

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Shri Gurnam Singh S/o Sh. Joginder Singh
Village Todderwal, PO Babarpur.
Teh. Nabha District Patiala

... Appellant

Versus

Public Information Officer,
O/o The Sub-Divisional Engineer,
Punjab Water Supply & Sanitation
Sub Division, Nabha, Distt. Patiala

First Appellate Authority
O/o The Executive Engineer,
Punjab Water Supply & Sanitation
Division Patiala.

...Respondent

Appeal Case No. 2841 of 2021

PRESENT: Sh.Gurnam Singh as the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 01.02.2021 has sought information on 11 points regarding leave record of Sh.Raj Singh s/o Sh.Ishar Singh Pulp Operator, Govt. Tubewell Faridpur from his joining to 31.01.2021 as enumerated in the RTI application from the office of Sub Divisional Engineer, Water Supply & Sanitation Sub Division, Nabha. The appellant was not satisfied with the reply of the PIO dated 08.03.2021 after which the appellant filed first appeal before the first appellate authority on 12.03.2021 which took no decision on the appeal.

The case has already been heard by Sh.Sanjiv Garg, State Information Commissioner on 28.09.2021, 14.12.2021, 07.03.2022, 20.06.2022 & 20.07.2022.

On the date of first hearing on 28.09.2021, the appellant claimed that the PIO has not supplied the information on point 1,2,3,4 & 10 and the information provided on other points is incomplete. The respondent was connected through webex but he was not audible during the proceedings of the case. The PIO was directed to supply the requisite information to the appellant.

On the next date of hearing on 14.12.2021, the respondent was absent nor had complied the order of the Commission to provide the information. The PIO was **issued a show cause notice under section 20 of the RTI Act and directed to file reply on an affidavit.**

On the date of hearing on 07.03.2021, the respondent present informed that the available information on point 5,6,7,8,9 & 11 has already been provided to the appellant and the information on point 1,2,3,4 & 10 are 3rd party information. Having gone through the RTI application, the Commission directed the PIO to provide information on point 1,2,3,4, & 10 since the information is not 3rd party and the order has already been passed to provide the same.

On the date of hearing on 20.06.2022, the respondent informed that the appellant visited their office but refused to take the information. The appellant was present and informed that the information was not as per the RTI application. The respondent was directed to bring the information to the Commission on the next date of hearing.

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On the date of last hearing on 20.07.2022, the respondent brought the record to the Commission. After examining the RTI request placed in the file, the following was concluded:

- | | | | |
|---|-------------|---|--|
| - | Point 1 & 2 | - | PIO to provide the information |
| - | Point-3 | - | The appellant to specify the date of required information and the PIO to provide the same. |
| - | Point-4 | - | Information not to be given being 3 rd party |
| - | Point-5 &6 | - | PIO to file reply that there is no such instructions |
| - | Point-7,8&9 | - | PIO to file written submission |
| - | Point-10 | - | Information not to be given being 3 rd party |

The case has come **up for hearing before this bench today** through video conferencing at DAC Patiala. The appellant stated that he has received the information on points 1,2 & 11 and has specified the information on point-3 to the PIO but the PIO has not supplied the information.

The respondent is absent nor has complied with the order of the Commission to provide complete information as well as not filed reply to the show cause notice. The PIO is given one last opportunity to file reply to the show cause notice and provide complete information to the appellant failing which the Commission will take a decision ex-parte.

To come up for further hearing on **17.01.2023** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated: 10.11.2022

Sd/-
(Khushwant Singh)
State Information Commissioner