



Sh. Tarsem Singh, S/o ShNishan Singh,
Roj Avenue, Chamiari Road,
Ajnala, Amritsar

... Appellant

Versus

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

First Appellate Authority,
O/o Chief Engineer, Border Zone,

...Respondent

Amritsar.

Appeal Case No. 3057 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 30.04.2019 sought information regarding copy of application form/request dated 25.08.2015 for electric connection No.A11SA441492M alongwith copy of bills issued and other information from the office of Addl. SE (Operational), PSPCL Division Ajnala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 20.05.2019 which took no decision on the appeal. After filing first appeal, the PIO sent a reply to the appellant vide letter dated 27.06.2019. On being not satisfied with the information, the appellant filed 2nd appeal in the Commission on 21.08.2019.

On the date of hearing on 30.12.2019, the representative appeared on behalf of the appellant informed that the PIO has not provided the complete information. The respondent was absent. The PIO was directed to relook at the RTI application and provide the complete information to the appellant within 10 days.

On the next date of hearing which was held on **17.03.2020**, the appellant claimed that the PIO has not provided the information. The respondent was absent on the 2nd consecutive hearing. The PIO-Addl. SE(Operational), PSPCL Division Ajnala was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit**. The PIO was again directed to provide the complete information within 10 days of the receipt of this order.

On the date of hearing again on 04.08.2020, the appellant claimed that the PIO has not provided the information. The PIO-Additional SE (Operational) PSPCL, Division Ajnala was absent on 3rd consecutive hearing nor had filed reply to the show cause notice. To secure an erring PIO's presence before the commission the Information Commission, a bailable Warrant under section 18(3) of the RTI Act of the PIO-Additional SE (Operational) PSPCL, Division Ajnala was issued through Senior Superintendent of Police, Amritsar for his presence before the Commission on **15.09.2020**.

Appeal Case No. 3057 of 2019

On the date of hearing on **15.09.2020**, the respondent was present at Chandigarh and informed that the information has been provided to the appellant vide letter dated 03.09.2020 with a copy to the Commission. The Commission had received the copy of the information on 09.09.2020 which had been taken on the file of the Commission.

The appellant was not satisfied. Having gone through the information that had been provided and hearing both the parties, the following was concluded:

- Point-1 - Information provided
- Point-2 - Information provided. Appellant not satisfied. The PIO to give in writing on an affidavit that the meter number was wrongly entered but the same has been corrected.
- Point-3 - PIO to give reply on an affidavit
- Point-4 - PIO to give reply on an affidavit

The PIO submitted a reply to the show cause notice which was taken on the file of the Commission. The decision on the show cause to be taken on the next date of hearing.

A copy of the order was sent to the Superintending Engineer, PSPCL Sub-urban, Circle Amritsar with the direction to enquire into the matter of mismatch of meter serial number and submit detailed enquiry report to the Commission.

On the data of hearing on **09.11.2020**, as per appellant, the PIO had not provided the information. The PIO was absent nor had compiled the order of the Commission.

It was also observed that the respondent Sh.Gurmeet Singh was present in another appeal case No.909 of 2019 but had chosen not to appear in this particular case. Looking at the history of the case as well as non-compliance of last order and the attitude of the respondent while disseminating information, it was clear that the respondent had willfully denied the information.

Since the appellant to collect the information had to suffer undue inconvenience, the PIO-Addl.SE(Operational) PSPCL Division Ajnala was directed to pay an amount of **Rs.3000/-** via demand draft as compensation to the appellant and submit proof of having compensated the appellant. The PIO was again directed to comply with the earlier order of the Commission. The decision on the show cause notice will be taken at the next date of hearing.

Hearing dated 09.03.2021:

The case has come up for hearing today through video conferencing at DAC Amritsar. Due to non-functioning of the VC at DAC Amritsar, hearing could not take place.

The case is adjourned. To come up for further hearing on **_18.05.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated 09.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: Superintending Engineer, PSPCL Sub-urban, Circle Amritsar

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Vikarm Vaid,
H No-1527, Gali No-2,
Bagh Rama Nand,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Director of Local Govt,
Sector-35-A, Chandigarh.

First Appellate Authority,
O/o Addl, Director,
Deptt of Local Govt,
Sector-35-A, Chandigarh.

... Respondent

Appeal Case No. 1336 of 2020

PRESENT: Sh. Santokh Lal, Accountant, Nagar Panchayat Mehatpur for the Respondent

ORDER: The appellant through RTI application dated 05.11.2019 has sought information regarding details of funds allotted to Mehatpur Nagar Panchayat after 01.09.2006 in Nakodar – objective plan for which funds were allotted – bank details of Mehatpur Panchayat – internal audit report – AG Punjab audit report – deficiency found in audit report and other information concerning the office of Director of Local Govt. Department, Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 22.12.2019 which took no decision on the appeal.

The case last came up for hearing on 07.10.2020 through video conferencing at DAC Amritsar. The respondent present pleaded that the information has been sent to the appellant vide letter dated 03.10.2020 and a copy of the same submitted to the Commission. The appellant claimed that he has not received the information.

Since as per respondent, the information was sent on 03.10.2020, the appellant was directed to point out the discrepancies to the PIO once the information is received and the PIO was directed to remove the same.

Hearing dated 09.03.2021:

The case has come up for hearing today through video conferencing at DAC Amritsar. Due to non functioning of VA at DAC Amritsar, the appellant could not be heard.

The Commission has received an email from the appellant in which the appellant has pointed out deficiencies, which has been taken on the file of the Commission. The respondent has brought the information and claims that all deficiencies have been redressed.

