

**PUNJAB STATE INFORMATION COMMISSION**  
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Sh. Baltej Singh Sidhu, Senior Advocate,  
S/o Sh. Jarnail Singh,  
H. No. 817, Sector 16 – D,  
Chandigarh  
(M.-9814074506)

.....Appellant

Vs

Public Information Officer,  
O/o The District and Sessions Judge,  
SriMuktsar Sahib (Punjab)

First Appellate Authority  
O/o The District and Sessions Judge,  
SriMuktsar Sahib (Punjab)

.....Respondents

### **Appeal Case No. 7807 of 2023**

Present : Sh. Robin Singh Bhullar(M.-7009722500), on behalf of the appellant.  
Sh. Saravjeet Singh(M.-9463869860), Superintendent, on behalf of the respondent.

#### **ORDER**

This order may be read with reference to the previous order dated 10.10.2024.

2. The respondent submitted that the required has already been supplied to the appellant and an opportunity was given to the appellant to point out deficiencies in the supplied information but till date nothing has been received from his side and requested to close the case, however, the representative of the appellant requested for an adjournment in this case to file the deficiencies.

3. Accordingly, **last opportunity** is given to the appellant to file the deficiencies, if any, to the respondent PIO within three weeks from the receipt of this order to enable the respondent to remove the same before the next date of hearing.

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

Date 20<sup>th</sup> November, 2024  
R

(Inderpal Singh)  
Chief Information Commissioner  
Punjab

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Ms. Kusum Lata,  
H. No. 906, Phse – 9,  
S. A. S. Nagar(Mohali) – 160062 (Punjab)

.....Appellant

Vs

- i) Public Information Officer,  
O/o The Director, Public Instructions (Sec.) Pb.,  
Vidya Bhawan, P.S.E.B. Complex,  
Sector 62, S. A. S. Nagar (Mohali) (Punjab)
- ii) Public Information Officer,  
O/o The District Education Officer(Sec.),  
S.A.S. Nagar (Mohali) (Punjab)

First Appellate Authority

O/o The Director, Public Instructions (Sec.) Pb.,  
Vidya Bhawan, P.S.E.B. Complex,  
Sector 62, S.A.S. Nagar (Mohali) (Punjab)

.....Respondents

**Appeal Case No. 2750 of 2023**

Present : Sh. Charanjit Bansal(M.-9914858159) on behalf of the appellant.  
Ms. Harpreet Kaur, Senior Assistant (M.-9501748060) O/o D.P.I.(Sec.), Mohali.

**ORDER**

This order may be read with reference to the previous order dated 23.10.2024.

2. The respondent submitted that the required has already been supplied to the appellant and an opportunity was given to the appellant to point out deficiencies in the supplied information but till date nothing has been received from her side. The representative of the appellant intimated that he has sent deficiencies on 16.11.2024 and hands over the same to the respondent during the course of hearing.

3. Accordingly, the respondent PIO is directed to remove the deficiencies before the next date of hearing so that the case can be decided in a speedy manner.

4. The respondent PIO is also directed to file the written submissions with regard to the compensation amounting to Rs. 10,000/- which has been paid to the appellant by way of a Demand Draft dated 30.08.2024 which was prepared by M/s Arya Kanya Vidyalaya, whereas the directions were given by the Commission to pay the same out of the State Exchequer. The respondent PIO is also directed to file the specific reply with regard to the inspection report dated 06.11.2008, 10.11.2008 and 03.12.2008 as has been sought by the appellant in this case and also bring the original file related to the RTI application on the next date of hearing.

Contd...2/-

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**Appeal Case No. 2750 of 2023**

**-2-**

5. It is also clarified that in case no response is received in this regard, before the next date of hearing, an appropriate action will be taken as per the procedure established by Law.

6. A copy of this order is **being sent** to Principal Secretary to Government of Punjab, Department of School Education, Chandigarh, to ensure the presence of the PIO on the next date of hearing.

6. With this, the case is **adjourned to 8<sup>th</sup> January, 2025 at 11:30 A. M. for hearing at Chandigarh.**

Date 20<sup>th</sup> November, 2024  
R

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

CC :

The Principal Secretary  
to Government of Punjab,  
Deptt. of School Education,  
Punjab Civil Secretariat,  
Chandigarh

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Ms. Gurpreet Kaur,  
H. No. 115, Sector 123,  
New Sunny Enclave,  
Kharar (S.A.S.Nagar), Mohali (Punjab)  
(M.-9814806149)

...Appellant

Vs

Public Information Officer,  
O/o The Director,  
Public Instructions (Sec.) Pb.,  
VidyaBhawan, P.S.E.B. Complex,  
Sector 62,S.A.S. Nagar (Mohali) (Punjab)

First Appellate Authority  
O/o The Director,  
Public Instructions (Sec.) Pb.,  
VidyaBhawan, P.S.E.B. Complex,  
Sector 62,S.A.S. Nagar (Mohali) (Punjab)

.....Respondents

**Appeal Case No. 3553 of 2023**

Present : Sh. Harbans Singh, Advocate(M.-9814806149) and Sh. Bachan Singh, Advocate  
(M.-8427755237), on behalf of the appellant.  
i) Sh. Ashok Kumar Gupta(M.-9815607202), Superintendent ;  
ii) Sh. Gursewak Singh(M.-9814614456), Senior Assistant, on behalf of the  
respondent.

**ORDER**

This order may be read with reference to the previous order dated 23.10.2024.

2. The respondent submitted that a point wise reply has already been sent to the appellant and the representative of the appellant intimated that the said reply has not been received till date. Accordingly, a copy of the reply submitted by the respondent has been handed over to the representative of the appellant during the course of hearing.

3. Accordingly, an opportunity is given to the appellant to file a rejoinder to the reply (handed over to him) and send the same in advance to the respondent PIO within four weeks.

4. With this, the case is **adjourned to 16<sup>th</sup> January, 2025 at 11:30 A. M. for hearing at Chandigarh.**

Date 20<sup>th</sup> November, 2024

R

(Inderpal Singh)  
Chief Information Commissioner  
Punjab

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Ms. Kumari Navjot,  
Kala Chakk,  
Tehsil & Distt - Pathankot-145023.  
(M : 9815291064)

....Appellant

Vs

- i) Public Information Officer,  
O/o The Director,  
Public Instructions (Sec.) Pb.,  
Vidya Bhawan, P.S.E.B. Complex,  
Sector 62, S.A.S. Nagar (Mohali) (Punjab)
- ii) Public Information Officer,  
O/o The District Education Officer(Sec.),  
Pathankot(Punjab)
- iii) Public Information Officer,  
O/o The Principal,  
Govt. Sr. Sec. School,  
Durang Khadd, Distt. - Pathankot(Punjab)

First Appellate Authority  
O/o The Director,  
Public Instructions (Sec.) Pb.,  
Vidya Bhawan, P.S.E.B. Complex,  
Sector 62,S.A.S. Nagar (Mohali) (Punjab)

....Respondents

**Appeal Case No. 5860 of 2023**

Present : Ms. Kumari Navjot, the appellant in person with Sh. Suresh Kumar.  
None on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 07.08.2024.

2. The appellant submits that the respondent PIO O/o Principal, Govt. Sr. Sec. School, Durang Khadd, Pathankot has demanded a fee i. e. amounting to Rs. 9100/- vide letter dated 05.11.2024 and also the similar amount has been demanded by the respondent from the husband of the appellant i. e. Sh. Suresh Kumar. The appellant present submits that the respondent demanded the fee contrary to the provisions of the RTI Act, 2005 as the information has to be supplied by the respondent after thirty days 'free of cost'. He further requested that the directions may be issued to the respondent to supply the information 'free of cost'.

Contd...2/-

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**Appeal Case No. 5860 of 2023**

**-2-**

3. It is also a fact that as per provisions of the RTI Act, the appellant has to file the RTI application to the concerned Public Authority but in the titled case the appellant filed the RTI application to the Punjab State Information Commission and the said application no. 75507 was transferred to the D. P. I.(Colleges), Mohali. Further, the D. P. I.(Colleges) transferred the RTI application to the D. P. I.(Sec.), Mohali. Furthermore, the RTI application of the appellant was further transferred to the D. E. O.(Sec.), Pathankot. Due to the custodian of the record is, the Principal, Govt. Sr. Sec. School, Durang Khadd, Pathankot, therefore, further the RTI application was transferred u/s 6(3) to the said office, who has raised the demand to deposit Rs. 9100/- from the appellant as documentation fee as per provisions of the RTI Act. From the response of the respondent O/o Principal, Govt. Sr. Sec. School, Durang Khadd, Pathankot, it has appeared that the said office is the custodian of the record so the PIO o/o Principal, Govt. Sr. Sec. School, Durang Khadd, Pathankot is impleaded as necessary party in this case. The PIO O/o Principal, Govt. Sr. Sec. School, Durang Khadd, Pathankot is also directed to remain present , in person, on the next date of hearing, for deliberations.

4. From the perusal of the documents, it has transpired that the PIO O/o Principal, Govt. Sr. Sec. School, Durang Khadd, Pathankot is well aware of the case but none is present on behalf of the School. Moreover, none came present from O/o District Education Officer(Sec.), Pathankot, despite the fact that the representative of the PIO O/o D.E.O.(Sec.), Pathankot attended the earlier hearings.

5. Viewing the attitude in dealing with the RTI application by the respondent in a casual manner, Sh. Rajesh Kumar, PIO-cum-District Education Officer(Sec.), Pathankot, is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25,000/-, 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.

**Contd...3/-**

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**Appeal Case No. 5860 of 2023**

**-3-**

6. In the interest of natural justice an opportunity is granted to both the parties to make submissions, if any, with regard to the payment of requisite fee as has been demanded by the PIO to take the matter to its logical end.

7. A copy of this order is being sent to Sh. Paramjit Singh, PCS, who will ensure the presence of the above said PIOs on the next date of hearing. It is also clarified that in case of defiance of this order, the presence of the concerned Public Information Officers will be procured by issuing **BAILABLE WARRANTS** and/or disciplinary action may be recommended in this case to the competent authority.

8. With this, the case is **adjourned to 16<sup>th</sup> January, 2025 at 11:30 A. M. for hearing at Chandigarh.**

Date 20<sup>th</sup> November, 2024  
R

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

**CC :**

- i) Sh. Paramjit Singh, PCS,  
Director,  
Public Instructions (Sec.) Pb.,  
Vidya Bhawan, P.S.E.B. Complex,  
Sector 62, S.A.S. Nagar (Mohali) (Punjab)
- ii) Sh. Rajesh Kumar,  
District Education Officer(Sec.),  
Pathankot (Punjab)

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Sh. Manoj Kumar S/o Sh. Dharampal,  
# 115A, Dayanand Nagar, Lawrence Road ,  
Amritsar-143001(Punjab)  
(M : 9814175675)

....Appellant

Vs

Public Information Officer,  
O/o The Deputy Commissioner,  
Amritsar(Punjab)  
First Appellate Authority  
O/o The Deputy Commissioner,  
Amritsar(Punjab)

....Respondents

**Appeal Case No. 5859 of 2023**

Present : None on behalf of the appellant.  
None on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 07.08.2024.  
2. None of the parties are present. But the appellant through an e-mail has requested to hear the case through Video Conference. It is also fact that during the last hearing, the case was listed through Video Conference but the appellant was not well conversant about the facts of his own case and was unable to explain which information has been sought by him. Therefore, the appellant was directed to remain present in person. As such, **last opportunity** is given to the appellant to remain present in person, on the next date fixed so that an ample opportunity be given to him to plead his case . The respondent PIO is also directed to remain present on the next date of hearing, failing which the decision will be taken ex-parte on merit and no further adjournment will be given in this case.

4. A copy of this order is **being sent** to Deputy Commissioner, Amritsar to ensure the presence of the PIO on the next date of hearing. It is also clarified that in case of any 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.

5. With this, the case is **adjourned to 16<sup>th</sup> January, 2025 at 11:30 A. M. for hearing at Chandigarh.**

Date 20<sup>th</sup> November, 2024

R

CC :

The Deputy Commissioner,  
Amritsar(Punjab)

(Inderpal Singh)  
Chief Information Commissioner  
Punjab



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Sh. Sandeep Kumar,  
# 3035, Street No 7, Guru Nanak Colony,  
Near Sharma Colony, Tarn Taran Road,  
Amritsar((Punjab)  
(M : 9261330007)

.....Appellant

Vs

Public Information Officer,  
O/o The Deputy Commissioner,  
Amritsar(Punjab)

First Appellate Authority  
O/o The Deputy Commissioner,  
Amritsar(Punjab)

.....Respondents

**Appeal Case No. 5571 of 2023**

Present : None on behalf of the appellant.  
None on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 07.08.2024.

2. None of the parties are present. But the appellant through an e-mail has requested to hear this case through Video Conference.

3. It is also a fact that last opportunity was given to the respondent to remain present but he did not appear. Since the appellant is also not present and has sent the request to hear the case through Video Conference at the eleventh hour, therefore, **another opportunity** is given to the respondent PIO to remain present for deliberations, failing which punitive action will be initiated. He is also directed to file the point wise reply of the RTI application in an annotated form.

4. With this, the case is **adjourned to 8<sup>th</sup> January, 2025 at 11:30 A. M. for hearing through Video Conference Facility in the office of Deputy Commissioner, Amritsar .**

Date 20<sup>th</sup> November, 2024  
R

(Inderpal Singh)  
Chief Information Commissioner  
Punjab

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**Sh. Harwinder Singh Advocate,**  
# 7009, 7th Floor, District Court,  
Ludhiana.

..Appellant

Vs

**Public Information Officer,**  
O/o Naib Tehsildar,  
Sahnewal

**Sh. Manpreet**  
**Public Information Officer,**  
O/o Koom Kalan  
Now Naib Tehsildar(under training)  
Nangal, District Ropar  
District Ludhiana

**Sh. Jagdeep Inder Singh**  
Public Information Officer,  
O/o Naib Tehsildar, Koom Kalan,  
Now Tehsildar, Malerkotla

**First Appellate Authority**  
O/o DC, Ludhiana.

..Respondent(s)

