 2022

**Present :** Sh. Amardeep Singh, the appellant.  
Ms. Karamjit Kaur, Senior Assistant (9814547141) and Ms. Monika  
(9417641480) on behalf of the respondent.

### ORDER

This order may be read with reference to the previous order dated 16.10.2024.

2. The appellant submits that the directions may be issued to the respondent PIO to supply the annexure C to annexure Q, which was attached with the 20 page inquiry report already supplied to the appellant as has been sought by him.
3. The respondent made the submissions that the said annexures cannot be supplied to the appellant as the same comprises third party information related to Point No. 1 and 2. With Regard to Point No. 3, 4 and 5 the respondent reiterated the submissions already made by them that the said record is not available and an affidavit in this regard has already been filed by the District Revenue Officer, Mohali.
4. Accordingly, the respondent PIO is directed to bring the photocopy of the annexures along with an inquiry report in a sealed cover for the perusal of the Commission.
5. Keeping in the view the submissions made by the parties, the respondent PIO, O/o Deputy Commissioner, Mohali is directed to submit the proof that the file related to an inquiry which was conducted by the ADC (G), Mohali and sent to the Deputy Commissioner, Mohali to further marked the file to the District Revenue Officer, Mohali.

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### **Appeal Case No. 5142 of 2022**

6. Also, in the interest of natural justice and in accordance with the Punjab RTI Rules, 2017, M/s ATS Infra Structure Private Limited, Derabassi is impleaded as a necessary party in this case to make the submissions, if any, that why the information related to the said inquiry may not be supplied to the appellant. It is also clarified that in case no response is received from M/s. ATS Infra Structure Private Limited Derabassi, the Commission will proceed accordingly, as per the procedure established by Law.

7. To come up on **19.03.2025 at 11:30 A. M. at Chandigarh.**

**Date:18.12.2024**

G

**(Inderpal Singh)  
Chief Information Commissioner  
Punjab**

**CC:**

**M/s ATS Infra Structure Private Limited  
Derabassi, Mohali**



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**Sh. Sunil,**  
S/o Sh. Krishan Lal  
Flat No. 244, D2 Tower,  
Penta House, Zirakpur,  
Distt. SAS Nagar (Mohali)-140603  
M:9569806826

.. appellant

Vs

**Public Information Officer,**  
O/o Chandigarh University, Gharuan,  
Mohali

**First Appellate Authority**  
O/o Chandigarh University, Gharuan,  
Mohali

..respondents

## **Appeal Case No. 2363 of 2023**

**Present :** None on behalf of the appellant.  
Advocate, Sh. Sachit Khanna (9569252522), Advocate, Ms. Ritu Bala (8283838816) and Sh. Narinder Singh, Legal Advisor (9914177694) on behalf of the respondent.

### **ORDER**

This order may be read with reference to the previous order dated 16.10.2024.

2. The appellant requested for an adjournment in this case to file the written submissions through an email today, which is taken on record.
3. In view of the submissions made by the appellant, the case is adjourned with the directions to file the written submission, if any, within thirty days from the date of order and a copy of the same be sent to the respondent PIO to enable him/her to file the counter submissions.
4. Both the parties are directed to remain present on the next date of hearing for deliberations, failing which case will be decided on merit, ex-parte.
5. To come up on **19.03.2025 at 11:30 A. M. at Chandigarh.**

**Date:18.12.2024**

G

**(Inderpal Singh)**  
**Chief Information Commissioner**  
**Punjab**

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## Sh. Ashok Kumar

S/o Sh. Sham Lal,  
Bank Street, New Basti,  
Nabha-147201, District Patiala  
(M:9780150888)

.....Appellant

Vs

## Public Information Officer,

O/o District Manager,  
Markfed, Sangrur

## First Appellate Authority

O/o District Manager,  
Markfed, Sangrur

.....Respondents

### Appeal Case No. 3592 of 2022

**Present :** Sh. Ashok Kumar, the appellant along with Sh. Shivam Goyal.  
Sh. Gurinderjit Singh, Superintendent (9915311982) and Sh. Lovepreet Singh,  
Senior Assistant (7400300065) on behalf of the respondent.

### ORDER

This order may be read with reference to the previous order dated 11.09.2024.

