

**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 Meeting Code:15857-23975

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

Shri Gurdev Singh
S/o Shri Gurbachan Singh
2163, Tibbi Sahib Road,
Gaushala Street, Sri Muktsar Sahib.

.....Appellant

Versus

Public Information Officer
O/o Director, State Transport,
Punjab, Sector-17, Chandigarh.

First Appellate Authority
O/o Director, State Transport,
Punjab, Sector-17, Chandigarh.

....Respondents

AC No.3312 of 2020

Present: (i) Shri Gurdev Singh, the appellant.
(ii) Shri Kuldeep Singh, Superintendent O/o Director, State Transport, Punjab, Chandigarh.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 22.03.2021 passed on the previous hearing.
2. Shri Gurdev Singh, appellant comes present to attend the hearing through Cisco Webex. He states that as per directions of the Bench, he visited the office of PIO for inspection the record on 23.04.2021 but he was not entertained and rather, the officials concerned misbehaved with him.
3. Shri Kuldeep Singh, Superintendent O/o Director, State Transport, Punjab, Chandigarh comes present to attend the hearing through Cisco Webex and states that the information has been supplied to the appellant vide letter dated 30.04.2021.
4. On apprising of the version of the PIO by the Bench, the appellant states that the information provided vide letter dated 30.04.2021 is the same as was supplied vide letter dated 14.09.2020. The information being partial, he is not satisfied with the same.

Cont..P-2



-2-

AC No.3312 of 2020

5. Post deliberations, the PIO is again directed to call the appellant to his office, before the next hearing, on any working day by tying up with him. The appellant will inspect the relevant official records and identify the information he needs. The PIO is directed to provide the information to the appellant so identified by him before next hearing

6. The PIO o/o Director, State Transport, Punjab is also directed to file an affidavit on non-judicial stamp paper 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.3312/2020 has been provided to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be filed before the Bench on the next hearing.

7. The PIO is also directed to file reply to the show cause notice issued on the previous hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.08.2021 at 11.30 AM through Cisco Webex.** Copies of order be given to the concerned parties.

**Chandigarh
07.06.2021**

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

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Sh. Darshan Singh Mehmi,
S/o Sh. Sukhram Singh,
R/o 4576, MIG, Super Flats,
Sector:70, Mohali.

.....Appellant

Versus

Public Information Officer

O/o Chief Administrator,
GLADA, Ludhiana.

First Appellate Authority,

O/o Chief Administrator,
GLADA, Ludhiana.

...Respondents

AC No.4000 of 2020

Present:

- (i) Shri Daljit Singh Grewal on behalf of the appellant.
- (ii) Shri Gulshan Kumar, Estate Officer/PIO,
GLADA, Ludhiana.

ORDER

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 22.03.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant has not come present and he has authorized Shri Daljit Singh Grewal who attends the hearing through Cisco Webex. The representative of the appellant states that only partial information has been received by the appellant. He further states that on point nos. 1 to 3 information has been received but on point nos. 4 to 8, the information is still awaited.
3. Shri Gulshan Kumar, Estate Officer/PIO comes present to attend the hearing through Cisco Webex. He states that the information has been given by hand to the appellant on 02.11.2020. He further states that the appellant is seeking NOC regarding the land which was not acquired and the same cannot be supplied as the matter is under consideration of the Court.

Cont..P-2



-2-

AC No.4000 of 2020

4. The representative of appellant is apprised of the version of PIO. He states that the appellant has not sought the NOC and that he has sought copies of the information/documents relating to the enquiry into a complaint made by one Harish Kumar, which have not been provided.

5. Post deliberations, the Bench directs the PIO to call the appellant to his office and allow him access to the relevant official records. The appellant, on perusal of official records, will identify the documents/information relating to point nos. 4 to 8 of the RTI application of the appellant, and the same will be provided by the PIO before the next hearing.

6. The PIO is also directed to file reply to the show cause notice issued on the previous hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.08.2021 at 11.30 AM through Cisco Webex.** Copies of order be given to the concerned parties.

**Chandigarh
07.06.2021**

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

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Shri Karamjeet Singh,
S/o Sh. Maghar Singh,
1169, Khanna Nagar,W.No.12,
Road Bye Pass,Lehragaga,
District Sangrur.

..Appellant

Versus

Public Information Officer

O/o Chairman-cum-Managing Director,
PSPCL, Head Office, The Mall, Patiala.