**Appeal Case No. 4364 of 2023**

**Present :** Sh. Harwinder Singh, the appellant .  
Ms. Aradhna Khosla, Naib Tehsildar, Koom Kalan-cum-PIO, Sh. Manpreet Singh,  
PIO (9705100013) along with Sh. Pardeep, Clerk.  
Sh. Jagdeep Inder Singh, Naib Tehsildar-cum-PIO, Sahnewal along with Sh.  
Lalit, Reader on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 23.10.2024

2. The appellant sought the following information from the PIO, O/o Naib Tehsildar, Koom Kalan:

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ਮਿਤੀ 13-6-2019 ਨੂੰ ਪਿਤਾ ਗੁਰਦੇਵ ਸਿੰਘ ਬੁਢਾਮਾਵਾਲੀ/੯੯  
 ਮਾਪ ਜੀ ਦੇ ਸੈਂ ਮੇਰੇ ਅਸਲ ਨਾਮ ਅਤੇ ਸਾਰੇ ਨਾਮ  
 ਜੀ ਦੇ ਅਸਲ ਨਾਮ ਅਤੇ ਸਾਰੇ ਨਾਮ ਅਤੇ ਸਾਰੇ ਨਾਮ  
 ਅਪਣਾਵੀ ਦੇ ਹੱਕ ਵਿੱਚ ਅਤੇ ਸਾਰੇ ਨਾਮ  
 ਅਤੇ ਅਸਲ ਨਾਮ ਅਤੇ ਸਾਰੇ ਨਾਮ  
 ਅਤੇ ਸਾਰੇ ਨਾਮ ਅਤੇ ਸਾਰੇ ਨਾਮ  
 ਅਤੇ ਸਾਰੇ ਨਾਮ ਅਤੇ ਸਾਰੇ ਨਾਮ  
 ਅਤੇ ਸਾਰੇ ਨਾਮ ਅਤੇ ਸਾਰੇ ਨਾਮ  
 ਅਤੇ ਸਾਰੇ ਨਾਮ ਅਤੇ ਸਾਰੇ ਨਾਮ



**Appeal Case No. 4364 of 2023**

3. The PIO, Naib Tehsildar, Koom Kalan office already filed the written reply and the relevant portion of the same is as follows:

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਆਰ.ਟੀ.ਆਈ ਐਕਟ, 2005 ਅਧੀਨ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਸਬੰਧੀ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਸਬ ਤਹਿਸੀਲ, ਕੁਮਕਲਾ ਦੇ ਮੌਜੂਦਾ ਰਿਕਾਰਡ ਵਿੱਚ ਸਾਲ 2019 ਦੌਰਾਨ "ਤਪ ਅਸਥਾਨ ਬਾਬਾ ਨਰਾਇਣ ਦਾਸ" ਵਿਖੇ ਕੀਤੀ ਜਾਣ ਵਾਲੀ ਕਾਰਵਾਈ ਸਬੰਧੀ ਕੋਈ ਵੀ ਲਿਖਤ ਰੂਪ ਵਿੱਚ ਦਸਤਾਵੇਜ਼ ਮੌਜੂਦ ਨਹੀਂ ਹੈ।

4. The Naib Tehsildar, Koom Kalan also submits that the information sought may be available in the office of Naib Tehsildar, Sahnewal and the office of Naib Tehsildar, Sahnewal filed the written response and the relevant portion of the same is as under:

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕੀ ਆਪ ਵੱਲੋਂ ਮੰਗੇ ਗਏ ਰਿਕਾਰਡ ਦੀ ਇਸ ਦਫ਼ਤਰ ਵੱਲੋਂ ਭਾਲ ਕੀਤੀ ਗਈ, ਪਰੰਤੂ ਮੰਗਿਆ ਗਿਆ ਰਿਕਾਰਡ ਇਸ ਦਫ਼ਤਰ ਵਿੱਚ ਉਪਲੱਬਧ ਨਹੀਂ ਹੈ। ਇਹ ਆਪ ਜੀ ਦੀ ਸੂਚਨਾ ਹਿੱਤ ਪੇਸ਼ ਹੈ।

5. But the appellant submitted a copy of the proceedings dated 13.06.2019, as has been received from the Commissioner of Police, Ludhiana, which has been signed by the Naib Tehsildar, Koom Kalan as District Magistrate.

6. After perusal of the said proceedings the respondent submits that the said report has been signed by Sh. Sukhwinder Kumar, the then Naib Tehsildar, Koom Kalan.

7. It is also a fact that the sought information relates to village Gobindgarh which falls under the jurisdiction of Naib Tehsildar, Sahnewal.

8. After having detailed deliberations with the parties concerned the PIO, O/o the Deputy Commissioner (MA branch), Ludhiana and PIO, O/o the Commissioner of Police, Ludhiana who are directed to bring the case file, in original and in case nothing is available on record then specific undertaking be filed before the next date of hearing.

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**Appeal Case No. 4364 of 2023**

9 Also, Sh. Sukhwinder Kumar, the then Naib Tehsildar, Koom Kalan, Resident of Banur, Tehsil Rajpura, District Patiala is impleaded as a necessary party to explain the facts of this case. A copy of this order is **being sent** to him through whatsapp.

