

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
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Sh. Vikrant Sharma,
H No- 43, Gurmeet Nagar,
Mithapur Road, Model Town,
Jalandhar City.

... Appellant

Versus

Public Information Officer,
O/o Sub Divisional Engineer,
Model Town Commercial,
Sub Division No-2, PSPCL Bootan Pind,
Jalandhar City.

...Respondent

Complaint Case No. 745 of 2019

PRESENT: Sh.Vikrant Sharma as the Complainant
None for the Respondent

ORDER:

The case was first fixed for hearing on 18.12.2019. Both the parties were absent. The case was adjourned.

The case was last heard on **17.02.2020**. The complainant claimed that the PIO has not provided the information. The respondent was absent. Having gone through the record, the Commission observed that the complainant has come to the commission without going to the First Appellate Authority. The case was remanded back to the First Appellate Authority with the direction to consider and dispose off the appeal within the prescribed period of 30 days.

The Commission further observed that there has been an enormous delay of nine months in attending to the RTI application and the respondent was also absent on 2nd consecutive hearing. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

Hearing dated 03.06.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Jalandhar. The appellant informed that the PIO has not provided the information. The respondent is absent nor has sent any reply to the show cause notice.

The PIO is given one last opportunity to comply with the earlier order of the Commission which still stands and appear personally on the next date of hearing alongwith reply to the show cause notice on an affidavit, otherwise the Commission will be constrained to take action as per provisions of the RTI Act.

The First Appellate Authority is also directed to consider and dispose off the appeal as per earlier order of the Commission.

The case is adjourned. To come up for further hearing on **22.07.2020 at 01.30 PM** through video conference facility available in the office of Deputy Commissioner, Jalandhar.

Chandigarh
Dated 03.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Baldev Raj, S/o sh Buta Ram,
VPO Sarhali, Tehsil Phillaur,
Distt Jalandhar..

...Complainant

Vs

Public Information Officer,
O/o Addl, SE (Operational),
PSPCL, Phagwara Division,
Distt Kapurthala.

....Respondent

Complaint Case No. 1062 of 2019

PRESENT: Sh.Baldev Raj as the Complainant
Sh.Rajinder Singh, Sr.Xen, PSPCL Phagwara for the Respondent

ORDER:

The complainant through RTI application dated 19.07.2019 has sought information regarding conditions for promotion of an employee from work charge employee to Assistant Lineman and other information concerning the office of Addl. SE (Operation) PSPCL Bhagwara. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 12.12.2019.

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Jalandhar. The respondent present pleaded that the information has been provided to the complainant on 09.03.2020. The complainant pleaded that the PIO has provided the incomplete information even after the issue of notice of the Commission.

Having gone through the record, the Commission observes that the complainant has come to the Commission without going to the First Appellate Authority. If the complainant is not satisfied with the information, he is directed to go to the First Appellate Authority. The First Appellate Authority is directed to consider the appeal and dispose off the same within a period of 30 days as per RTI Act.

The Commission further observes that the RTI application was filed on 19.07.2019 whereas the information has been provided by the PIO on 09.03.2020. There has been enormous delay of eight months in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **22.07.2020 at 01.30 PM** through video conference facility available in the office of Deputy Commissioner, Jalandhar.

Sd/-

Chandigarh
Dated 03.06.2020

(Khushwant Singh)
State Information Commissioner



Sh.Manjeet Singh,
H No-1435, Street No-6, Block-A,
Guru Nanak Colony, Gill Road,
Ludhiana.

.....Appellant.

Versus

Public Information Officer,
O/o XEN, PSPCL,
Unit-1, Ludhiana-3, Ludhiana.

First Appellate Authority,
O/o XEN, PSPCL, Unit-1-2443,
Sub Division-1, Ludhiana-3,
Ludhiana.

...Respondent

Appeal Case No. 407 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The case was first heard on **07.05.2019**. The appellant informed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information as per RTI application and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. The PIO was also directed to be present personally or through a representative on the next date of hearing.