First Appellate Authority,

O/o Chief Engineer, HRD,
PSPCL, The Mall, Patiala

Public Information Officer,

O/o Chief Engineer, HQs
(Souh Zone),PSPCL, The Mall, Patiala

Public Information Officer,

O/o Chief Engineer, Technical to Director,
Admn., ,PSPCL, The Mall, Patiala.

....Respondents

AC No.4066 of 2020

Present:

- (i) Shri Karamjeet Singh, the appellant.
- (ii) Shri Sandeep Gupta, Dy.Chief Engineer/PIO, Technical to Director, Admn., PSPCL, Patiala.
- (iii) Ms. Kiran Bala, Deputy Secretary (P&R)/APIO,PSPCL Patiala.

ORDER

(Head Through Cisco Webex)

1. This order may be read with reference to the order dated 22.03.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant comes present to attend the hearing through Cisco Webex and says that only partial information stands supplied. He states that he also visited the office of Deputy Secretary/APIO, PSPCL on 25.05.2021 to inspect the records but he was not shown any records showing their inability.

Cont..P-2



-2-

AC No.4066 of 2020

3. Shri Sandeep Gupta, Dy. Chief Engineer/PIO, Technical to Director, Admn., PSPCL, Patiala. He states that out of 10 points, information on points 3 & 4 relates to him which has been supplied to the appellant. He states that the remaining information relates to Dy. Chief Engineer/PIO, Head Quarter, South Zone, PSPCL, Patiala.

4. The Bench observes that Dy. Chief Engineer/PIO, Head Quarter, South Zone, PSPCL, Patiala has neither come present nor has deputed any of the officials to attend the hearing through Cisco Webex. The Bench further observes where the RTI application involves more than one PIO, it is the duty of Nodal Officer to ensure that the information is compiled and made available to the appellant. As such, the Nodal Officer, O/o Chief Engineer/HRD, RTI Cell, PSPCL, Patiala is impleaded as Respondent No.2. He is directed to ensure that the information on all the points is collected and supplied to the appellant before the next hearing. He is also directed to file a written reply to the show cause notice issued on the previous hearing.

5. The Bench also directs the Nodal Officer, O/o Chief Engineer/HRD, RTI Cell, PSPCL, Patiala to call the appellant to office and allow him access to the relevant official records. The appellant, on inspection of the records, will identify the information required by him and the PIO will supply information as identified by the appellant, before the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.08.2021 at 11.30 AM through Cisco Webex.** Copies of order be given to the concerned parties.

**Chandigarh
07.06.2021**

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

Copy to (By Regd.Post)

PIO O/o Chief Engineer, HQs
(Souh Zone),PSPCL, The Mall, Patiala

PIO,O/o Chief Engineer, Technical to Director,
Admn., PSPCL, The Mall, Patiala.

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Er. Arun Garg S/o Shri Sham Lal
H.No.40-41, Central Town
Village Dad, PO Lalton Kalan,
District Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o District Magistrate-cum-
Deputy Commissioner,
Ludhiana.

First Appellate Authority-cum-

O/o Addl. Deputy Commissioner,
Ludhiana.

....Respondents

AC No.1313 of 2019

Present: (i) **Shri Arun Garg, Appellant.**
(ii) **Shri Paramjot Singh, Junior Assistant O/o Deputy
Commissioner, Ludhiana on behalf of PIO.**

ORDER

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 22.03.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant Er. Arun Garg comes present to attend the hearing through Cisco Webex.
3. The facts of the case are that the appellant had submitted an application dated 22.11.2013 regarding reimbursement of medical expenditure incurred while he was confined to Jail. He then filed RTI application dated 03.12.2018 to PIO O/o D.C. Ludhiana seeking action taken report on his application dated 22.11.2013. However, his RTI application was misplaced in the office of D.C. Ludhiana and the same has not been traced. A number of hearings were held in this appeal case and the PIO O/o D.C. Ludhiana has filed affidavit dated 04.11.2019 and 12.10.2020 to the effect that this application is not available in D.C. Office, Ludhiana.
4. Earlier, this appeal case was heard by Ld. State Information Commissioner, Mrs. Preety Chawla and was transferred to the Bench vide order dated 17.11.2020. On transfer of the case to this Bench, this Bench has held two hearings in this case and this is the third hearing. The

Cont.P-2

appellant in the previous hearing and even now, is insisting that an enquiry be conducted into the loss of his application dated 22.11.2013 and the official responsible be punished as also penalty be imposed. Shri Paramjot Singh, Junior Assistant O/o Deputy Commissioner, Ludhiana who attends the hearing through Cisco Webex states that the application dated 22.11.2013 of the appellant could not be traced in the office of D.C. and accordingly, the concerned official was called upon to explain in this regard. He further states that an affidavit to this effect has also been filed.

5. The Bench has heard the versions of the appellant and representative of the PIO and is of the opinion that ordering an enquiry and taking disciplinary action against an official is in the domain of the Executive and not in the domain of the Information Commission. The appellant, however, in the present hearing dated 07.06.2021, insisted that the Commission must pass an order for ordering an enquiry in to the loss of application of the appellant and also impose a penalty. He has also quoted two judgments of Hon'ble Central Information Commission in support of his claim.

6. The Bench, on further deliberations feels that there has been a laxity at D.C. office, Ludhiana in handling the applications received from the public, in the present case, the application of the appellant for medical reimbursement, has been misplaced/lost. This is, thus, a fit case to be examined by a larger Bench and come to a conclusion in order to pass a final order. The appellant has also requested that State Information Commissioner, Lt Gen Ajae Kumar Sharma should form part of the larger Bench.

7. In view of the facts of the case and the issue raised by the appellant, the Bench deems it appropriate that the instant case is heard by a larger Bench. Accordingly, the appeal case is sent to the Deputy Registrar, PSIC to take further action regarding placing of this appeal before a larger Bench for consideration and disposal.

Chandigarh
07.06.2021

CC: Deputy registrar O/o PSIC (original file enclosed)

(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Shri. Bakshish Singh,
88, New Jawahar Nagar,
Jalandhar.

.....Appellant

Versus

Public Information Officer
O/o Executive Officer,
Improvement Trust,
Ludhiana.

First Appellate Authority
O/o Deputy Director,
Local Govt., Ludhiana.

....Respondents

AC No.1218 of 2020

Present: (i) Shri. Bakshish Singh, the appellant.
(ii) Shri Harmit Singh, APIO O/o E.O, Improvement Trust,
Ludhiana on behalf of the PIO.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 22.03.2021 passed on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant has attended the hearing through Cisco Webex.
3. Shri Harmit Singh, APIO comes present to attend the hearing. He states that complete official records have been shown to the appellant in the Head office at Chandigarh by Shri Harpal Singh on 15.03.2021. The appellant has been provided the complete information vide letter dated 12.03.2021, 15.04.2021 and 03.05.2021 by registered post and that an affidavit has also been provided to the appellant vide letter dated 04.06.2021.

Cont..P-2



-2-

AC No.1218 of 2020

4. On the asking of the Bench, the appellant states that he has sent letter dated 03.05.2021 to the Commission wherein he has pointed out certain deficiencies stating that the information as required by him has not been provided and whatever information has been provided, is not attested by the PIO.

5. Post deliberations, the Bench directs the PIO to bring along the entire relevant record as also the original affidavit on the next date and produce before the Bench. The Appellant is advised to come present in person on the next date of hearing before the Bench at Chandigarh.

6. The case is adjourned. **To come up for hearing on 24.08.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of order be given to the concerned parties.

**Chandigarh
07.06.2021**

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

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
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Helpline No.0172-2864116 (10.00 AM to 04.00 PM on working days)

Shri. Bakshish Singh,
88, New Jawahar Nagar,
Jalandhar.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Improvement Trust,
Ludhiana.

First Appellate Authority

O/o Deputy Director,
Local Govt., Ludhiana.

....Respondents

AC No.1257 of 2020

Present:

- (i) Shri. Bakshish Singh, the appellant.
- (ii) Shri Harmit Singh, APIO O/o E.O, Improvement Trust,
Ludhiana on behalf of the PIO.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 22.03.2021 passed on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant has attended the hearing through Cisco Webex.
3. Shri Harmit Singh, APIO comes present to attend the hearing. He states that complete official records have been shown to the appellant in the Head office at Chandigarh by Shri Harpal Singh on 15.03.2021. The appellant has been provided the complete information vide letter dated 12.03.2021, 15.04.2021 and 03.05.2021 by registered post and that an affidavit has also been provided to the appellant vide letter dated 04.06.2021.