10 The decision regarding the show cause notice which was issued to Sh. Jagdeep Inder Singh will be taken on the next date of hearing.

11 Also, a copy of this order is **being sent** to Sh. Jitendra Jorwal, IAS, Deputy Commissioner, Ludhiana by name to monitor this case and ensure the presence of the respondent concerned on the next date of hearing. It is also clarified that in case of absence of the respondents mentioned above on the next date of hearing, their 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.

12. To come up on **02.01.2025 at 11:30 A. M. at Chandigarh.**

Date:20.11.2024  
G

(Inderpal Singh)  
Chief Information Commissioner  
Punjab

CC:

**Sh. Jitendra Jorwal IAS**  
The Deputy Commissioner,  
Ludhiana

(for the compliance of this order)

**Sh. Sukhwinder Kumar (Retd.)**  
Naib Tehsildar, Koom Kalan  
R/o Banur, Tehsil Rajpura,  
District Patiala

(through whatsapp)

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**Sh. Harbans Singh**

#450, New Swaraj Enclave,  
Sector-127, Kharar,  
Distt. SAS Nagar-140307  
(M:9872617552)

.....Appellant

Vs

**Sh. Vinay Mahajan-Executive Officer  
-cum-Public Information Officer,**

O/o Municipal Council,  
Kharar, Mohali

**First Appellate Authority**

O/o Municipal Council,  
Kharar, Mohali

.....Respondents

**Appeal Case No. 2748 of 2023**

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

**ORDER**

This order may be read with reference to the previous order dated 23.10.2024.

2. The appellant submits that the directions may be issued to the respondent PIO to supply the complete information as he is not satisfied with the response of the respondent.
3. However, the respondent PIO is absent consecutively without intimation. It is also a fact that copy of previous order was sent to him through registered post but even though he is absent.
4. Viewing the attitude in dealing with the RTI application by the respondent casually, **Sh. Vinay Mahajan, Executive Officer-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. 2748 of 2023**

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.

5. The perusal of the case file shows that compliance report regarding the penalty amounting to Rs.5,000/- vide order dated 04.12.2023 has already been imposed on the PIO but no compliance in this regard has been received from the PIO which also shows his causal approach towards the orders of the Commission.

6. The respondent PIO is also directed to remain present, in person, on the next date of hearing for deliberations. 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.

7. A copy of this order is **being sent** to the Director, Local Govt, Punjab to ensure the presence of the respondent PIO on the next date of hearing.

8. To come up on **18.12.2024 at 11:30 A. M. at Chandigarh.**

**Date:20.11.2024**  
G

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

**CC:**

**Sh. Gurpreet Singh Khaira, IAS**  
Director Local Govt.  
Municipal Bhawan,  
Plot No. 3, Dakshin Marg,  
Sector 35-A, Chandigarh-160022

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**Ms. Daljit Kaur**

W/o Sh. Gurpal Singh  
R/o Chuna Bhatti Wali Street  
Backside Sabzi Mandi  
Amloh Road, Khanna  
Distt. Ludhiana  
(M:9781752039)

..Appellant

Vs

**Public Information Officer,**  
O/o The Deputy Commissioner,  
Ludhiana

**First Appellate Authority**  
O/o The Deputy Commissioner,  
Ludhiana

..respondent(s)

**Appeal Case No. 5960 of 2023**

**Present :** None on behalf of the parties.

**ORDER**

This order may be read with reference to the previous order dated 23.10.2024.

2. The respondent sent an email vide which he has requested for an adjournment in this case. Also a copy of adjournment request sent to the appellant. Accordingly, the request of the respondent is accepted and the case is adjourned.
3. 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.
4. To come up on **22.01.2025 at 11:30 A. M. at Chandigarh.**

**Date:20.11.2024**

G

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



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**Sh. Prem Kumar Rattan,**  
House No. 78/8, Park Road,  
Navi Mandi, Dhuri, Sangrur  
(M:8509580002)

..Appellant

V/s

**Public Information Officer,**  
O/o Punjab State Information Commission  
Chandigarh

**First Appellate Authority,**  
O/o Punjab State Information Commission  
Chandigarh

..Respondents

**Appeal Case No. 4976 of 2023**

**Present :** None on behalf of the appellant .  
Sh. Sudhir Kumar, Section Officer-cum-PIO on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 04.07.2024.