The case was again heard on **03.07.2019**. The appellant claimed that the PIO has not provided the information. The respondent Sh.Gurcharan Singh, AEE PSPCL Janta Nagar, Ludhiana appeared late and informed that they have already supplied the information to the appellant vide letter dated 13.12.2018 which the appellant had acknowledged having received the information on 17.01.2019. A copy of acknowledgement was submitted to the Commission.

The case was again heard on **13.08.2019**. The respondent present informed that the information has been provided to the appellant. The appellant was not satisfied and stated that he wants the status of his complaint. The PIO was directed to relook at the RTI application and provide status report on the complaint of the appellant.

The case was further heard on **29.11.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was issued a **show cause notice and directed to file reply on an affidavit**. The PIO was again directed to provide the information to the appellant within 10 days.

The case was last heard on **27.01.2020**. The respondent pleaded that the information has been provided to the appellant vide letter dated 27.12.2019. The PIO was absent nor has sent any reply to the show cause, rather tried to take the Commission into confidence on the ground that the information has been provided. The PIO was given one last opportunity to file a reply to the show cause on an affidavit otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will be constrained to take action in terms of the provisions of section 20 of the RTI Act.

Appeal Case No. 407 of 2019

Hearing dated 03.06.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Ludhiana. The appellant vide email has informed that the PIO has not provided the information. The respondent is absent nor has sent any reply to the show cause notice. The PIO is given one last opportunity to provide the information to the appellant and appear personally on the next date of hearing alongwith reply to the show cause notice on an affidavit.

The case is adjourned. To come up for further hearing on **22.07.2020 at 01.30 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 03.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Pawan Kalia,
18, Adarsh Nagar,
Kapurthala.

... Appellant

Versus

Public Information Officer,
O/o Chief Administrator,
JDA, Jalandhar.

First Appellate Authority,
O/o Chief Administrator,
JDA, Jalandhar.

...Respondent

Appeal Case No. 3874 of 2019 and 3875 of 2019

PRESENT: None for the Appellant
Sh.Sanjeev Sharma-PIO-JDA for the Respondent

ORDER:

The case was last heard on 19.02.2020. The respondent present pleaded that since the information was in the custody of APIO-O/o Dy Chief Administrator, JDA Jalandhar, the RTI application was transferred to the APIO which further transferred the same to the APIO-cum-Superintendent(R) O/o Estate Officer(R) JDA Jalandhar on 05.04.2019 since the record was transferred again to the office of Estate Officer (R)-JDA Jalandhar. However, even after sending reminders, the APIO-Estate Officer (R) has not provided the information.

The respondent further pleaded that in another appeal case No.3875/2019, wherein the appellant vide RTI application dated 08.03.2019 has sought information regarding status report of his application dated 14.02.2019 for issuance of NOC, the information is in the custody of Sh.Ashok Kumar, Superintendent-cum-APIO, Estate Officer (R) JDA Jalandhar and the RTI application has been transferred to them on 29.04.2019 by APIO-O/o Dy Chief Administrator JDA Jalandhar.

Given the above circumstances, it was found clear that in both the cases, even though the information sought is different, but it was in the same file and in the custody of Sh.Ashok Kumar, Superintendent-cum-APIO, Estate Officer (R) JDA Jalandhar. However, in both the cases, the APIO had not provided the information even after issuance of reminders by the PIO-JDA Jalandhar.

So both the cases were clubbed together and Sh.Ashok Kumar, Superintendent-cum-APIO, Estate Officer (R) JDA Jalandhar was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.** Sh.Ashok Kumar, Superintendent-cum-APIO, Estate Officer (R) JDA Jalandhar was also directed to provide the information within a week and be present personally on the next date of hearing.

Hearing dated 03.06.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Jalandhar. The respondent present pleaded that the information has been provided to the appellant. The appellant is absent and vide email has sought adjournment.

Appeal Case No. 3874 of 2019 and 3875 of 2019

The respondent further informed that since the information in appeal cases No.3874/2019 and 3875/2019 was in the custody of Sh.Ashok Kumar, APIO, Estate Officer(R) JDA Jalandhar, the RTI application was transferred to them under section 5(4) on 19.03.2019 and the APIO was directed to provide the information to the appellant as per RTI application.

At the last hearing, Sh.Ashok Kumar, Superintendent-cum-APIO, Estate Officer (R) JDA Jalandhar was issued a show cause notice and directed to be present personally on the next date of hearing alongwith reply to the show cause notice on an affidavit. The APIO is absent nor has sent any reply to the show cause notice.

The respondent informed that Sh.Ashok Kumar has been transferred and is now posted as Superintendent, Greater Ludhiana Development Authority, Ludhiana. Sh.Ashok Kumar-APIO is given one last opportunity to be present on the next date of hearing alongwith reply to the show cause notice otherwise the Commission will take action as per provisions of the RTI Act against him.

The PIO-JDA is also directed to clarify-

- Who was the PIO at the time of filing RTI'
- Who was the PIO at the time of issue of show cause notice

The case is adjourned. To come up for further hearing on **22.07.2020 at 01.30 PM** through video conference facility available in the office of Deputy Commissioner, Jalandhar.

Chandigarh
Dated 03.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Sh.Ashok Kumar, Superintendent,
Greater Ludhiana Area Development Authority,
Ludhiana.

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana.

... Appellant

Versus

Public Information Officer,
Police Station,
Village Ladowal, Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1286 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
Sh.Raj Kumar, ASI for the respondent

ORDER: This order should be read in continuation to the earlier order.

On the date of hearing on 25.07.2019. Sh.Jatinder Singh, ASI representing the PIO had brought the original record as per order of the Commission. However, the appellant was absent and the case was adjourned.

On the next date of hearing on 29.10.2019, the appellant was present. However, the respondent was absent. The case was adjourned. The PIO was directed to comply with the earlier order of the Commission and bring original record pertaining to the RTI application, to the Commission at the next date of hearing.

On the last hearing on **14.01.2020**, the appellant was present. However, the respondent was again absent. The PIO was directed to comply with the earlier order of the Commission and bring original record to the Commission on the next date of hearing.

Hearing dated 03.06.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Ludhiana. The respondent present pleaded that the information has been sent to the appellant via speed post. The appellant claimed that the information which was sent via speed post relates to another appeal case No.2063 and the PIO has not provided the information in the present case.

The PIO is directed to send complete reply and provide the information to the appellant. If the information is not available in the record, to give detailed reply on an affidavit. The PIO is also directed to bring original record pertaining to the RTI application to the Commission on the next date of hearing.

To come up for further hearing on **22.07.2020 at 01.30 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. Copies of order be sent to both the parties through registered post.

Chandigarh
Dated: 03.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Commissioner of Police, Ludhiana.



Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Iadowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1295 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
Sh.Raj Kumar, ASI for the respondent

ORDER: This order should be read in continuation to the earlier order.

On the date of hearing on 25.07.2019. Sh.Jatinder Singh, ASI representing the PIO had brought the original record as per order of the Commission. However, the appellant was absent and the case was adjourned.

On the next date of hearing on 29.10.2019, the appellant was present. However, the respondent was absent. The case was adjourned. The PIO was directed to comply with the earlier order of the Commission and bring original record pertaining to the RTI application, to the Commission at the next date of hearing.

On the last hearing on **14.01.2020**, the appellant was present. However, the respondent was again absent. The PIO was directed to comply with the earlier order of the Commission and bring original record to the Commission on the next date of hearing.

Hearing dated 03.06.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Ludhiana. The respondent present pleaded that the information has been sent to the appellant via speed post. The appellant claimed that the information which was sent via speed post relates to another appeal case No.2063 and the PIO has not provided the information in the present case.

The PIO is directed to send complete reply and provide the information to the appellant. If the information is not available in the record, to give detailed reply on an affidavit. The PIO is also directed to bring original record pertaining to the RTI application to the Commission on the next date of hearing.

To come up for further hearing on **22.07.2020 at 01.30 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. Copies of order be sent to both the parties through registered post.

Chandigarh
Dated: 03.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Commissioner of Police, Ludhiana.

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Iadowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1296 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
Sh.Raj Kumar, ASI for the respondent

ORDER: This order should be read in continuation to the earlier order.

On the date of hearing on 25.07.2019. Sh.Jatinder Singh, ASI representing the PIO had brought the original record as per order of the Commission. However, the appellant was absent and the case was adjourned.

On the next date of hearing on 29.10.2019, the appellant was present. However, the respondent was absent. The case was adjourned. The PIO was directed to comply with the earlier order of the Commission and bring original record pertaining to the RTI application, to the Commission at the next date of hearing.

On the last hearing on **14.01.2020**, the appellant was present. However, the respondent was again absent. The PIO was directed to comply with the earlier order of the Commission and bring original record to the Commission on the next date of hearing.

Hearing dated 03.06.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Ludhiana. The respondent present pleaded that the information has been sent to the appellant via speed post. The appellant claimed that the information which was sent via speed post relates to another appeal case No.2063 and the PIO has not provided the information in the present case.

The PIO is directed to send complete reply and provide the information to the appellant. If the information is not available in the record, to give detailed reply on an affidavit. The PIO is also directed to bring original record pertaining to the RTI application to the Commission on the next date of hearing.

To come up for further hearing on **22.07.2020 at 01.30 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. Copies of order be sent to both the parties through registered post.

Chandigarh
Dated: 03.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Commissioner of Police, Ludhiana.

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Ladowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1297 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
Sh.Raj Kumar, ASI for the respondent

ORDER: This order should be read in continuation to the earlier order.

On the date of hearing on 25.07.2019. Sh.Jatinder Singh, ASI representing the PIO had brought the original record as per order of the Commission. However, the appellant was absent and the case was adjourned.

On the next date of hearing on 29.10.2019, the appellant was present. However, the respondent was absent. The case was adjourned. The PIO was directed to comply with the earlier order of the Commission and bring original record pertaining to the RTI application, to the Commission at the next date of hearing.

On the last hearing on **14.01.2020**, the appellant was present. However, the respondent was again absent. The PIO was directed to comply with the earlier order of the Commission and bring original record to the Commission on the next date of hearing.

Hearing dated 03.06.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Ludhiana. The respondent present pleaded that the information has been sent to the appellant via speed post. The appellant claimed that the information which was sent via speed post relates to another appeal case No.2063 and the PIO has not provided the information in the present case.

The PIO is directed to send complete reply and provide the information to the appellant. If the information is not available in the record, to give detailed reply on an affidavit. The PIO is also directed to bring original record pertaining to the RTI application to the Commission on the next date of hearing.

To come up for further hearing on **22.07.2020 at 01.30 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. Copies of order be sent to both the parties through registered post.

Chandigarh
Dated: 03.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Commissioner of Police, Ludhiana.

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Ladowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1298 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
Sh.Raj Kumar, ASI for the respondent

ORDER: This order should be read in continuation to the earlier order.

On the date of hearing on 25.07.2019. Sh.Jatinder Singh, ASI representing the PIO had brought the original record as per order of the Commission. However, the appellant was absent and the case was adjourned.

On the next date of hearing on 29.10.2019, the appellant was present. However, the respondent was absent. The case was adjourned. The PIO was directed to comply with the earlier order of the Commission and bring original record pertaining to the RTI application, to the Commission at the next date of hearing.

On the last hearing on **14.01.2020**, the appellant was present. However, the respondent was again absent. The PIO was directed to comply with the earlier order of the Commission and bring original record to the Commission on the next date of hearing.

Hearing dated 03.06.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Ludhiana. The respondent present pleaded that the information has been sent to the appellant via speed post. The appellant claimed that the information which was sent via speed post relates to another appeal case No.2063 and the PIO has not provided the information in the present case.

The PIO is directed to send complete reply and provide the information to the appellant. If the information is not available in the record, to give detailed reply on an affidavit. The PIO is also directed to bring original record pertaining to the RTI application to the Commission on the next date of hearing.

To come up for further hearing on **22.07.2020 at 01.30 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. Copies of order be sent to both the parties through registered post.

Chandigarh
Dated: 03.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Commissioner of Police, Ludhiana.