



Sh Ram Murti,  
Sandhu Colony, Jalandhar Road,  
Mehta Chowk, Amritsar.

... Appellant

Versus

**Public Information Officer,**  
O/o Chief Engineer,  
Operation, PSPCL, Border Zone,  
Amritsar.

..Respondent

**Complaint Case No. 438 of 2019**

**PRESENT:   None for the Complainant**  
**None for the Respondent**

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

The complainant through RTI application dated 18.02.2019 has sought information regarding action taken report on the complaint filed 07.12.2018 against Addl. SE PSPCL Rayya Division and other information concerning the office of Chief Engineer, Operation, PSPCL Border Zone, Amritsar. The complainant was not provided the information after which the appellant filed complaint in the Commission on 08.05.2019.

The case was first heard on 09.09.2019. The respondent present pleaded that the information has been provided to the complainant. The complainant was not satisfied and informed that the PIO has not provided the action taken report on his complaint. Hearing both the parties, the PIO was directed to relook at the RTI application and provide status of the complaint filed by the complainant.

On the date of next hearing on **04.12.2019**, the respondent pleaded that the information has already been provided to the appellant in the last hearing. The appellant was absent. At that hearing, the appellant had expressed dissatisfaction. The PIO was directed to provide whatever action has been taken on the complaint of the appellant filed on 07.12.2018 against Addl. SE-PSPCL Rayya Division and send a compliance report to the Commission.

On the date of hearing on **02.03.2020**, the respondent present sought some more time to provide the information. The complainant was absent.

On the date of hearing on **02.07.2020**, both the parties were absent. The PIO was given one more opportunity to provide the information and send a compliance report to the Commission otherwise the Commission will be constrained to issue show cause under section 20 of the RTI Act against the PIO.

On the date of hearing on **15.09.2020**, the respondent present pleaded that no action has been taken on the complaint of the complainant and the reply has been sent to the complainant on 24.08.2020. The complainant was absent and vide email sought exemption.

The Commission observed that there has been an enormous delay in attending to the RTI application. The PIO was issued a **show cause notice under Section 20 of the RTI Act and directed to file reply on an affidavit.**

## **Complaint Case No. 438 of 2019**

**On** the date of last hearing on **09.11.2020**, the respondent present pleaded that the information has been provided to the appellant vide letter dated 06.09.2019 and again on 24.08.2020 with a copy to the Commission. The appellant is absent and vide letter has informed that he has not received the letter dated 24.08.2020.

As per copy of letter dated 24.08.2020, received in the Commission on 14.10.2020, it was mentioned in the reply sent by the PIO to the appellant that since the case suit No.58/2005 was dismissed on 26.11.2010 and there was no order for taking action against any employees of the powercom, no action was taken against additional Executive Engineer (Operation) Rayya.

The PIO however, did not send an appropriate reply on the RTI application. The PIO was directed to file a suitable reply about the handling of the RTI application of complainant dated 18.02.2019 and submit a reply to the show cause notice.

### **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 Commission has received a reply of the PIO through email which has been taken on the file of the Commission.

In the reply, the PIO mentioned that since the RTI application submitted by the complainant was not fully understood due to incomplete grammatically wordings, and due to dissatisfaction of the complainant with the information provided again and again as well as the applicant being a senior citizen, the APIO-cum-Addl.SE Rayya Division met the applicant personally in the presence of his native village Sarpanch and supplied the desired information to his satisfaction.

The PIO in the reply has further mentioned that complete information has been provided to the complainant and the complainant has given an acknowledgement having received the information, a copy of which is being sent to the Commission.

Having gone through the reply, I accept the plea of the PIO and drop the show cause. Further since the complainant does not want to pursue his case further, no further course of action is required.

The case is **disposed off and closed**.

**Chandigarh**  
**Dated 09.03.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



Smt. Kamaldeep Kaur, W/o Sh. Ajaypal Singh, VPO  
Gumtala, Opp. Govt Dispensary,  
Ward No-5, Amritsar. (9872139640).

...Appellant

Versus

**Public Information Officer,**  
O/o Project Director, SarvSikhyaAbhiyan-  
cum-DEO (EE), Amritsar.

**First Appellate Authority,**  
O/o DEO (EE),  
Amritsar

Respondent

**Appeal Case No. 472 of 2020**

**PRESENT: None for the parties**

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

The appellant through RTI application dated 24.09.2019 has sought information regarding registration certificate, building safety certificate, fire safety certificate of Holy Step Public School Gumtala, District Amritsar – copy of approval granted from the office of Project Director, Sarv Sikhya Abhiyan-cum-DEO (EE), Amritsar. The appellant was denied the information by the PIO vide letter dated 21.10.2019 stating that the information is 3<sup>rd</sup> party, after which the appellant filed first appeal before the First Appellate Authority on 22.01.2020 which took no decision on the appeal.

The case was first heard on 02.07.2020. Hearing both the parties, the Commission observed that the building safety certificate, fire safety certificate and school affiliation certificate are the public information and should be displayed on the notice board of the department. The PIO was directed to provide a copy of these certificates to the appellant and if the information was not readily available, the PIO was directed to procure it from the concerned department/school and provide to the appellant.