2. The appellant sought the following information:

ਉਪਰੋਕਤ ਵਿਸ਼ੇਸ਼ ਸੰਬੰਧ ਵਿੱਚ ਨਿਮਰਤਾ ਸਹਿਤ ਬੇਨਤੀ ਹੈ ਕਿ ਮੇਰੇ ਵੱਲੋਂ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 4732/2021 ਦੇ ਸੰਬੰਧ ਵਿੱਚ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ ਸੀ। ਬਾਅਦ ਵਿੱਚ ਉਸੇ ਸੂਚਨਾ ਨਾਲ ਸੰਬੰਧਤ ਦੁਬਾਰਾ ਸੂਚਨਾ ਦੀ ਮੰਗ ਵੱਖਰੇ ਤੌਰ ਤੇ ਵੱਖਰੀ ਦਰਖਾਸਤ, ਵੱਖਰਾ ਪੋਸਟਲ ਆਰਡਰ ਵਾ ਵੱਖਰੀ ਫਸਟ ਅਪੀਲ ਅਤੇ ਸੈਕਿੰਡ ਅਪੀਲ ਦਾਇਰ ਕਰਨੀ ਪਈ। ਜੇ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 32/2023 ਨੰਬਰ ਤੇ ਰਜਿਸਟਰ ਹੋਈ ਜੇ ਬਹੁਤ ਹੀ ਸਤਿਕਾਰਯੋਗ ਸ੍ਰ. ਅੰਮ੍ਰਿਤਾਪ੍ਰਤਾਪ ਸਿੰਘ ਜੀ ਸੇਖੋਂ, ਸਟੇਟ ਇੰਨਫਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨਰ ਪੰਜਾਬ ਜੀ ਦੀ ਅਦਾਲਤ ਵਿੱਚ ਸੁਣਵਾਈ ਲਈ ਮਿਤੀ 15.02.2023 ਨੂੰ ਨਿਸ਼ਚਿਤ ਹੋਈ। ਮਾਨਯੋਗ ਕਮਿਸ਼ਨ ਸਾਹਿਬ ਵੱਲੋਂ ਹੁਕਮਾਂ ਵਿੱਚ ਇਹ ਲਿਖਿਆ ਗਿਆ ਇਸ ਕਿਸਮ ਦੀ ਸੂਚਨਾ ਪਹਿਲਾਂ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 4732/2021 ਵਿੱਚ ਮੁਹੱਈਆ ਕੀਤੀ ਜਾ ਚੁੱਕੀ ਹੈ, ਹੱਕ ਸੂਚਨਾ ਐਕਟ 2005 ਤਹਿਤ ਇਹ ਸੂਚਨਾ ਲੋੜੀਂਦੀ ਹੈ ਕਿ ਜੇਕਰ ਪ੍ਰਾਰਥੀ ਨੂੰ ਇੱਕੋ ਕਿਸਮ ਦੀ ਸੂਚਨਾ ਇੱਕ ਬਾਰ ਤੋਂ ਜਿਆਦਾ ਲੋੜ ਪਵੇ ਇੰਨਫਰਮੇਸ਼ਨ ਐਕਟ ਦੀ ਜਿਸ ਧਾਰਾ ਤਹਿਤ ਮਨਾਹੀ ਹੋਵੇ ਉਸ ਧਾਰਾ ਸੰਬੰਧੀ ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਜਾਵੇ।



**Appeal Case No. 4976 of 2023**

3. The appellant is absent. He was also absent during the last hearing and due to the reasons last opportunity was awarded to him to remain present, in person on the next date of hearing for deliberations today i.e. 20.11.2024. Today, the appellant is absent due to the reason that he is not well and requested for an adjournment through email, which is taken on record.

4. It is appropriate to mention the decision of the Hon'ble Supreme Court of India in Civil Appeal No. 6454 of 2011 Central Board of Secondary Education **Vs** Aditya Bandopadhyay and ors. and the relevant portion of the same is reproduced below:

*“35. At this juncture, it is necessary to clear some misconceptions about the RTI Act. The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of ‘information’ and ‘right to information’ under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non- available information and then furnish it to an applicant. A public authority is also not required to furnish information which require drawing of inferences and/or making of assumptions. It is also not required to provide ‘advice’ or ‘opinion’ to an applicant, nor required to obtain and furnish any ‘opinion’ or ‘advice’ to an applicant. the reference to ‘opinion’ or ‘advice’ in the definition of ‘information’ in section 2(f) of the Act, only refers to such material available in the records of the public authority. Many public authorities have, as a public relation exercise, provide advice, guidance and opinion to the citizens. But that is purely voluntary and should not be confused with any obligation under the RTI Act.”*

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**Appeal Case No. 4976 of 2023**

5. Keeping in view the above, the presence of the appellant is necessary for the final adjudication of the case. According to the request of the appellant, the case is adjourned and **last opportunity** is granted to the appellant to remain present on the next date of hearing for deliberations, failing which the decision will be taken on merit, ex-parte. It is also clarified that no further adjournment will be given in this case.