2. The appellant made the submissions that both the parties i.e. Markfed Bhawanigarh and Markfed Sangrur have filed their submissions by a way of an affidavit, that the record is not available.
3. To take the matter to its logical end, the respondent PIO is directed to reconsider the matter and file the reply afresh, if any. Also, a copy of the same be sent to the appellant within thirty days and the appellant is at liberty to file the counter submissions, if any, within sixty days from the issue of this order.
4. Keeping in view the above, an order in this case is '**Reserved**', which will be pronounced later on.

Date:18.12.2024

G

(Inderpal Singh)  
Chief Information Commissioner  
Punjab

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## Sh. Ashok Kumar

S/o Sh. Sham Lal,  
Bank Street, New Basti,  
Nabha-147201, District Patiala  
(M:9780150888)

.....Appellant

Vs

## Public Information Officer,

O/o District Manager,  
Markfed, Sangrur

## First Appellate Authority

O/o District Manager,  
Markfed, Sangrur

.....Respondents

### Appeal Case No. 4715 of 2022

**Present :** Sh. Ashok Kumar, the appellant along with Sh. Shivam Goyal.  
Sh. Gurinderjit Singh, Superintendent (9915311982) and Sh. Lovepreet Singh,  
Senior Assistant (7400300065) on behalf of the respondent.

### ORDER

This order may be read with reference to the previous order dated 11.09.2024.

2. The appellant submits that he has received the partial information and requested to supply the complete information.
3. Accordingly the appellant is directed to send/file the submissions in an annotated form i.e. request for information, response of the respondent and the submissions of the appellant within thirty days from the issue of this order. Also, the respondent PIO is directed to file counter submissions, if any, within sixty days from the issue of this order.
4. Keeping in view the above, an order in this case is '**Reserved**', which will be pronounced later on.

Date:18.12.2024

G

(Inderpal Singh)  
Chief Information Commissioner  
Punjab

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**Sh. Ashok Kumar**

S/o Sh. Sham Lal,  
Bank Street, New Basti,  
Nabha-147201, District Patiala  
(M:9780150888)

.....Appellant

Vs

**Public Information Officer,**

O/o District Manager,  
Markfed, Sangrur

**First Appellate Authority**

O/o District Manager,  
Markfed, Sangrur

.....Respondents

## Appeal Case No. 4714 of 2022

**Present :** Sh. Ashok Kumar, the appellant along with Sh. Shivam Goyal.  
Sh. Gurinderjit Singh, Superintendent (9915311982) and Sh. Lovepreet Singh,  
Senior Assistant (7400300065) on behalf of the respondent.

### ORDER

This order may be read with reference to the previous order dated 11.09.2024.

2. The appellant submits that he has received the partial information and requested to supply the complete information.
3. Accordingly the appellant is directed to send/file the submissions in an annotated form i.e. request for information, response of the respondent and the submissions of the appellant within thirty days from the issue of this order. Also, the respondent PIO is directed to file counter submissions, if any, within sixty days from the issue of this order.
4. Keeping in view the above, an order in this case is '**Reserved**', which will be pronounced later on.

**Date:18.12.2024**

G

**(Inderpal Singh)**  
**Chief Information Commissioner**  
**Punjab**

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**Sh. Jasvir Singh**, S/o Sh. Niranjn Singh,  
Village Saleena, Tehsil and district Moga.  
(M.9780152092)

.....Complainant

Vs

**District Revenue Officer-cum-  
Public Information Officer**  
O/o Deputy Commissioner,  
Moga.

**First Appellate Authority**  
O/o Deputy Commissioner,  
Moga.

.....Respondents

## Complaint Case No. 427 of 2024

Present : None for the parties.

### ORDER

The RTI application is dated 21.08.2023 whereby the complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 26.11.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for today i.e. 18.12.2024 by the Commission.

2. The complainant filed the CWP No. 23355 of 2024 and the same had been decided on 18.9.2024 by the Hon'ble Chief Justice, Punjab and Haryana High Court and the relevant portion of the same is as follows:-

“1. The petitioner is aggrieved by the non-supply of information by the Public Information Officer, Deputy Commissioner, Moga, despite order dated 10.04.2024 (Annexure P-5) passed by the first appellate authority under the Right to Information Act, 2005.”

