

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



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Provincial Sub Division No-6,
PWD B&R, Patiala.

First Appellate Authority,
O/o SE,
PWD B&R Construction Circle-1,
Patiala.

...Respondent

Appeal Case No. 234 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO Provincial Sub Division No.6, PWD (B&R) Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The appellant is absent and vide email has sought exemption. The appellant has informed that the PIO has not provided the information. The respondent is absent without intimation to the Commission. The PIO is directed to provide the information and be present on the next date of hearing. The PIO is also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case is adjourned. Both the parties to be present on **01.07.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 01.05.2019

(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.
Versus

... Appellant

Public Information Officer,
O/o SDO, Construction Sub Division,
PWD B&R, Doraha, Distt Ludhiana.

First Appellate Authority,
O/o SE,
PWD B&R, Ludhiana.

...Respondent

Appeal Case No. 235 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER

The appellant through RTI application dated 03.10.2018 has sought information regarding works undertaken/carried out during 12.07.2017 to 01.10.2018 and other information concerning the office of SDO Construction Sub Division, PWD (B&R) Doraha, District Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.11.2018 which took no decision on the appeal.

The respondent is absent. The Commission has received a letter diary No.7619 on 10.04.2019 from the PIO stating that the information has been provided to the appellant vide letter dated 15.01.2019 and they have got acknowledgement of the appellant having received the information.

The appellant is absent and has not pointed out any discrepancies. The appellant is granted one more opportunity to point out the discrepancies, if any and the case is adjourned.

Both the parties to be present on **01.07.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated: 01.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Provincial Sub Division No-4,
PWD B&R, Rajpura Colony, Patiala.

First Appellate Authority,
O/o SE,
PWD B&R, Construction Circle No-1,
Patiala .

...Respondent

Appeal Case No. 241 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO Provincial Sub Division No.4, PWD (B&R) Rajpura Colony, Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The appellant is absent and vide email has sought exemption. The appellant has informed that the PIO has not provided the information. The respondent is absent without intimation to the Commission. The PIO is directed to provide the information and be present on the next date of hearing. The PIO is also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case is adjourned. Both the parties to be present on **01.07.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 01.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o XEN, Construction Division,
PWD B&R, Mohali at Fatehgarh Sahib.

First Appellate Authority,
O/o SE,
PWD B&R, Construction Circle No-2,
Patiala .

...Respondent

Appeal Case No. 242 of 2019

Present: None for the Appellant
Sh.Amandeep Singh, Supdervisor for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding grants received and utilized from 02.10.2017 to 01.10.2018 and other information concerning the office of XEN, Construction Division, PWD B&R, Mohali at Fatehgarh Sahib. The appellant was not satisfied with the reply of the PIO vide letter dated 17.10.2018 whereby the PIO asked the appellant to visit and get the information from their office since the information is voluminous, after which the appellant filed first appeal before the First Appellate Authority on 30.10.2018 which took no decision on the appeal. .

The respondent present pleaded that the information has been provided to the appellant. The appellant is absent and vide letter received in the Commission on 24.04.2019 has sought exemption. The appellant in the same letter has informed that he has received the information.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Sd/-

Chandigarh
Dated: 01.05.2019

(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o XEN, Provincial Division No-1,
PWD B&R, Patiala.

First Appellate Authority,
O/o SE,
PWD B&R, Construction Circle No-1,
Patiala.

...Respondent

Appeal Case No. 244 of 2019

Present: None for the Appellant
None for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding grants received and utilized from 02.10.2017 to 01.10.2018 and other information concerning the office of XEN, Provincial Division No.1, PWD B&R, Patiala. The appellant was not satisfied with the reply of the PIO vide letter dated 16.10.2018 whereby the PIO asked to appellant to deposit requisite fee of Rs.5000/-, after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The appellant vide email has informed that the PIO has not provided the information. The appellant further informed that the PIO demanded Rs.5000/- for information vide letter dated 16.10.2018 but the said letter was received by the appellant on 13.11.2018 and also the PIO has not provided the break-up of the fee.

The respondent is absent. The PIO is directed to send break-up of the fee for the information that the appellant has sought as per the RTI Act. and provide the information within 10 days after the deposit of fee.

The case is adjourned. Both the parties to be present on **01.07.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated: 01.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Electrical Sub Division No-2,
PWD B&R, Patiala.

First Appellate Authority,
O/o SE,
PWD B&R Circle, Electrical ,
Patiala.

...Respondent

Appeal Case No. 245 of 2019

Present: None for the Appellant
Sh.Gagandeep Singh SDE for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO-Electrical Sub Division No.2,, PWD (B&R) Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 29.03.2019. The appellant is absent and has not pointed out any discrepancies. The appellant is granted one more opportunity to point out the discrepancies, if any and the case is adjourned.

To come up on **01.07.2019 at 11.00 AM for further hearing.**

Sd/-

Chandigarh
Dated: 01.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Provincial, Sub Division No-2,
PWD B&R, Patiala.

First Appellate Authority,
O/o SE,
PWD B&R Construction Circle-1,
Patiala.

...Respondent

Appeal Case No. 246 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO Provincial Sub Division No.2, PWD (B&R), Patiala. The appellant was not satisfied with the reply of the PIO vide letter dated 05.11.2018 whereby the PIO asked the appellant to visit and get the information from their office, after which the appellant filed first appeal before the First Appellate Authority on 04.12.2018 which took no decision on the appeal.

The appellant is absent and vide email has sought exemption. The appellant has informed that the PIO has not provided the information. The respondent is absent without intimation to the Commission. The PIO is directed to provide the information and be present on the next date of hearing. The PIO is also directed to explain the reasons for not providing the information within the time prescribed under the RTI Act.

The case is adjourned. Both the parties to be present on **01.07.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 01.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Provincial, Sub Division No-1,
PWD B&R, Patiala.

First Appellate Authority,
O/o SE,
PWD B&R Construction Circle-1,
Patiala.

...Respondent

Appeal Case No. 247 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO Provincial Sub Division No.1, PWD (B&R), Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The appellant is absent and vide email has sought exemption. The appellant has informed that the PIO has not provided the information. The respondent is absent without intimation to the Commission. The PIO is directed to provide the information and be present on the next date of hearing. The PIO is also directed to explain the reasons for not providing the information within the time prescribed under the RTI Act.

The case is adjourned. Both the parties to be present on **01.07.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 01.05.2019

(Khushwant Singh)
State Information Commissioner



Sh. R C Tandon
146, Urban Estate, Phagwara,
Distt Kapurthala.

... Appellant

Versus

Public Information Officer,
O/o Jalandhar Development Authority,
Jalandhar.

First Appellate Authority,
O/o Estate Officer,
Jalandhar Development Authority,
Jalandhar.

...Respondent

Appeal Case No. 252 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 11.06.2018 has sought information regarding total area of plot allotted to Bahara Hospital alongwith outer and inner dimensions and other information concerning the office of JDA Jalandhar. The appellant was not satisfied with the information provided by the PIO vide letter dated 24.09.2018 after which the appellant filed first appeal before the First Appellate Authority on 01.10.2018 which took no decision on the appeal.

The appellant is absent and vide email has sought exemption. The appellant has informed that the PIO has not provided the complete information. The respondent is absent. The PIO is directed to relook at the RTI application and provide the information to the appellant. The PIO is also directed to be present on the next date of hearing.

The case is adjourned. Both the parties to be present on **01.07.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 01.05.2019

(Khushwant Singh)
State Information Commissioner

Sh. Harpal Singh, S/o Sh Arjan Singh,
Village Zahadpur, P.O Jaito Sarja,
Tehsil Batala, Distt Gurdaspur.

... Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Gurdaspur.

First Appellate Authority,
O/o Deputy Commissioner,
Gurdaspur

...Respondent

Appeal Case No. 254 of 2019

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

ORDER:

The appellant through RTI application dated 17.10.2018 has sought information regarding action taken report on his complaint dated 10.08.2018 filed for misuse of panchayati land khasra No.91 and other information concerning the office of Deputy Commissioner Gurdaspur. The appellant was not provided the information provided after which the appellant filed first appeal before the First Appellate Authority on 17.11.2018 which took no decision on the appeal.

The appellant is present and informed that the PIO has not provided the information. The Commission has received a letter diary No.8332 on 23.04.2019 from the PIO-DRO, O/o DC Gurdaspur stating that the RTI application has been transferred to BDPO Gurdaspur under section 6(3) of the RTI Act vide letter dated 30.10.2018.

The PIO-BDPO is absent. The PIO-BDPO Gurdaspur is directed to provide the information as per RTI application which was transferred by the PIO-DRO on 30.10.2018 within 10 days. The PIO-BDPO is also directed to be present on the next date of hearing and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case is adjourned. To come up on **01.07.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 01.05.2019

(Khushwant Singh)
State Information Commissioner

CC to PIO-BDPO, Gurdaspur.



Sh. Tejinder Singh,
R/o Village Bholapur, P.O Ramgarh,
Chandigarh Road, Ludhiana.

....Appellant.

Versus

Public Information Officer,
SDM, Licensing Authority & Registering,
Malerkotla.

First Appellate Authority,
DC,
Sangrur

...Respondent

Appeal Case No. 1328 of 2018

Present: None for the Appellant
None for the Respondent

ORDER:

This order is to be read in continuation to the earlier order.

Facts of the Case-

- 1) That the appellant had filed an RTI application on 22/11/2017 seeking information regarding licenses issued from August 2017 to Nov.22, 2017 alongwith other information from the office of SDM (Licensing Authority & Registering, Malerkotla.
- 2) That information was not provided to the appellant after which he filed the first appeal with Deputy Commissioner, Sangrur on 06.01.2018 which took no decision on the appeal.
- 3) That the appellant on not being provided the information filed the 2nd appeal with the state information commission, which first came up for hearing 25.06.2018.
- 4) That on 25.06.2018, Sh. Jagpreet Singh, clerk from the office of SDM Malerkotla appeared and informed that the information regarding points 1,2,7,8&9 had been provided and for remaining information relating to points 3,4,5 & 6,, the RTI application has been transferred to DTO Sangrur. The appellant was not satisfied with the information relating to point-9. The appellant was directed to inspect the record and get the information he wanted.
- 5) That on the next date of hearing which was held on 01.08.2018, the appellant informed that he visited the office of SDM Malerkotla but the information was not provided. The respondent Sh. Jagpreet Singh Clerk O/o SDM Malerkotla informed that the information in CD cannot be provided since it includes personal information of the applicants. The PIO was directed to provide a list of successful applicants with application numbers. The PIO-RTA Sangrur was absent and neither provided the information concerning them (regarding points 3,4,5 & 6).
- 6) That on the next date of hearing on 05.09.2018, the respondent present from the office of SDM Malekrotla informed that the information regarding point-9 has been provided. The PIO-RTA Sangrur was again absent and neither provided the information. The PIO RTA Sangrur was directed to be present on the next date of hearing which was fixed for 09.10.2018.

Appeal Case No. 1328 of 2018

- 7) That on 09.10.2018, the PIO-RTA Sangrur was again absent. The PIO-RTA Sangrur was given one last opportunity to provide the information and be present personally on the next date of hearing with solid reasons for not complying with the order of the Commission. The case was adjourned for further hearing on 21.11.2018.
- 8) That on 21.11.2018, the PIO-RTA Sangrur was again absent and neither provided the information as directed by the Commission. On the same date, he was **show caused under Section 20 of the RTI Act** as to why a penalty should not be imposed on the PIO for not supplying information within the statutorily prescribed period of time under section 7 and for not complying with the orders of the commission. He was further directed to provide the reply on an affidavit and appear before the commission on 15.01.2019.
- 9) The PIO-RTA Sangrur did not appear on the given date (15.01.2019), nor did the PIO file any reply to the Show Cause issued to him. The appellant present on the date pleaded that no information has been sent to him as per the Commissions directions.
- 10) That the Commission on the same date of the hearing provided one last opportunity to the PIO-RTA Sangrur to be present personally or through a representative and reply to the Show Cause. The PIO was also directed to provide the information to the appellant within 10 days and send a compliance report to the Commission.
- 11) The case last came for hearing on 11.03.2019. The PIO-RTA Sangrur was again absent. The appellant pleaded that the PIO is not providing the information and he is being harassed for trying to obtain the requisite information under the RTI Act, which is his right. The appellant pleaded that strict action against the erring PIO.

The PIO RTA-Sangrur was granted one last opportunity to appear before the Commission on the next date of hearing, and bring a reply to the show cause notice, otherwise the Commission will be constrained to issue warrants Under Section 18(3) of the RTI Act.

The case has come up for hearing today and the PIO, RTA-Sangrur is again absent without intimation to the Commission. This is the fifth consecutive time that the PIO is absent. The appellant is absent and vide letter received in the Commission on 22.04.2019, has sought exemption. The appellant has informed that he has received the information but with a delay of one year and four months and has pleaded strict action against the erring PIO.

Keeping the above-mentioned facts of the case, it is clear that the PIO is flouting the spirit of the RTI Act continuously. The PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

The PIO-RTA Sangrur is hereby given one last opportunity to be present on the next date of hearing and submit reply to the show cause on an affidavit otherwise the Commission will be constrained to take action under the RTI Act.

To come up on **01.07.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated: 01.05.2019

(Khushwant Singh)
State Information Commissioner

CC to PIO- RTA Sangrur