6. To come up on **13.02.2025 at 11:30 A. M. at Chandigarh.**

**Date:20.11.2024**

G

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

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**Sh. (Dr.) Kuldeep Singh**

198, PUDA Enclave,  
Nabha Road, Patiala-147004  
M:9417355095

Appellant

Vs

**Public Information Officer,**

O/o The Principal Secretary  
to Government of Punjab,  
Department of Medical Education & Research  
(Health-3 Branch),  
Punjab Civil Secretariat, Chandigarh

**Public Information Officer,**

O/o The Secretary  
to Government of Punjab,  
Department of Social Welfare  
(Reservation Cell),  
Punjab Civil Secretariat-2  
Sector-9, Chandigarh

**First Appellate Authority**

O/o The Principal Secretary  
to Government of Punjab,  
Department of Medical Education & Research  
(Health-3 Branch),  
Punjab Civil Secretariat, Chandigarh

Respondents

**Appeal Case No. 7293 of 2023**

**Present :** Sh. Kuldeep Singh, the appellant .  
Sh. Gurjinder Singh, Senior Assistant, Reservation Cell and Sh. Sukhjit Singh,  
Senior Assistant, Dept. of Medical Education & Research on behalf of the  
respondent.

**ORDER**

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

2. Respondent No. 1 i.e. the PIO, O/o Principal Secretary, Government of Punjab, Medical Education and Research (Health 3 Branch) made the submissions that for de-reservation of the



**Appeal Case No. 7293 of 2023**

post of Professor in Bio Chemistry a letter was forwarded to the Secretary, Government of Punjab, Department of Welfare Reservation Cell, Chandigarh (Respondent No. 2) mentioning the fact that there is no candidate available belonging to reserve category in continuation of a meeting of Departmental Promotion Committee which was sent to the said department i.e. Department of Welfare Reservation Cell vide letter no. 1/175/06-2HB3/2865 dated 01.06.2006. But the Respondent No. 2 categorically made the submissions, the relevant portion of which is reproduced below:

“ਮੈਡੀਕਲ ਸਿੱਖਿਆ ਵਿਭਾਗ ਵਲੋਂ ਮਿਤੀ 05.03.2006 ਦੇ ਸਬੰਧ ਵਿੱਚ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਸਬੰਧ ਵਿੱਚ ਸ਼ਾਖਾ ਵਿੱਚ ਕੋਈ ਮਿਸਲ ਤਿਆਰ ਨਹੀਂ ਕੀਤੀ ਗਈ | ਰਿਕਾਰਡ ਰਜਿਸਟਰ ਅਨੁਸਾਰ ਮੈਡੀਕਲ ਸਿੱਖਿਆ ਵਿਭਾਗ ਵਲੋਂ Biochemistry ਦੇ ਕਾਡਰ ਵਿੱਚ ਅਸਾਮੀਆਂ ਨੂੰ carry forward ਕਰਨ ਸਬੰਧੀ ਕੋਈ ਮਿਸਲ ਨਹੀਂ ਖੋਲੀ ਗਈ |”

3. It is an astonished fact that no file was opened by the Respondent No. 2 whereas the Respondent No. 1 has claimed that the letter was written to Respondent No. 2 for de-reservation of the post.
4. The mandate of the RTI Act is transparency and accountability, therefore, the Respondent No. 1 is directed to place on record the mode of dispatch of the said letter along with the receipt of the said letter. It is further clarified that in case the said documents are not available in the official record then the specific undertaking mentioning the reasons for non availability of the said documents be filed before the next date of hearing.
5. The Respondent No. 2, is directed to file an undertaking that a copy of the said letter which was dispatched by the Respondent No. 1 has not been received and in case the said letter was received then appropriate reply be filed after reconsideration of their earlier reply dated. A copy of the letter placed on record by the Respondent No. 1 are also attached herewith for ready reference.
6. Also, a copy of this order is **being sent** to Sh. Alok Shekhar, IAS, Principal Secretary, Department of Social Welfare (Reservation Cell) and Sh. Ravi Bhagat, IAS, Secretary, Department of Medical Education & Research for their kind information at this stage.

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**Appeal Case No. 7293 of 2023**

7. It is also clarified that in case of absence of the respondents mentioned above on the next date of hearing, their 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.

8. To come up on **08.01.2025 at 11:30 A. M. at Chandigarh.**

**Date:20.11.2024**

G

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

**CC:**

**Sh. Alok Shekhar, IAS**

Additional Chief Secretary,  
to Government of Punjab,  
Department of Social Welfare  
(Reservation Cell),  
Punjab Mini Secretariat-2, Chandigarh

**Sh. Ravi Bhagat, IAS**

Special Principal Secreatry to Chief Minister,  
Government of Punjab,  
Department of Medical Education & Research  
Punjab Civil Secretariat-1, Chandigarh

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**Sh. Anubhav Khanna,**  
# 653, Sector 5, Kurukshetra-136118.  
M : 9896080270

Appellant

Vs

**Public Information Officer,**  
O/o DEO (SE), Fazilka.

**First Appellate Authority**  
O/o DEO (SE), Fazilka.

Respondents

**Appeal Case No. 5290 of 2023**

**Present :** Sh. Anubhav Khanna, the appellant through Cisco Webex.  
Sh. Rajesh Kumar Thakral, Commerce Lecturer (9855968371) on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 18.07.2024.