2. The petitioner has remedy of Second appeal against the impugned order, which he has not availed.

3. In case, Second appeal is filed by the petitioner within a period of 15(fifteen) working days from today, the same shall be entertained and decided by the second appellate authority, as expeditiously as possible, preferably within a period of one week thereafter.

Contd...p-2

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## Complaint Case No. 427 of 2024

4. *Accordingly, the petition stands disposed of."*

3. The complainant is absent without intimation. It is also a fact that notice of hearing was sent to him through registered post but even though he is absent which appears that his absence is intentional and willful. No doubt, the complainant approached the Commission and has filed the complaint under Section 18 of the RTI Act, 2005 on 20.9.2024 which is within 15 working days from the order of the Hon'ble High Court but the complainant in accordance with the order of the Hon'ble High Court in CWP No. 23355/2024 have to file an appeal case under Section 19 of the RTI Act, 2005. The objective of Section 18 and Section 19 of the RTI Act, 2005 are totally different and as the Commission is ready to abide by the orders of the Hon'ble High Court dated 18.9.2024 in CWP No. 23355/2024 but at this stage Commission cannot adjudicate the present complaint case. As, the Commission is ready to adjudicate as the appeal case, but the complainant has not appeared before the Commission.

4. In view of the above the presence of the complainant is very essential to meet the ends of justice as the assistance of the complainant is required to adjudicate the present case. As such, the complainant is awarded **one last opportunity** to remain present on the next date of hearing, failing which the case will be decided on merit, ex-parte.

5. Today i.e. 18.12.2024 nobody appeared on behalf of the respondent which shows the carelessness on the part of the concerned Public Information Officer. So the Deputy Commissioner, Moga is directed to monitor the present complaint case in light of the order dated 18.9.2024, mentioned herein, passed in **CWP No. 23355/2024 by the Hon'ble Chief Justice, Punjab and Haryana High Court**, so that the matter be brought to the logical end. A copy of the order of the Hon'ble High Court and complaint of the complainant are also being sent to the Deputy Commissioner, Moga along with this order. It is also clarified that in case of absence of the respondent-Public Information Officer on the next date of hearing his presence will be procured by issuing **BAILABLE WARRANTS** AND/OR disciplinary action may be recommended in this case to the competent authority as per the procedure established by the Law.

Contd...p-3

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**Complaint Case No. 427 of 2024**

6. With this, the case is **adjourned to 08.01.2025 at 11:30 A. M. for hearing.**

**Dated: 18<sup>th</sup> December, 2024**  
R.S

**(Inderpal Singh)**  
**Chief Information Commissioner**  
**Punjab**

**CC: (Regd. Post)**

**Sh. Vishesh Sarangal IAS**  
**Deputy Commissioner, Moga.**

**District Revenue Officer (By Name)**  
**O/o Deputy Commissioner, Moga.**

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Ms. Kiran  
W/o Sh. Mahant Singh,  
Mohalla Khosla, Dera Siklighar Sikhan,  
V.P.O.- Rahon,  
Distt.- Shaheed Bhagat Singh Nagar- 144517 (Punjab)

.....Appellant

Vs

Public Information Officer,  
O/o The District and Sessions Judge,  
Shaheed Bhagat Singh Nagar (Punjab)

First Appellate Authority  
O/o The District and Sessions Judge,  
Shaheed Bhagat Singh Nagar (Punjab)

.....Respondents

## **Appeal Case No. 3525 of 2022**

Present : Sh. Anil Kumar Singh(M.-9463767583), Advocate, on behalf of the appellant.  
Sh. Rahul Sharma(M.-9781258555), A E C, on behalf of the respondent.

### **ORDER**

This order may be read with reference to the previous order dated 24.10.2024.

2. The appellant made the submissions that he has already filed the detailed submissions and a copy of the same has already been sent to the respondent. But the respondent PIO submits that he has received a copy of the same yesterday i. e. 17.12.2024 evening and requested to adjourn the case to file the counter submissions. Accordingly, the respondent is directed to send the counter submissions, if any, within thirty days from the date of order. The respondent will ensure that a copy of the appellant be sent to the Counsel of the appellant so that he be prepared for arguments.

3. With this, the case is **adjourned to 19<sup>th</sup> March, 2025 at 11:30 A. M. for hearing at Chandigarh.**

Date :18<sup>th</sup> December, 2024  
R

(Inderpal Singh)  
Chief Information Commissioner  
Punjab