

PUNJAB, STATE INFORMATION COMMISSION
Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

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E-mail-Psicsic30@punjabmail.gov.in

Smt Satwinder Kaur,
1-B, Ajit Enclave, Dhakoli,
Zirakpur, Mohali

... Complainant

Versus

Public Information Officer,
O/o XEN, PSPCL,
Zirakpur Circle, Zirakpur.

...Respondent

Complaint Case No. 1133 of 2018

Present: None for the Complainant
None for the Respondent

Order:

The complainant through RTI application dated 28.12.2017 has sought information on 5 points regarding reasons for excess bill than consumption, reason for non reply of letters, reason for replacement of electric meter and other information concerning the office of Xen PSPCL Zirakpur. The complainant was not satisfied with the reply of the PIO dated 21.05.2018 after which the complainant filed complaint in the Commission on 11.09.2018.

Since both the parties are absent, in the interest of justice, one more opportunity is granted and the case is adjourned.

Both the parties to be present on **24.04.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 04.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Lakhwinder Singh, S/o ShJabarjang Singh,
R/o Village BodiwalaKharak Singh,
Tehsil Malout, Distt Sri Mukatsar Sahib.

.. Complainant

Versus

Public Information Officer,
O/o DC,
Sri Mukatsar Sahib.

...Respondent

Complaint Case No. 1134 of 2018

Present: None for the Complainant
Sh.Keshwanand, NaibSadarKanoongo for the Respondent

Order:

The complainant through RTI application dated 22.08.2018 has sought information regarding action taken on the letter/complaint which was filed by Smt.NarinderKaur w/o Sh.Jabarjang Singh against Halka patwari Sh.Pritpal Singh to the Hon'be CM and forwarded to the office of PIO vide Memo No.27/54/2018-MB.4 dated 18.7.2018 and other information concerning the office of DC Sri Mukatsar Sahib. The complainant was not provided the information after which the complainant filed complaint in the Commission on 12.10.2018.

The respondent present pleaded that since the enquiry is pending, the information cannot be provided and the appellant has already been informed regarding status of the enquiry vide letters dated 08.10.2018, 12.20.2018, 06.11.2018 & 21.01.2019.

The Commission observed that the RTI application was filed by the complainant on 22.08.1028 and the reply was sent by the PIO on 08.10.2018. Even though, there is a delay of 15 days, the Commission finds no malafide on the part of the PIO in attending to the RTI application, hence the complaint is disposed off. If the complainant is not satisfied with the information, the complainant is directed to go to the First Appellate Authority.

No further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated: 04.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Smt.Sukhvinder Kaur, W/o Lt. Sh.Baldev Singh,
VPO Hardo Jhande, Tehsil Batala.
Distt.Gurdaspur.

... Appellant

Versus

Public Information Officer,
SDO, PSPCL,
Batala.

...Respondent

Complaint Case No. 1143 of 2018

**Present: Sh.Harvinder Singh, representative of Smt.Sukhvinder Kaur as
Complainant
None for the Respondent**

Order:

The complainant through RTI application dated 02.05.2018 has sought information regarding service book, salary certificate, latest attendance report of her deceased husband Sh.Baldev Singh who was working as workcharge employee with PSPCL Batala and other information concerning the office of SDO, PSPCL, Batala. The complainant was not provided the information after which the complainant filed complaint in the Commission on 22.10.2018.

The representative present on behalf of the complainant informed that no information has been provided by the PIO so far.

The respondent is absent without intimation to the Commission and neither has sent any reply to the RTI application in the last 9 months whereas as per section 7(1) of the RTI Act, the information has to be provided within 30 days. 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** and for not appearing before the Commission despite notice of the Commission, he 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 PIO is also directed to provide information to the complainant within 10 days of the receipt of order..

The case is adjourned. Both the parties to be present **on 19.03.2019 at 11.00 AM** for further hearing

Chandigarh
Dated: 04.02.2019

Sd/-
(Khushwant Singh)
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ShAvtar Singh,
H No-2279, Phase-10,
Mohali.

... Appellant

Versus

Public Information Officer,
O/o PSPCL,
Mohali.

First Appellate Authority,
O/o PSPCL,
Mohali

...Respondent

Appeal Case No. 3562 of 2018

Present: Sh.Avtar Singh as Appellant
Sh.H.S.Obroi, Addl.SE PSPCL Mohali for the Respondent

Order:

The appellant through RTI application dated 27.08.2018 has sought information regarding applications given by the appellant to SDO and other senior officers during last one and half year for shifting two power meters, entire correspondence undertaken by the Punjab Right to Service Commission with the officers of PSPCL and representation of local members to the SDO for shifting of power meters and other information concerning the office of PSPCL Mohali. The appellant was not satisfied with the reply of the PIO dated 20.09.2018 after which the appellant filed first appeal with the First Appellate Authority on 01.10.2018 which disposed off the appeal on 09.10.2018.

