



Sh. Karan Singh, S/o Sh. Shyam Singh,
79, High Land Society, Baltana, Zirakpur.

... Appellant

Versus

Public Information Officer,
State Transport Commissioner,
Sector-17, Chandigarh.

First Appellate Authority,
State Transport Commissioner,
Sector-17,
Chandigarh.

...Respondent

Appeal Case No. 1751 of 2018

Present: None for the Appellant
Sh.Payara Singh-PIO-STC for the Respondent

ORDER:

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

At the hearing on **29.11.2019**, the respondent PIO-STC, Punjab brought a reply in which they stated that the appellant had inspected the record on 05.09.2019. The appellant who was absent at the hearing turned up late and informed that he is yet to receive the information that he had detailed during the inspection.

The order of the Commission was in two parts. The first part of the order was regarding the log books, which had been settled as the appellant had inspected the record and the department was to send the detailed information to the appellant, which the department was directed to send within 10 days.

The second part of the order to the Transport Department was to proactively publish and upload the information available under its custody regarding monthly fuel expenses, kilometers, travelled of all the ministers of Punjab, in the format in which they are maintained by the public authority, subject to the proviso of the exemptions to be applicable to the vehicles used by the security wing as notified by the Govt. under section 24 of the RTI Act. The information was to be uploaded from 1st of January 2012 onwards to the present, with a provision to upgrade it every quarterly.

The department was ordered to provide a roadmap, which it failed to provide in the last two hearings. The Commission directed the State Transport Commissioner to ensure compliance of the order before the next date of hearing.

On the last date of hearing on **04.03.2020**, the respondent present informed that the complete information had been provided to the appellant and the appellant had acknowledged having received the information on 14.02.2020. The respondent submitted a copy of acknowledgement of the appellant. Regarding part-2 of the information, the respondent submitted a reply which was taken on the file of the Commission for consideration.

The appellant was absent. The case was adjourned.

Hearing dated 05.08.2020:

The case has come up for hearing today through video conferencing at DAC Mohali.

The respondent from STC is present at Chandigarh. The appellant is absent.

The case is adjourned. To come up for further hearing on **02.09.2020 at 01.00 PM.**

Chandigarh
Dated: 05.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Harish Kumar S/o Sh.Tilak Raj
H.No.34, Street No.1, ValmikMohalla,
Hathi Gate, Batala.
District Gurdaspur.

... Appellant

Versus

Public Information Officer,
Xen, Water Supply & Sanitation Div.No.1,
Batala, Distt.Gurdaspur

First Appellate Authority,
S.E., Water Supply & Sanitation,
Circle, Gurdaspur.

..Respondent

Appeal Case No. 610 of 2018

Present: Sh.Harish Kumar asthe Appellant
Sh.NitinKalia, Xen-PIO for the Respondent

ORDER:

The appellant through RTI application dated 13.08.2019 has sought information regarding action taken on the reimbursement of medical bill of his wife and other information concerning the office of Xen-Water Supply and Sanitation Division No.1, Batala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 09.10.2019 which took no decision on the appeal.

The case has come up for hearing today through video conference facility at DAC Gurdaspur.

The appellant claims that the PIO has not provided the information. The respondent present pleaded that the action is being taken on the medical bill of the appellant.

Having gone through the record, the Commission observes that there has been an enormous delay of more than 11 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 PIO is again directed to provide the information to the appellant within 15 days.

To come up for further hearing on **14.09.2020 at 1.30 PM** through video conference facility available in the office of Deputy Commissioner, **Gurdaspur.**

Chandigarh
Dated: 05.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.
Ph: 0172-2864114, Visit us @ www.infocommpunjab.com,
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Sh. Sukhchain Singh,
SonamMohalla, FatehgarhChurian,
TeshailBatala, DistGurdaspur.

....Appellant

Vs

Public Information Officer,
O/o Deputy Chief Engineer,
PSPCL, Gurdaspur.

First Appellate Authority,
O/o Chief Engineer, Operational,
Border Zone, Amritsar.

....Respondent

Appeal Case No. 324 of 2020

PRESENT: None for the Appellant
Sh.Deepak Kumar, Xen-Tech for the Respondent

ORDER:

The case was last heard on 22.06.2020 through video conferencing at DAC Gurdaspur. The respondent present pleaded that since an enquiry was pending, the information could not be provided and the information had been supplied to the appellant on 31.01.2020. The appellant was not satisfied and stated that the information was incomplete.

Hearing both the parties, the appellant was directed to inspect the record by visiting the office of the PIO on 30.06.2020 at 11.00 AM and get the relevant information. The PIO was directed to allow the inspection of record to the appellant and provide the relevant information as per RTI Act.

Hearing dated 05.08.2020:

The case has come up for hearing today through video conferencing at DAC Gurdaspur. The respondent present pleaded that the appellant has inspected the record and the information (725 pages) has been provided to the appellant on 07.07.2020 and that the appellant has acknowledged having received the information. The respondent further informed that since the appellant was not satisfied with the information regarding point-1, the appellant has been sent reply that whatever the information was available with the Division office, has been supplied. A copy of the information that has been supplied to the appellant regarding point-6 (13 pages) is submitted to the Commission.

The appellant is absent. Having gone through the RTI application and the information supplied by the PIO, the Commission observes that the RTI application has been suitably replied and the information has been provided to the best possible extent.

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

Chandigarh
Dated 05.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Jatinder Pal Singh, S/o Sh. Nidhan Singh,
VPO New Sullar, # 105,
T ehsil & Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o XEN, PSPCL,
East Division, Patiala.

First Appellate Authority,
O/o XEN, PSPCL,
East Division, Patiala.

... Respondent

Appeal Case No. 2356 of 2019

PRESENT: Sh. Jatinder Pal Singh as the Appellant
Sh. Amandeep Singh, Sr. Xen for the Respondent

ORDER:

The case was first heard on 04.11.2019. The appellant pleaded that the PIO has not provided the complete information. The respondent was absent. Having gone through the RTI application and the information provided by the PIO vide letter dated 12.04.2019, the following was concluded:

- | | |
|----------------|--|
| - Points-1 & 2 | - Sufficiently replied and information provided |
| - Point-3 | - Incomplete reply. The PIO to relook and provide Information |
| - Point-4 | - If there is any department enquiry which has been conducted, to provide enquiry report |
| - Point-5 | - The information is not covered under the ambit of the information as per the RTI Act. |

The case was again heard on **14.01.2020**. Both the parties were absent. The PIO was given one more opportunity to comply with the earlier order of the Commission and directed to provide the complete information to the appellant.

The case was last heard on **03.03.2020**. The appellant claimed that the PIO has not provided the information as per order of the Commission. The respondent was absent on 3rd consecutive hearing nor had complied with the order of the Commission. The PIO was issued a **show cause notice under Section 20 of the RTI Act and directed to file reply on an affidavit.**

Hearing dated 05.08.2020:

The case has come up for hearing today through video conferencing at DAC Patiala. The respondent present pleaded that the information on points 3 & 4 has been provided. The appellant is not satisfied with the reply on point-3.

Hearing both the parties, the PIO is directed to give an affidavit regarding point-3 that the information that has been provided is true, complete and no other information is available.

Appeal Case No. 2356 of 2019

The reply to the show cause notice has not been received. The PIO is directed to submit reply to the show cause notice on an affidavit.

The Commission also observes that the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO is directed to pay an amount of **Rs.3000/-** via demand draft drawn through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

To come up for further hearing on **02.09.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated:05.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to 1.Sr.Xen, Distribution Division,
Model Town, Patiala

2. Asstt.Engineer, East Technical Sub-Div,
PSPCL, Patiala.

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Sh. Suresh Kumar, S/o ShJit Singh
Village BathoiKhurd, P.O Karhali,
Distt Patiala.

...Appellant

Vs

Public Information Officer,
O/o SDO, PSPCL,
Balbehra, Distt Patiala.

First Appellate Authority,
O/o CE, Commercial,
PSPCL, Patiala.

...Respondent

Appeal Case .No. 4335 of 2019

PRESENT: Sh.Suresh Kumar as the Appellant
Sh.PankajBansal, SDO- PSPCL Balbehra for the Respondent

ORDER:

The appellant through RTI application dated 23.08.2019 has sought information regarding order of the State information Commission dated 06.03.2019 for providing of information and other information concerning the office of SDO, PSPCL, Balbera, District Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 30.09.2019 which took no decision on the appeal.

The case was last heard on 11.03.202. The respondent present pleaded that the information has been supplied to the appellant vide letter dated 12.09.2019. The appellant was not satisfied and stated that the enquiry report by the Tehsildar has not been provided. The respondent stated that whatever the information was supplied by the Tehsildar, it has been sent to the appellant.

Hearing both the parties, the PIO was directed to relook at point-2 and provide the information on an affidavit.

Hearing dated 05.08.2020:

The respondent present pleaded that an affidavit regarding point-2 has been provided to the appellant with a copy to the Commission. The appellant has received the same.

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

Chandigarh
Dated:05.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Raj Singh, S/o Shlshar Singh,
R/o Village Todarwal, P.O Babarpur,
Tehsil Nabha, Distt Patiala

... Appellant

Versus

Public Information Officer,
O/o SSP,
Patiala.

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

...Respondent

Appeal Case No. 1635 of 2019

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

ORDER:

The case was first heard on 14.11.2019. The respondent present pleaded that the enquiry in both the cases has been completed and the reports alongwith complete files have been submitted in the courts of Sh.Randeep Kumar, Judicial Magistrate (1st Class)Patiala. The reply has been sent to the appellant. The respondent further informed that the appellant is satisfied with the reply and has agreed to get the information from the concerned court. The appellant had however, asked for supply of copy of FIR only which they will send to the appellant through registered post. The appellant was absent and telephonically had asked for adjournment.

The case was again heard on **23.01.2020**. The respondent pleaded that the appellant be asked to inspect the record and get the relevant information. The appellant had agreed for the same. The appellant was directed to inspect the record by fixing a mutually convenient date and time and get the relevant information. The PIO was directed to allow inspection and provide the information as per the RTI Act before the next date of hearing.

The case was again heard on **17.02.2020**. The appellant informed that despite visiting the office of PIO for three times, the PIO had not provided the record for inspection. The respondent present pleaded that since the enquiry has been completed and the report alongwith complete record has been presented in the court, the information cannot be provided. The copy of FIR was provided to the appellant during the hearing. The respondent was directed to send appropriate reply to the appellant that why information on other points is being denied. The reply to be sent within a week.

On the last date of hearing on **02.03.2020**, the respondent present pleaded that as per report of SHO, Police Station Tripti Patiala, the enquiry in both the FIR cases has been completed and final report has been filed in the court. The reply has been sent to the appellant.

The appellant is absent. The case was adjourned.

Hearing dated 05.08.2020:

The case has come up for hearing today through video conferencing at DAC Patiala. The appellant informed that as per the claim of the police, he had sought documents from the concerned court where the said challan had been presented. The appellant claimed that the court has provided some documents, but has denied the remaining documents on the grounds that the remaining documents are not part of the judicial file.

Henceforth, The PIO is directed to provide the remaining documents, which are in the custody of the police.

If the PIO is unable to provide the information that has been sought, the Commission will be constrained to conduct an enquiry as to where the rest of the documents are-since the police is claiming that they are now part of the judicial file, whereas the court has replied that it has only some documents on the file which have been sought .

To come up for further hearing on **02.09.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated: 05.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Vijay Kumar,
H NO-356, Sector-25,
Panchkula.

... Appellant

Versus

Public Information Officer,
O/o Chief Administrator,
GMADA, Mohali.

First Appellate Authority,
O/o Chief Administrator,
GMADA, Mohali.

...Respondent

Appeal Case No. 4364 of 2019

PRESENT: None for the Appellant
Sh.Gurvinder Singh, Asstt. EO GMADA for the Respondent

ORDER:

The appellant through RTI application dated 25.05.2019 has sought information regarding approval for floating of scheme for allotment of residential plots in IT city under 753 plot scheme of GMADA and other information concerning the office of Chief Administrator, GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 25.07.2019 which took no decision on the appeal.

The case was last heard on 12.03.2020. Both the parties were absent. The case was adjourned.

The case has come up for hearing again to day through video conferencing at DAC Mohali. The respondent present pleaded that the appellant was asked vide letter dated 29.07.2019 to inspect the record and get the relevant information. However, the appellant did not turn up and filed first appeal with the First Appellate Authority. Thereafter, the information has been sent to the appellant on 29.10.2019.

The appellant is absent on 2nd consecutive hearing nor has he pointed out any discrepancies with the information that has been sent to him. It is presumed that the appellant has received the information and is satisfied.

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

Chandigarh
Dated: 05.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Sucha Singh, S/o Lt ShNasib Singh,
VPO MauliBaidwan, Sector-80,
Mohali.

... Appellant

Versus

Public Information Officer,
O/o E.O, GMADA,
Sector-62, Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1777 of 2019

PRESENT: Sh..Himmat Singh for the appellant
Sh.Gurvinder Singh, Asstt. EO GMADA for the Respondent

ORDER:

The case was first heard on 18.09.2019. The respondent pleaded that the appellant to inspect the record and get the relevant information. The appellant was directed to visit the office of the PIO on the date fixed i.e. on 04.10.2019 at 11.00 AM and inspect the record. The PIO was directed to allow inspection of the record and provide the relevant information to the appellant.

The case was again heard on **10.12.2019**. The appellant was present and informed that he had inspected the record but the information was not provided. The respondent was absent. The case is adjourned.

The case was last heard on **03.03.2020**. The appellant informed that he has inspected the record but has not been able to locate the information.

Having gone through the file, the Commission observed that the appellant has basically sought action taken on his application dated 28.06.2011 given for the allotment of plot alongwith earnest money of Rs.50000/- by way of demand draft which was accepted by GMADA vide receipt No.4156 dated 06.07.2011. The PIO was directed to provide the information or file a suitable reply on an affidavit.

Hearing dated 05.08.2020:

The respondent present pleaded that he has just joined this office and as per record, the information is not available in their record.

In the last hearing, the PIO was directed to provide the information or file a suitable reply on an affidavit. The PIO is given one more opportunity to provide the information and if the information is not available, to give in writing on an affidavit. The information be provided within 15 days and send a compliance report to the Commission.

With the above order, the case is **disposed off and closed**. The Commission makes it clear that if the information is not provided, the appellant is free to come to the Commission again.

Chandigarh
Dated 05.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Deepak Gutt,
H no-631, Sector-9,
Punchkula.

... Appellant

Versus

Public Information Officer,
O/o GMADA,
Mohali.

First Appellate Authority,
O/o GMADA,
Mohali.

...Respondent

Appeal Case No. 1244 of 2019

PRESENT: None for the Appellant
Sh.Santokh Singh, Sr.Assistant –GMADA for the Respondent

ORDER:

The case was first heard on 31.07.2019. The Respondent pleaded that the information has been provided to the appellant vide letter dated 09.01.2019. The appellant was not satisfied and stated that the respondent has not provided information regarding role, responsibility of GMADA and an action if the developer fails to give possession of plots to public as sought in point-30. The respondent stated that they have cancelled the license of the builder.

Hearing both the parties, the Commission directed the PIO to relook at point-30 and reply accordingly as per the query raised in the RTI application.

The case was again heard on **05.12.2019**. The respondent had brought the information and handed over to the appellant. The appellant was not satisfied.

Hearing both the parties, the appellant was directed to inspect the record and get the relevant information. The PIO was directed to allow inspection to the appellant by fixing a mutually convenient date and time and provide certified copies of the information relating to this RTI application.

The case was last heard on **03.03.2020**. The respondent was absent. The Commission received a letter from the PIO on 27.01.2020 stating that the complete information has been provided to the appellant and a copy of the same submitted to the Commission. The appellant was not satisfied and informed that he had received a letter dated 19.02.2020 from the PIO regarding point-25 stating that there were so many court cases going on against Sky Rock City Welfare Society but they do not have any complied information.

Having gone through the reply, the Commission observed that point-25 has not been appropriately replied by the PIO. The PIO was directed to provide a list of all court cases filed by GMADA regarding Sky Rock City Welfare Society,

Hearing dated 05.08.2020:

The case has come up for hearing through video conferencing at DAC Mohali. The respondent has brought the reply and has sent a copy of the same to the Commission via whatsapp. In the reply, the PIO has stated that no case has been filed by GMADA against M/s Sky Rock City Welfare Society. However three members of the society have filed cases against M/s Sky Rock City Welfare Society in different courts in which GMADA has been made a party.

The appellant is absent. Having gone through the reply, the Commission observes that the RTI application has been suitably replied and the information has been provided to the best possible extent. The PIO is directed to send the reply regarding point-25 to the appellant through registered post. A copy of the reply is being attached with the order for the appellant.

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

Chandigarh
Dated:05.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Darshan Lal, S/o Sh Karan Chand,
H No-8456, Sector-125, Sunny Enclave,
Kharar, Distt Mohali.

... Appellant

Versus

Public Information Officer,
O/o XEN, PSPCL,
Kharar.

First Appellate Authority,
O/o SE, PSPCL,
Roopnagar.

...Respondent

Appeal Case No. 522 of 2019

PRESENT: Sh.Darshan Lal as the Appellant
Sh.Swaranjit Singh, SDO-PSPCL, Kharar for the Respondent

ORDER:

The case was first heard on **08.05.2019**. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated that he had asked for total number of electric connections in the name of Poonam Sharma. The PIO was directed to provide total number of electric connections issued in the name of Poonam Sharma w/o Rahul Partap Singh from 01.04.2009 to 31.03.2017 and the copies of documents enclosed at the time of applying for the connection.

The case was again heard on **16.07.2019**. Both the parties were absent. In the interest of justice, one more opportunity was granted and the case was adjourned. The PIO was directed to comply with the earlier order of the Commission which still stands and be present on the next date of hearing.

The case was further heard on **28.08.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent on 2nd hearing nor had complied with the order of the Commission. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and** directed to file reply on an affidavit. The PIO was again directed to provide the information to the appellant within 10 days of the receipt of this order.

Sh.Bachitter Singh, SDO-Operation Sub-Division, PSPCL City Kharar-1 appeared late and pleaded that the information will be provided to the appellant within a week.

The case was further heard on **05.12.2019**. The appellant claimed that the information which has been provided by the PIO is incomplete. The appellant also submitted objections. A copy of the objections was attached with the order for the PIO. The PIO was directed to provide, If such document exists and remove the deficiency if any.

On the last date of hearing on **03.03.2020**, the respondent pleaded that the earlier SDO had retired and he has recently joined as SDO-PSPCL Kharar. The respondent further pleaded that the available information has been provided to the appellant and no further information is available in their record. The PIO was directed to give this on an affidavit that no further information is available. The affidavit to be provided within 15 days. The PIO was also directed to file reply to the show cause notice.

Hearing dated 05.08.2020:

The appellant claims that the PIO has not provided the complete information. In the last hearing, the respondent informed that the available information has been supplied to the appellant and no further information is available. The respondent was directed to give this in writing on an affidavit. The respondent present has submitted a copy of affidavit via email which is taken on the file of the Commission.

The PIO has however, not submitted reply to the show cause notice. The PIO is given one last opportunity to file reply to the show cause notice issued on 28.08.2019 for delay in providing the information 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 against the PIO as per the RTI Act.

To come up for further hearing on **08.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 05.08.2020

Sd/-
(Khushwant Singh)
State Information Commissioner