Cont..P-2



-2-

AC No.1257 of 2020

4. On the asking of the Bench, the appellant states that he has sent letter dated 03.05.2021 to the Commission wherein he has pointed out certain deficiencies stating that the information as required by him has not been provided and whatever information has been provided, is not attested by the PIO.

5. Post deliberations, the Bench directs the PIO to bring along the entire relevant record as also the original affidavit on the next date and produce before the Bench. The Appellant is advised to come present in person on the next date of hearing before the Bench at Chandigarh.

6. The case is adjourned. **To come up for hearing on 24.08.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of order be given to the concerned parties.

**Chandigarh
07.06.2021**

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

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Shri Tejinder Singh, Advocate
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur, District Jalandhar.

.....Appellant

Versus

Public Information Officer
O/o Greater Ludhiana Area
Development Authority(GLADA)
Ludhiana.

First Appellate Authority-cum-
O/o Addl. Chief Administrator,
Greater Ludhiana Area
Development Authority(GLADA)
Ludhiana..

....Respondents

AC No.1177 of 2021

Present: (i) **Shri Tejinder Singh, Appellant**
(ii) **Shri Gulshan Kumar, Estate Officer/PIO, GLADA, Ludhiana.**

ORDER:

(Heard through Cisco Webex)

1. The RTI application is dated 26.09.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 12.12.2020 and the second appeal was filed in the Commission on 04.03.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 07.06.2020 by the Commission. The case has been heard today through Cisco Webex.

3. Shri Tejinder Singh, appellant attends the hearing through Cisco Webex. He states that he has not been provided any information by the respondent. The information has been denied on the ground that RTI application is in the question form.

4. Shri Gulshan Kumar, Estate Officer, GLADA, Ludhiana comes present to attend the hearing through Cisco Webex. He reiterates the stand of PIO conveyed to the appellant that the information sought is in question form.

Cont...P-2



-2-

AC No.1177/2021

5. Post deliberations and perusing the RTI application, the Bench finds that the RTI application is acceptable and does not agree with the contention of PIO. The PIO is directed to call the appellant to his office, before the next hearing, on any working day by tying up with him. The appellant will inspect the relevant official records and identify the information he needs. The PIO is directed to provide the information to the appellant so identified by him.

6. The PIO o/o Estate Officer, GLADA, Ludhiana is also directed to file an affidavit on non judicial stamp paper 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.1177/2021 has been provided to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and photocopy be sent to the Commission before the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.08.2021 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
07.06.2021**

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

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Shri Satvinder Singh,
#2778/7, Sector-61,
Mohali.

.....Appellant

Versus

Public Information Officer
O/o Estate Officer,
Greater Mohali Area
Development Authority(GMADA)
Mohali.

First Appellate Authority-cum-
O/o Estate Officer,
Greater Mohali Area
Development Authority(GMADA)
Mohali.

....Respondents

AC No.1139 of 2021

Present: (i) **Shri Satvinder Singh, Appellant**
(ii) **None on behalf of the PIO.**

ORDER:

(Heard through Cisco Webex)

1. The RTI application is dated 29.10.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 04.12.2020 and the second appeal was filed in the Commission on 02.03/2021/ 03.03.2021 U/S 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 07.06.2020 by the Commission. The case has been heard today through Cisco Webex. Shri Satvinder Singh, appellant attends the hearing through Cisco Webex. He states that he has received partial information and is not satisfied with the information supplied.

3. Neither the PIO has come present to attend the hearing nor has deputed any of his representatives to attend the hearing. Moreover, complete information has also not been provided to the appellant. This attitude of the PIO is viewed adversely by the Bench.

Cont...P-2



-2-

AC No.1139/2021

4. The PIO O/o Estate Officer, GMADA, Mohali is issued show cause notice to explain his absence and as to why action should not be taken against him in the instant case. 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, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a 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 proceeding against him ex-parte.

6. The PIO is directed to supply complete information to the appellant before the next hearing.

7. The matter is adjourned. **To come up for hearing on 24.08.2021 at 11.30 AM Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
07.06.2021
Copy to (By Regd. Post)**

**Public Information Officer,
O/o Estate Officer,
Greater Mohali Area Development
Authority (GMADA), Mohali.**

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