The respondent present pleaded that the information regarding points 1 & 2 has been provided and since the information regarding point No.3 is 3rd party information, it cannot be provided. The Commission rejects the plea of the PIO regarding point No.3 and directs the PIO to provide the information, however, with severability clause. The contents of the complaint be provided and the names and mobile number of the complainants be severed.

No further cause of action is required. The case is **disposed off and closed**.

Chandigarh
Dated: 04.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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ShRajinder Kumar,
Q No-35-L, I.T.I Staff Colony,
Talwara

... Appellant

Versus

Public Information Officer,
SDO, PSPCL,
Sub Division, Haryana,
DisttHoshiarpur.

First Appellate Authority,
SDO, PSPCL,
Sub Division, Haryana,
DisttHoshiarpur.

...Respondent

Appeal Case No. 3594 of 2018

Present: Sh.Rajinder Kumar as Appellant'
Sh.Jagdeep Kumar, SDO, PSPCL Haryana, Hoshiarpur for the Respondent

Order:

The appellant through RTI application dated 04.05.2018 has sought information on 5 points regarding electric meter installed in the name of Sh.Balwinder Singh s/o late Sh.Hari Singh and other information concerning the office of PSPCL Sub Division Haryana, Distt.Hoshiarpur. The appellant was not provided the information after which the appellant filed first appeal with the First Appellate Authority on 12.06.2018. After filing appeal, the PIO sent reply to the appellant vide letter dated 18.06.2018 whereby the PIO denied the information stating that the information is 3rd party and it cannot be provided. The First Appellate Authority also disposed off the appeal on 05.10.2018 upholding the PIO's decision.

The respondent present pleaded that since the information is 3rd party, it cannot be provided.

Having gone through the RTI application, the Commission directs the PIO to provide information regarding points 2. Rest of the points will be adjudicated at the next date of hearing.

The case is adjourned. To come up for further hearing **on 27.02.2019 at 02.00 PM** through video conference facility available in the office of the Deputy Commissioner, Hoshiarpur. Copies of the order be sent to the parties **through registered post**.

Chandigarh
Dated: 04.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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ShDuli Chand, S/o ShDaya Ram,
R/o Village VariamKhera, Tehsil Abohar,
DistFazilka.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Fazilka.

First Appellate Authority,
O/o IGP,
Bathinda Zone, Bathinda.

...Respondent

Appeal Case No. 3607 of 2018

Present: None for the Appellant
Sh.Dalip Singh, ASI, O/o SSP Fazilka for the Respondent

Order:

The appellant through RTI application dated 04.05.2018 has sought information on 6 points regarding appointment/suspension/reinstatement of Sh.Bhagwan Singh, ASI No.756/Ferozepurand other information concerning the office of SSP Fazilka. The appellant was not satisfied with the reply of the PIO dated 02.07.2018 vide which the PIO denied the information stating that since the information is third party, it cannot be provided. On having denied the information, the appellant filed first appeal with the First Appellate Authority on 12.07.2018 which took no decision on the appeal.

The respondent present pleaded that since the information is third party information, it cannot be provided and the appellant has already been informed vide letter dated 02.07.2018. The PIO has taken plea that the information sought is the outcome of personal dispute between the appellant and one Sh.Rajesh Kumar and of personal nature, thus the information has been rejected by invoking section 8(1)(j) of the RTI Act.

Having gone through the RTI application, the Commission found that the appellant has sought information pertaining to the service record and complaints against the ASI Bhagwan Singh. The Commission wants to establish the public interest involved in disclosing the personal information of an employee and directs the appellant to provide sufficient evidence that the disclosure of such information is in larger public interest.

The case is adjourned. To come up for further hearing on **05.03.2019 at 11.00 AM.**

Chandigarh
Dated: 04.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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ShDuli Chand, S/o ShDaya Ram,
R/o Village VariamKhera, Tehsil Abohar,
DistFazilka.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Fazilka.

First Appellate Authority,
O/o IGP,
Ferozepur Range, Ferozepur.

...Respondent

Appeal Case No. 3608 of 2018

Present: None for the Appellant
Sh.Dalip Singh, ASI, O/o SSP Fazilka for the Respondent

Order:

The appellant through RTI application dated 17.07.2018 has sought information on 5 points regarding letter No.1651/Reader/DSP(H) Fazilka dated 30.10.2017 and other information concerning the office of SSP Fazilka. The appellant was not provided the information after which the appellant filed first appeal with the First Appellate Authority on 30.08.2018 which took no decision on the appeal.

The respondent present informed that the appellant has already been sent reply to the RTI application vide letter dated 03.08.2018.

Having gone through the RTI application, the Commission finds that the information sought on points 3, 4 & 5 is ambiguous in nature and does not classify as information that can be sought as per the RTI Act . The respondent has brought the information regarding points 1 & 2. The Commission directs the respondent to send it to the appellant through registered post. A copy of the information is being enclosed with the order for the appellant.

No further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated: 04.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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ShSimranjit Singh, S/o ShJagdish Singh,
93/2, Adarsh Nagar, Jalandhar

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Versus

Appellant.

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

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

...Respondent

Appeal Case No. 3673 of 2018

Present: None for the Appellant
Sh.Ashok Kumar, Superintendent O/o JDA Jalandhar for the Respondent

Order:

The appellant through RTI application dated 14.07.2018 has sought information on 5 points regarding details of vehicles authorized to Chief Administrator PUDA/JDA alongwith log book and other information concerning the office of Jalandhar Development Authority, Jalandhar. The appellant was not provided the information after which the appellant filed first appeal with the First Appellate Authority on 14.08.2018. After filing first appeal, the PIO sent reply to the appellant vide letter dated 18.10.2018. On being not satisfied with the reply of the PIO, the appellant filed 2nd appeal in the Commission on 30.10.2018.

The respondent present pleaded that the information regarding point 1 has been provided and since the information sought regarding other points is not clear, it cannot be provided.

Having gone through the RTI application and the reply of the PIO, the Commission directs the appellant to clarify for which vehicle the information is being sought as well as to specify the period from which day and year, the information is being sought.

The case is adjourned. To come up for further hearing **on 27.02.2019 at 02.00 PM** through video conference facility available in the office of the Deputy Commissioner, Jalandhar. Copies of the order be sent to the parties ***through registered post.***

Chandigarh
Dated: 04.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Himmat Singh GPA of Raghbir Singh, S/o Sh.Bachan Singh,
Khewatdar of Village MauliBaidwan,
Tehsil & Distt Mohali

...Appellant.

Versus

Public Information Officer,
O/o Estate Officer, GMADA,
Mohali.

First Appellate Authority,
O/o GMADA,
Mohali.

...Respondent

Appeal Case No. 3694 of 2018

**Present: Sh.Harinder Singh, representative of Sh.Himmat Singh as GPA of Appellant
Sh.Gulshan Kumar, PIO, GMADA and Sh.Satpal Singh, Kanoongo, O/o LCA
GMADA Mohali for the Respondent**

Order:

The appellant through RTI application dated 07.08.2018 has sought information regarding status of his requests dated 16.11.2017 & 15.02.2018 and other information concerning the office of Estate Officer, GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal with the First Appellate Authority on 10.09.2018 which took no decision on the appeal.

The respondent present has brought the information and handed over to the representative present on behalf of the appellant. The appellant has received the information.

Regarding delay in attending to the RTI application, the PIO present from GMADA informed that the RTI application was transferred to the PIO Land Acquisition Collector on 30.08.2018. The respondent present from the office of Land Acquisition Collector pleaded that due to work load and insufficient staff in the department, the information has been delayed. The plea of the respondent is accepted.

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

Chandigarh
Dated: 04.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Dr. Ashish Kapoor,
H No-695, First Floor Annexe,
Phase-2, Mohali.

Appellant.

Versus

Public Information Officer,
O/o A.E.O, GMADA,
Mohali.

First Appellate Authority,
O/o E.O, GMADA,
Mohali.

...Respondent

Appeal Case No. 3695 of 2018

Present: Sh.Ashish Kumar as Appellant
Sh.Gulshan Kumar, PIO GMADA for the Respondent

Order:

The appellant through RTI application dated 07.08.2018 has sought information on 5 points regarding residential plots in sectors 50,60,62, 63, 64 & 65 and other information concerning the office of ADO GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal with the First Appellate Authority on 11.09.2018 which took no decision on the appeal.

The appellant informed that no information has been provided. The respondent present pleaded that the information is not readily available and a lot of documents will have to be sifted through to provide the information. Since the Act is clear that the information is to be provided which is in possession of the public authority and not to be created, the PIO is directed to provide the information only of the following:

1. Total number of residential plots
2. List of total number of residential plots allotted
3. List of vacant plots

The case is adjourned. Both the parties to be present on **19.03.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 04.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner