

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**



Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975

Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)

Shri Ravi Kumar S/o Shri Ram Murti,
Ravi General Store,
Near Housing Board Colony,
Camp Dhangupeer, Pathankot.

.....Appellant

Versus

Public Information Officer

O/o Estate Officer,
Amritsar Development Authority,
Amritsar.

First Appellate Authority

O/o Chief Administrator,
Amritsar Development Authority,
Amritsar.

....Respondents

AC No. 503 of 2022

Present: (i) **Shri Naresh Bhatia, on behalf of the Appellant, in person.**
(ii) **Shri Gurpreet Singh, Divisional Engineer, Amritsar Development Authority, Amritsar, PIO/respondent.**

ORDER

(Heard in person/through cisco webex)

1. This order may be read with reference to the order dated 02.05.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Naresh Bhatia comes present to attend the hearing on behalf of the appellant in person and produces before the bench the authority letter from the appellant to appear in the hearing. He reiterates his version made during the previous hearing and further states that the appellant received letters from PIO to inspect the records but the PIO was requested to send the information by registered post and irrelevant information has been supplied. He states that the copies of notices have been sent to the appellant issued during 2018 whereas the notices issued during 2020 had been asked for.
3. The PIO O/o Amritsar Development Authority, Amritsar Shri Gurpreet Singh is contacted on mobile phone. On the asking of Bench, he states that he was trying to contact through cisco webex but there was some problem in connectivity. Then, he states that the

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appellant was called to visit the office and to apprise regarding the information specifically required by him. He is then apprised of the version of the representative of appellant.

5. The PIO is directed to call the appellant to his office and allow him access to the relevant official records. The appellant, after inspection of records, will identify the information and the same will be provided by the PIO duly attested, before the next hearing. He is also directed to bring along the copy of information supplied to the appellant as also the original records and produce the same before the Bench during the next hearing. He is also directed to ensure to come present in person before the Bench. In view of the reply submitted by the PIO vide letter dated 30.05.2022, the show cause notice is hereby dropped.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.09.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.08.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Ankit Sehgal,
C/o Bombay Studio
Near Main Post Office Chowk,
Pathankot.

.....Appellant

Versus

Public Information Officer
O/o Improvement Trust,
Kapurthala.

First Appellate Authority
O/o Executive Engineer,
Improvement Trust,
Kapurthala.

....Respondents

AC No. 402 of 2022

Present: (i) **Shri Ankit Sehgal, Appellant**
(ii) **Smt. Sumandeep Kaur, Senior Assistant O/o Improvement Trust, Kapurthala, on behalf of the PIO/respondent.**

ORDER

(Heard through cisco webex)

1. This order may be read with reference to the order dated 02.05.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Ankit Sehgal, appellant comes present to attend the hearing through cisco webex.
3. Smt. Sumandeep Kaur, Senior Assistant O/o Improvement Trust, Kapurthala comes present to attend the hearing on behalf of PIO through cisco webex and states that the PIO has recently been changed. She further states that information was supplied to the appellant vide letter dated 07.06.2022 by registered post and the appellant was also called to inspect the records but he did not turn up.
4. On the asking of the Bench, the appellant admits the receipt of information but he states that the information supplied is not relevant to his RTI application and is misleading.
5. Post deliberations, the PIO is directed to supply information to the appellant point wise and bring along the copy of information supplied as also the original record and produce the same before the Bench on the next hearing.

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6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 31.08.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.08.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Gurdeep Singh Khalsa,
S/o Shri Bhag Singh,
R/o Harjinder Nagar,
Ward No.26, Malout,
Distt:Sri Muktsar Sahib.

.....Appellant

Versus

Public Information Officer
O/o Tehsildar, Malout.

First Appellate Authority
O/o Deputy Commissioner,
Sri Muktsar Sahib.

....Respondents

AC No. 355 of 2022

Present: (i) **Appellant- absent**
(ii) **None on behalf of the PIO/respondent.**

ORDER

1. This order may be read with reference to the order dated 02.05.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Gurdeep Singh Khalsa, appellant has not come present to attend the hearing in person or through cisco webex.
3. Neither the PIO O/o Tehsildar, Malout, District Sri Muktsar Sahib has come present to attend the hearing in person before the Bench nor through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO.
4. The Bench observes that the PIO is absent for the second consecutive hearing. The RTI application of appellant is dated 11.08.2018, first appeal is dated 05.10.2021 and the supply of information has been delayed inordinately. This indifferent attitude of the PIO is viewed adversely. As such, the PIO Office of Tehsildar, Malout, District Sri Muktsar Sahib is issued show cause notice to explain his absence as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for not supplying

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information to the appellant. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

5. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply 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.

6. The PIO is directed to supply requisite information to the appellant before the next hearing as also to ensure to come present before the Bench in person on the next hearing, failing which the Bench will be constrained to issue bailable warrant to ensure his presence before the Bench.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.09.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.08.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

Copy to (By Regd.Post)

PIO O/o Tehsildar, Malout, District Sri Muktsar Sahib

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Shri Sandeep Kumar, Advocate
Chamber No.182, Block-C,
District Courts, Gurdaspur.

.....Appellant

Versus

Public Information Officer
O/o Deputy Secretary (RTI Cell),
Punjab State Power Corporation Ltd.
(PSPCL), Patiala.

First Appellate Authority-cum-
Chief Engineer, Technical Audit & Inspection,
Punjab State Power Corporation Ltd.,
(PSPCL), Patiala.

....Respondents

AC No.4067/2021

Present: (i) **Shri Dinesh Mahajan on behalf of Shri Sandeep Kumar, Appellant, in person.**
(ii) **Shri Kamaldeep Arora, Addl. S.E. Technical Audit-2 PSPCL, Patiala, on behalf of PIO, in person.**

ORDER

1. This order may be read with reference to the order dated 02.05.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Dinesh Mahajan, comes present to attend the hearing in person on behalf of the appellant.
3. Shri Kamaldeep Arora, Addl. S.E., Technical Audit -3, PSPCL, Patiala, comes present in person before the Bench to attend the hearing on behalf of the PIO and states that three enquiries into the complaints made against the one Shri Gagan Bhaskar, mentioned in RTI application have been conducted by the Inquiry Officer-cum-Additional S.E. T.A.-1 Jalandhar and after finalization, enquiry reports have been submitted at Head Office. Presently, the same are under process for seeking approval of competent authority and as and when, approval is accorded by competent authority, related information will be supplied to the appellant. He also

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states that the representative of appellant has been apprised of the current status of the enquiry reports. The respondent requests for two months' adjournment to make the documents available to the appellant.

4. The Bench apprises the representative of appellant that as per RTI Act, the information as it existed on the date of filing RTI application is to be supplied to the appellant. In this case, the Bench has decided, as a special case, to make available the documents once the enquiry in to the complaints is completed.

5. After the information is supplied, the Bench directs the PIO to file an affidavit on non judicial stamp paper, within 21 (Twenty one) days duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.4067 of 2021 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the information supplied is true and correct. Original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 29.09.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

**Chandigarh
02.08.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab**

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Shri Amarjit Singh Dhamotia
RTI Activist, Whistle Blower,
Distt. President, Ludhiana NCAG Office.
Street No.5, #1331-5, Vishawkarma Bhawan,
Down Canal Road, Shimlapuri,
Ludhiana-141003.

.....Appellant

Versus

Public Information Officer
O/o Sub Divisional Officer (XEN),
PSPCL, Sahnewal,
District Ludhiana.

First Appellate Authority-cum-,
O/o Sub Divisional Officer (XEN),
PSPCL, Sahnewal,
District Ludhiana.

...Respondents

AC No.965/2022

Present: (i) **Shri Amarjit Singh Dhamotia, appellant.**
(ii) **None on behalf of the PIO/respondent.**

ORDER:
(Heard through cisco webex)

1. This order may be read with reference to the order dated 06.06.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Amarjit Singh Dhamotia, comes present to attend the hearing through cisco webex and states that till date, no information has been provided by the respondent/PIO.
3. Neither the PIO has come present in person before the Bench or through cisco webex nor he has deputed any of his representatives to attend the hearing.
4. The Bench observes that the PIO is absent for the second consecutive hearing. He has neither supplied information to the appellant nor he has given any intimation in this regard. This indifferent attitude of the PIO is viewed adversely. As such, the PIO O/o Sub Divisional Officer (XEN), PSPCL, Sahnewal, District Ludhiana is issued show cause notice to

Cont..P-2

explain his absence as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for not supplying information to the appellant. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

5. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply 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.

6. The PIO is directed to supply requisite information to the appellant before the next hearing as also to ensure to come present before the Bench in person on the next hearing, failing which the Bench will be constrained to issue bailable warrant to ensure his presence before the Bench.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.09.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.08.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Prem Kumar Rattan,
H.No.78/8, Park Road,
Navi Mandi, Dhuri,
District Sangrur

.....Appellant

Versus

Public Information Officer

O/o Executive Engineer/
Sub Divisional Officer,
Punjab State Power Corporation Ltd.
Bhadaur, District Barnala.

First Appellate Authority-cum-

O/o Chief Engineer,
Punjab State Power Corporation Ltd.
Circle Office, Barnala.

...Respondents

AC No.970/2022

Present:

- (i) Appellant- absent.
- (ii) Shri Lakhbir Singh, Assistant Executive Engineer, Sub Division, PSPCL, Bhadaur, District Barnala, on behalf of the PIO/Respondent.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 06.06.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Prem Kumar Rattan, appellant has not come present to attend the hearing through Cisco Webex.
3. Shri Lakhbir Singh, Assistant Executive Engineer, Sub Division, PSPCL, Bhadaur, District Barnala, comes present to attend the hearing through cisco webex on behalf of the PIO/Respondent. He states that the appellant was called for inspection of records to identify the information but no response has been received from him.

Cont..P-2

4. The Bench then apprises the representative of PIO that in another case, the appellant had intimated that he will be going to Canada to see his children and will not be available till mid September, 2022. He is also apprised that during the last hearing, the appellant had informed that he has received information only on Pont No.1 and information on point No.2 & 3 has not been supplied.

5. The PIO is again directed to call the appellant to his office and allow him access to the relevant official records. The information as may be identified by the appellant after inspection of records be supplied to him before the next hearing. The PIO is also directed to come present in person before the Bench on the next hearing.

6. With the aforesaid directions, **the mater is adjourned. To come up for hearing on 21.09.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.08.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**