A copy of the additional information is being sent to the appellant alongwith the order.

The case is adjourned. To come up for further hearing on **18.05.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Amritsar. The PIO to appear at Chandigarh.

Sd/-

Chandigarh
Dated: 09.03.2021

(Khushwant Singh)
State Information Commissioner



Sh Anil Mittal, S/o ShDharam Pal,
22121, Gali No-11/4, Power House Road,
Bathinda.

... Appellant

Versus

Public Information Officer,
O/o EO, BDA,
Bathinda.

First Appellate Authority,
O/o Addl, Chief Administrator,
BDA, Bathinda.

...Respondent

Appeal Case No. 1943 of 2019

PRESENT: Sh.Anil Mittal as the Appellant
Sh.Amandeep Singh, Junior Assistant O/o BDA Bathinda for the Respondent

ORDER: The case was first heard on 17.10.2019. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and informed that the information supplied is incomplete and not certified. Hearing both the parties, following was concluded:

Points-1,2,3,4,5, 7, 8, 9, 11 & 14	-	Information provided.
Points-10	-	Information not available in the record
Points-6, 12 & 13	-	Respondent informed that the information relates to Revenue Patwari, Patti Mehna Distt. Bathinda. The PIO is directed to transfer the RTI Application to the Concerned Patwari. The Revenue Patwari, Patti Mehna is impleaded in the case and directed to provide the information duly certified.

The case was again heard on **23.12.2019**. Both the parties were absent. The PIO-Revenue Patwari was also absent. The PIO-Revenue Patwari, Patti Mehna, was given one more opportunity to comply with the earlier order of the Commission and be present on the next date of hearing.

The case was last heard on **17.03.2020 through** video conferencing at DAC Bathinda. The appellant informed that the PIO-Revenue Patwari, Patti-Mehna has not provided the information and the information supplied on points 1,3,4,5,11 & 14 is not legible.

The Revenue Patwari, Patti Mehna was absent. The PIO was directed to provide legible and signed copies of the information to the appellant. The Revenue Patwari, Patti Mehna was given one last opportunity to provide the information concerning them as per earlier order which still stands otherwise the Commission will be constrained to take action as per the provisions of RTI Act. The information be provided within 15 days.

On the date of last hearing on **07.09.2020**, the Revenue Patwari, Patti Mehna was present and informed that the information concerning them has been supplied to the appellant. The appellant stated that he had received information on point-6 only and other information that had been provided by the PIO-BDA was also not legible.

Appeal Case No. 1943 of 2019

Having gone through the RTI application and hearing both the parties, the following was concluded:

- | | | |
|-----------------|---|---|
| - Point-1,2,3&4 | - | As per appellant, the information is not legible. The PIO-BDA to provide legible copy of the information. |
| - Point-5 | - | PIO to respond appropriately |
| - Point-6 | - | Copy of jamabandi to be provided by Patwari |
| - Point-7 | - | NA |
| - Point-8 | - | BDA to provide the information |
| - Point-9 | - | The appellant is not satisfied with the reply. The PIO to Provide complete information. |
| - Point-10 | - | PIO to provide list of litigations |
| - Point-11 | - | Appellant not satisfied, PIO to provide complete information |
| - Point-12 | - | PIO to provide demarcation |
| - Point-13 | - | PIO to reply suitably |
| - Point-14 | - | To reply appropriately |

Since the information was voluminous, the PIO was directed to contact the appellant on his mobile No.9643122971 and sort out all the discrepancies and provide complete information within a week of the receipt of this order otherwise the Commission will be constrained to issue a show cause to the PIO under section 20 of the RTI Act.

Further since there is an enormous delay in providing the information, a copy of order was sent to the Chief Administrator ,BDA Bathinda with the direction to ensure compliance of the order.

Hearing dated 09.03.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda. The respondent present pleaded that as per order of the Commission, the record was inspected by the appellant and the available information has been supplied to the appellant. The appellant, however, is still not satisfied.

Hearing both the parties, the PIO is directed to sort out the discrepancies and provide whatever information is available point-wise to the appellant with a copy to the Commission. If the information is not available, give in writing on an affidavit that the information that has been provided is true, complete and no further information is available in the record relating to this RTI application.

To come up for further hearing on **15.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated 09.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: Revenue Patwari,
Patti Mehna, Distt.Bhatinda



Sh Hardiyal Singh, S/o Sh Jaswant Singh,
R/o Balol Patti, Village Choke,
Tehsil Maur, Distt Bathinda.

... Complainant

Versus

Public Information Officer,
O/o EO, Nagar Panchayat,
Chaoke, Tehsil Maur,
Distt Bathinda.

...Respondent

Complaint Case No. 363 of 2020

PRESENT: Sh.Hardial Singh as the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 05.12.2019 has sought information regarding copy of bills for the work done under section 35-A in village Panchayat Chauke – streets constructed alongwith street number & expenditures – date of tenders passed – earth filling in the village – number of parks developed – panchayat land given on lease from year 2014 with income generated – dharamshala constructed with expenses and other information as enumerated in the RTI application concerning the office of EO Nagar Panchayat, Chaoke, Tehsil Maur District Bathinda. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 28.06.2020.

The case has come up for hearing today through video conferencing at DAC Bathinda. The complainant claims that the PIO has not provided the information. The complainant informed that he received a letter from the PIO on 16.03.2020 vide which the PIO had denied the information and asked him to inspect the record and get the information.

The respondent is absent. The Commission observes that there has been an enormous delay 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 complainant within 10 days of the receipt of the order.

To come up for further hearing on **15.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated 09.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner