

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864120

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Ms. Sonampreet Kaur,
D/o Sh. Satnam Singh,
R/o Street No 8, Prakash Vihar,
Batala Road, Amritsar.
M: 9717244104

Appellant

Versus

Public Information Officer,
O/o District Treasury Officer,
Amritsar.

First Appellate Authority,
O/o Deputy Commissioner,
Amritsar.

Respondents

APPEAL CASE NO. 3807 OF 2023

Present :- None for the parties.

ORDER

The above said appeal case was earlier allocated to Sh. Maninder Singh Patti, SIC. After his retirement, the said appeal case was reallocated to the undersigned. The RTI application is dated 02.03.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) on 19.04.2023 and second appeal was filed in the Commission on 13.06.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. Today neither the appellant nor the respondent is present. The perusal of the file shows that the respondent has sent reply through mail to the Commission, which is taken on record.

“Reply sent by the respondent be sent to the appellant alongwith the orders.”

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APPEAL CASE NO. 3807 OF 2023

4. Appellant is advised to go through the same and point out the deficiencies, if any. Respondent is directed that whatever deficiencies remain in the matter of information demanded by the Applicant should be made good before the next date of hearing.
5. Both the parties are directed to appear, in person, on the next date of hearing for deliberations, failing which the case will be decided on merit, ex-parte.
6. To come up on **22.01.2025 at 11.30 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S. Batth)
State Information Commissioner
Punjab

Date: 27.11.2024

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Dr. Sham Lal Thukral,
A5, MCB Z-2/01951,
Civil Lines, Bathinda-151001.
M : 7589302104

Appellant

Versus

Public Information Officer,
O/o Astd. Registrar,
Cooperative Societies,
Bathinda.

First Appellate Authority,
O/o Deputy Registrar,
Cooperative Societies,
Bathinda

Respondents

APPEAL CASE NO. 3855 OF 2023

Present :- (i) Dr. Sham Lal Thukral, the appellant
(ii) For the respondent: None is present on behalf of the respondent

ORDER

The above said appeal case was earlier allocated to Sh. Maninder Singh Patti, SIC. After his retirement, the said appeal case was reallocated to the undersigned. The RTI application is dated 29.12.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) on 20.02.2023 and second appeal was filed in the Commission on 12.06.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. Dr. Sham Lal Thukral stated that no response whatsoever has been received from the respondents till date. No one has put in appearance on behalf of the respondents nor has any communication been received from them. In the interest of justice, Respondent PIO is afforded one more opportunity to provide the appellant point-wise complete specific reply, in accordance with his RTI application and present a photocopy of the relevant

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APPEAL CASE NO. 3855 OF 2023

postal receipt, before the Commission on the next date fixed, for its perusal and records. Respondents to note that in case no one comes present on their behalf on the next date fixed, punitive provisions of the RTI Act, 2005 may be invoked against the erring officer(s).

4. To come up on **22.01.2025 at 11.30 AM** for further proceedings in the commission. Copy of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S. Batth)
State Information Commissioner
Punjab

Date: 27.11.2024

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Sh. Rampal Singh, S/o Sh. Inder Singh,
R/o Dhaliwal House, Ward No 7,
Kartar Nagar, Moga.
M : 9781149341

Appellant

Versus

Public Information Officer,
O/o Director,
Research and Medical Education Punjab,
Sector-69, Mohali.

First Appellate Authority,
O/o Director,
Research and Medical Education Punjab,
Sector-69, Mohali.

Respondents

APPEAL CASE NO. 3856 OF 2023

Present :- None for the parties.

ORDER

The above said appeal case was earlier allocated to Sh. Maninder Singh Patti, SIC. After his retirement, the said appeal case was reallocated to the undersigned. The RTI application is dated 06.12.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) on 01.02.2023 and second appeal was filed in the Commission on 12.06.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. Today neither the appellant nor the respondent is present. This is the first date of hearing and both the parties are not present. Taking a lenient view, one more opportunity is given to both the parties to appear before the Commission and state their case.

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

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APPEAL CASE NO. 3856 OF 2023

5. To come up on **22.01.2025 at 11.30 AM** for further proceedings in the Commission.
Copy of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S. Batth)
State Information Commissioner
Punjab

Date: 27.11.2024

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Sh. Deepak Batish, S/o Sh. Teri Prasad,
R/o House No 36, Ward No 4,
Mohalla Dalichi, Sirhind,
Tehsil & Distt Fatehgarh Sahib.
M : 9988325538

Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Construction Division PWD B&R,
Sirhind.

First Appellate Authority,
O/o Superintending Engineer,
PWD B&R, Patiala.

Respondents

APPEAL CASE NO. 3863 OF 2023

Present :- (i) Sh. Deepak Batish the appellant
(ii) For the respondent: Sh. Varinder Singh, Clerk (7508370022)

ORDER

The above said appeal case was earlier allocated to Sh. Maninder Singh Patti, SIC. After his retirement, the said appeal case was reallocated to the undersigned. The RTI application is dated 02.08.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) on 18.04.2023 and second appeal was filed in the Commission on 14.06.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. The appellant Sh. Deepak Batish states that no information has been given to him so far.

4. Respondent states that the information has been sent to the appellant on 26.11.2024 i.e. yesterday itself.

5. After hearing both the parties and examining the case file, it is observed that the respondent has sent information to the appellant yesterday itself i.e. on 26.11.2024, which



APPEAL CASE NO. 3863 OF 2023

shows that the respondent has no regard for the RTI regime. However, before taking any penal proceedings against the Respondent PIO , he is warned to be careful in future while dealing with the RTI applications.

Appellant is advised to point out the deficiencies on receipt of information within twenty days with a copy to the Commission. Further the respondent is directed that whatever deficiencies remain in the matter of information demanded by the Applicant should be made good before the next date of hearing.

6. Both the parties are directed to appear, in person, on the next date of hearing for deliberations, failing which the case will be decided on merit, ex-parte.

7. To come up on **21.01.2025 at 11.30 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S. Batth)
State Information Commissioner
Punjab

Date: 27.11.2024

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Sh. Balbir Singh,
S/o Sh. Mahinder Singh ,
VPO Jodhewal, Tehsil Samral,
Distt Ludhiana.
M : 8146309330

Appellant

Versus

Public Information Officer,
O/o Deputy Registrar,
Cooperative Societies,
Ludhiana.

First Appellate Authority,
O/o Joint Registrar,
Cooperative Societies, Patiala.

Respondents

APPEAL CASE NO. 3904 OF 2023

Present :- (i) Sh. Balbir Singh the appellant
(ii) For the respondent: (i) Sh. Jasvir Singh, Suptd. (9417876464), Sh. Navdep Singh, Sr. Assistant (9855840012)

ORDER

The above said appeal case was earlier allocated to Sh. Maninder Singh Patti, SIC. After his retirement, the said appeal case was reallocated to the undersigned. The RTI application is dated 15.03.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) on 24.04.2023 and second appeal was filed in the Commission on 16.06.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. The appellant Sh. Balbir Singh states that no information has been given to him so far.

4. Respondent states that the information has already been sent to the appellant.

5. After hearing both the parties and going through the case file, it is observed that the respondent has not file proper point wise reply in the Commission so far. Hence, one more

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APPEAL CASE NO. 3904 OF 2023

opportunity is given to the respondent to file proper point-wise reply indicating the position of each issue as to whether the information has been supplied and if not, the reason thereof, duly signed by the PIO, failing which action under Section 20 (1) of the RTI Act 2005 will be initiated.

6. Both the parties are directed to appear, in person, on the next date of hearing for deliberations, failing which the case will be decided on merit, ex-parte.

7. To come up on **22.01.2025 at 11.30 AM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Date: 27.11.2024

Sd/-
(Dr. Bhupinder S. Batth)
State Information Commissioner
Punjab

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Sh. Arneet Sood, S/o Sh. Krishan ,
Arneet Niwas New Dana Mandi,
Salem Tabri, Ludhiana -141008.
M : 9814844018

Appellant

Versus

Public Information Officer,
O/o Tehsildar, Batala,
Distt Gurdaspur.

First Appellate Authority,
O/o Tehsildar, Batala,
Distt Gurdaspur.

Respondents

APPEAL CASE NO. 4015 OF 2023

Present :- None for the parties.

ORDER

The above said appeal case was earlier allocated to Sh. Maninder Singh Patti, SIC. After his retirement, the said appeal case was reallocated to the undersigned. The RTI application is dated 18.05.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) on 07.06.2023 and second appeal was filed in the Commission on 21.06.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. Today neither the appellant nor the respondent is present. The respondent has sent his reply through email, the same is taken on record.

“Reply sent by the respondent be sent to the appellant alongwith these orders.”

4. Further the Appellant is advised to go through the same and point out the deficiencies. Respondent is directed that whatever deficiencies remain in the matter of information demanded by the Applicant should be made good before the next date of hearing.

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APPEAL CASE NO. 4015 OF 2023

5. Both the parties are directed to appear, in person, on the next date of hearing for deliberations, failing which the case will be decided on merit, ex-parte.

6. To come up on **04.02.2025 at 11.30 AM** for further proceedings. Copy of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S. Batth)
State Information Commissioner
Punjab

Date: 27.11.2024

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Sh. Madan Gopal Sharma,
R-102, Jalandhar Heights Phase-1,
66 Ft Road, Near Curo Mall,
Jalandhar-144005.
M : 9650288044

Appellant

Versus

Public Information Officer
O/o Tehsildar, Pathankot.

First Appellate Authority
O/o Sub Divisional Magistrate,
Pathankot.

Respondent

APPEAL CASE NO. 4110 OF 2023

Present :- (i) Sh. Madan Gopal Sharma, the appellant
(ii) For the respondent: Sh. Sukhwinder Singh, Patwari (9814091640)

ORDER

The above said appeal case was earlier allocated to Sh. Maninder Singh Patti, SIC. After his retirement, the said appeal case was reallocated to the undersigned. The online RTI application vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 28.06.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. The appellant – Sh. Madan Gopal Sharma states that no information has been given to him so far.

4. Respondent states that the reply has already been sent to the appellant.

5. After hearing both the parties and going through the case file, it is observed that the respondent has not filed proper reply so far. Hence one more opportunity is given to the respondent to file proper point-wise reply indicating the position of each issue as to whether the information has been supplied and if not, the reason thereof, duly signed by the PIO, failing which action under Section 20(1) of the RTI Act 2005 will be initiated.

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APPEAL CASE NO. 4110 OF 2023

6. Both the parties are directed to appear, in person, on the next date of hearing for deliberations, failing which the case will be decided on merit, ex-parte.

7. To come up on **22.01.2025 at 11.30 AM** for further proceedings in the Commission.

Copy of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S. Batth)
State Information Commissioner
Punjab

Date: 27.11.2024

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Sh. Satish Kumar Sobti,
Retd Maths Master,
292/1, Kanchera, PO Pratap Nagar,
Nangal Dam, Ropar-140125.
M : 9417524056

Complainant

Versus

Public Information Officer,
O/o Director Public Instruction (SE),
Punjab School Education Board, 4th Floor
Block E, Phase 8, Sector 62, SAS Nagar

Respondents

COMPLAINT CASE NO. 14 OF 2024

Present :- (i) Sh. Satish Kumar Sobti, the Complainant
(ii) For the respondent: Smt. Sarabjeet Kaur, Sr. Assistant (7973508612)

ORDER

The RTI application is dated 17.10.2023 vide which the Complainant has sought information as enumerated in his RTI application and second appeal was filed in the Commission on 19.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. Respondent states that the reply has already been sent to the Complainant on 12.11.2024.

4. Sh. Satish Kumar Sobti -the Complainant states that he only wants action against the PIO/APIO for not providing the information within stipulated time as prescribed under the RTI Act 2005.

5. After hearing both the parties and examining the case file it is observed that the complainant filed complaint case with the Commission. He has not availed the provision of the Sections 19(1) of the RTI Act by filing an appeal with the First Appellate Authority



COMPLAINT CASE NO. 14 OF 2024

(FAA). As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

6. Regarding delay, the perusal of the file shows that the complainant filed RTI with the Secretary Education on 17.10.2023. Further, PIO, o/o Secretary Education transferred the RTI of the complainant on 26.10.2023 to the PIO, o/o DPI(SE), Punjab. As per the respondent, they have sent reply to the complainant on 12.11.2024, after lapse of more than one year.

7. The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. The Commission expressed its displeasure on the casual and callous approach adopted by the Respondent in responding to the RTI application. It was felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.

8. Therefore, the Commission deem it appropriate to issue show cause notice under section 20 (1) of the RTI Act, 2005, to **Madam Rani Gupta, Assistant Director-cum-PIO**, O/o DPI(SE), Mohali as to why penalty be not imposed upon her for willful delay / denial in providing the information to the RTI applicant. She is directed to file reply to the show cause notice in writing before the next date of hearing.

In addition to her submission, the PIO is also hereby 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. She may note that in case she does not file her submission and does not avail herself of the opportunity of personal hearing on the next date fixed, it will be presumed that she has nothing to say and the Commission shall proceed to take further proceedings against her ex-parte.

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COMPLAINT CASE NO. 14 OF 2024

9. To come up on **05.02.2025 at 11.30 AM** for further proceedings in the commission.
Copy of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S. Batth)
State Information Commissioner
Punjab

Date: 27.11.2024

CC: Madam, Rani Gupta,
Assistant Director-cum-PIO
O/o Director Public Instruction (SE),
Punjab School Education Board, 4th Floor
Block E, Phase 8, Sector 62, SAS Nagar

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Sh. Sudagar Singh,
S/o Sh. Kaka Singh,
Village Chunni Khurd,
Tehsil Bassi Pathana,
distt Fatehagarh Sahib.
M : 9855407147

Complainant

Versus

Public Information Officer,
O/o BDPO, Block Khera,
Distt Fatehgarh Sahib.

Respondents

COMPLAINT CASE NO. 19 OF 2024

Present :- (i) Sh. Sudagar Singh the complainant
(ii) For the respondent: Smt. Jaspreet Kaur, APIO (8146666490)

ORDER

The RTI application is dated 04.10.2023 vide which the Complainant has sought information as enumerated in his RTI application and second appeal was filed in the Commission on 20.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. The Complainant Sh. Sudagar Singh states that he has not been provided the information within the time as prescribed under the RTI Act 2005.

4. Respondent states that the information demanded by the complainant is available on website i.e. nrega.nic.in.

5. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and



COMPLAINT CASE NO. 19 OF 2024

another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

6. In the complaint cases, it is to be seen whether the intention of the respondent-PIO is clear or not. The perusal of the file shows that the complainant filed RTI with the department on 04.10.2023 and the respondent sent reply to the complainant on 25.11.2024, after lapse of more than one year.

7. The Commission observed that there is complete negligence and laxity in the public authority in dealing with the RTI application. The Commission expressed its displeasure on the casual and callous approach adopted by the Respondent in responding to the RTI application. It was felt that conduct of Respondent was against the spirit of the RTI Act 2005, which was enacted to ensure greater transparency and effective access to the information.

8. Therefore, the Commission deem it appropriate to issue show cause notice under section 20 (1) of the RTI Act , 2005, to **Sh. Chand Singh, BDPO, Block Khera, Distt. Fatehgarh Sahib** as to why penalty be not imposed upon him for willful delay / denial in

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COMPLAINT CASE NO. 19 OF 2024

providing the information to the RTI applicant. He is directed to file reply to the show cause notice in writing before the next date of hearing.

In addition to his submission, the PIO is also hereby 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 note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

9. To come up on **05.02.2025 at 11.30 AM** for further proceedings in the commission. Copy of the order be sent to the parties.

Sd/-

Date: 27.11.2024

(Dr. Bhupinder S. Batth)
State Information Commissioner
Punjab

CC: Sh. Chand Singh, BDPO, Block Khera, Distt. Fatehgarh Sahib