2. The appellant submits that the directions may be issued to the respondent PIO to supply the complete sought information. However, the respondent submits that the sought information pertaining to Point No. 3 to 11 relates to third party. Further, he submits that third party also denied to disclose her personal information. Also, he submits a copy of letter written to third party along with her reply, which is taken on record.

3. It is also a fact that the appellant was directed to file an undertaking that he is a Citizen of India and does not have Citizenship of any other country but no such affidavit has been received from him, as only Indian Citizens can file RTI applications under RTI Act, 2005. As such he is directed to file a self declaration/affidavit in this regard before the next date of hearing 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. The matter is adjourned for further hearing on **19.12.2024 at 11:30 A. M. through Cisco Webex Application (Meeting Number: 25117317205 Password: 12345)**

**Date:20.11.2024**  
G

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

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**Sh. Sunil, S/o** Sh. Krishan Lal,(9569806826)  
R/o Flat No.244, D-2 Tower Penta Homes,  
Zirakpur, District SAS Nagar.

.....Appellant

Vs

**Public Information Officer,**  
O/o Greater Mohali Area Development Authority,  
SAS Nagar, Mohali.

**First Appellate Authority**  
O/o Greater Mohali Area Development Authority,  
SAS Nagar, Mohali.

.....Respondents

### **Appeal Case No. 2280 of 2023**

Present : None for the parties.

#### **ORDER**

This order may be read with reference to the previous order dated 07.12.2024.

2. The appellant is absent for today's hearing. However, he has informed the Bench telephonically that due to some personal reason, he cannot attend today's hearing and has requested for an adjournment. The appellant has also informed the Bench that he has already intimated the respondent PIO about his absence for today's hearing.

3. Nevertheless, **another opportunity** is given to the respondent to comply with the directions of the Bench, given during the last course of hearing. Both the parties are also directed to remain present on the next date of hearing for deliberations, failing which case will be decided on merit, ex-parte.

4. On the request of the appellant, the case is **adjourned to 04<sup>th</sup> December, 2024 at 11:30 A. M. for hearing.** Copies of the order be sent to the parties.

**Dated: 20<sup>th</sup> November, 2024**  
R.S

Sd/-  
**(Inderpal Singh)**  
Chief Information Commissioner  
Punjab



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**Sh. Bharat Bhushan**, S/o Sh. Manmohan Rai,(9815222067)  
H.No.2545/2, Improvement Trust Chowk,  
Opp. Pakki Gali, Near Mehra, Goods Transport,  
Mahan Singh Gate, Amritsar-143006.

.....Appellant

Vs

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

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

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

.....Respondents

### **Appeal Case No. 425 of 2023**

Present : None for the parties.

#### **ORDER**

This order may be read with reference to the previous order dated 20.03.2024. Earlier this case was allotted to Sh. Amrit Partap Singh Sekhon, State Information Commissioner, who had demitted the office on 06.04.2024. Thereafter, the case was reallocated to this Bench, which is fixed for today i. e. 20.11.2024.

2. The appellant is absent for today's hearing. However, an email dated 20.11.2024, has been received in the Bench that due to his ill health, he is unable to attend today's hearing and has requested for an adjournment.

3. The respondent is also absent for today's hearing without intimation. It is also a fact that notice of hearing was also sent to the PIO through registered post in spite of that, he is absent. The perusal of the case file shows that the RTI application is related with the PIO O/o Municipal Town Planner, Municipal Corporation, Amritsar and he is the necessary party in this case. Also a compensation of Rs. 5000/- was awarded to the appellant by my predecessor, Sh.

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Amrit Partap Singh Sekhon, vide order dated 29.11.2023, which is still awaited to be paid to the appellant.

4. The request of the appellant is acceded to. **One more opportunity** is awarded to him to remain present on the next date of hearing for deliberations, failing which case will be decided on merit ex-parte.

5. Accordingly, **a final opportunity** is awarded to the respondent PIO-cum-Municipal Town Planner O/o Municipal Corporation, Amritsar to comply with the order dated 29.11.2023 and remain present on the next date of hearing to take the matter to its logical end.

6. A copy of this order is being sent to the **Commissioner, Municipal Corporation, Amritsar** to ensure the presence of the concerned respondent PIO-cum-Municipal Town Planner, Municipal Corporation, Amritsar on the next hearing. It is also clarified that in case of absence of the respondent PIO 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.

7. With this, the case is **adjourned to 29<sup>th</sup> January, 2025 at 11:30 A. M. for hearing.**

Dated: 20<sup>th</sup> November, 2024  
R.S

Sd/-  
(Inderpal Singh)  
Chief Information Commissioner  
Punjab

CC: (i) The Commissioner, Municipal Corporation, (For compliance)  
Amritsar (By name) (Regd. Post).