On the date of next hearing on 28.07.2020, the respondent present from the office of DEO (EE) Amritsar informed that the available information i.e. building safety certificate, fire safety certificate and school affiliation certificate has been supplied to the appellant on 08.07.2020. The appellant was not satisfied and informed that the PIO has not supplied the information from the year 2013-2019. The respondent informed that they had asked the concerned school to deposit the current fire safety and building safety certificate which as per respondent, the school could not seek extension for that year because of lockdown due to ongoing pandemic.

Given the issue at hand, the order was passed in two parts; A) the PIO was directed to sort out the discrepancies pointed out by the appellant and provide the appellant with all the documents that have been sought and are available in the record. If the documents not available in the record, the PIO was directed to state the missing documents in the information sought on an affidavit.

Part-B – A large issue emerged in front of the bench i.e. regarding the safety of children and staff in the schools all over Punjab since some schools might not be meeting and complying with the prescribed standards of building and fire norms set by the appropriate authority. It was made clear that there is an urgent need to bring about transparency in this matter as these certificates should be a matter of suo-motto declaration rather than being confined in record rooms. Under the powers vested under section 19(8) of the RTI Act, the Commission directed that valid certificates of fire and building safety and board affiliations issued by the appropriate authorities be declared suo-motto by all the schools in Punjab on their websites and notice board. The certificates should be latest, legible and valid.

All District Education Officers were directed to ensure compliance of this order and upload this information on their websites. A copy of the order was sent to the Secretary School Education, Punjab and DPIs of Elementary and Secondary Education Punjab for the purpose of implementation effective monitoring.

On the next date of hearing on 25.08.2020, the case could not be heard because of internet snag and it was adjourned. However, regarding part-A, the Commission received a letter from DEO Amritsar stating that the complete information available with them has been provided to the appellant.

Regarding part-B, there had been no communication from any of the parties and neither of them appeared before the Commission. The Commission directed the Secretary School Education to implement the order the Commission dated 28.07.2020 and a representative be present at the next date of hearing to show the evidence that the order has been complied with. The part-B of the order dated 28.07.2020 was reproduced in the order dated 25.08.2020. The case was adjourned for 15.09.2020. The concerned PIOs were directed to appear at Chandigarh.

On the date of hearing of **15.09.2020**, the appellant claimed that the PIO has not provided the complete information. The respondent present from the office of DEO Amritsar informed that the available information has been supplied and no further information is available with them. They also claimed that to implement part-B of the Commission's order, they have already issued instructions to President/Principals of all private schools of Amritsar for uploading of valid building safety, fire safety and affiliation certificates on their websites or to display them on the noticeboard.

After hearing both the parties, it was concluded that part-A of the order i.e. the RTI application had been sufficiently replied to and complied with.

Regarding the implementation of Part-B, since the order was partially implemented, as the DEO had sent instructions to only private schools and not Govt or Govt. aided schools, the PIO was directed to extend the directions to all schools in the District.

Regarding implementation of the order in the rest of the state, the Commission had impleaded the Punjab Education Department (Elementary & Secondary) to implement the order dated 28.07.2020 which was reproduced in the instant order.

Since the Education Department had failed to appear twice at the hearing, neither replied to the two notices issued to it to make it a party in the case, the commission under the powers vested under section 19(8)(ii) of the RTI Act made the DPI of Elementary Education and Secondary Education as deemed PIOs to implement this order of the commission.

The two deemed PIOs were ordered to be present at the next date of hearing with enough proof to satisfy the commission that the order of disseminating suo-motto information (Section 4 (b)) as described in the order of date 28.07.202 was being complied with.

It was made clear that the deemed PIOs would be responsible for implementing this order, or they would be held accountable under the proceedings of Section 20 of the RTI Act, in case of reluctance or failure to comply with this order.

On the date of last hearing on **07.10.2020**, which was held through video conferencing at DAC Amritsar, the appellant was present.

Sh.Sukhjot Pal Singh, Director Public Instructions (Secondary Education, Punjab), who had been declared the deemed PIO alongside DPI (Elementary) was present at Chandigarh. DPI Elementary was absent.

Sh.Sukjit Pal Singh informed that in compliance with the order of the Commission, the education department has issued necessary instructions to all the District Education Officers of both Secondary and Elementary schools, Principal/Heads/Managers of all the private unaided schools, and Principal/Heads/Managers of all the Govt. aided schools in the State of Punjab vide letter dated 07.10.2020 for implementation of the order of the Commission.

The respondent submitted a copy of the order which had been dispatched to all the district DEOs (Elementary and Secondary) to the Commission which was taken on the file of the Commission.

This case was being kept open to ensure that it is complied with full earnestness. Hence the PIO was directed to submit a progress report of the implementation and proof of having implemented the order on 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 VC at DAC Amritsar, the hearing could not take place.

The Commission had at the last hearing received a reply from the PIO stating that the order of the Commission has been implemented and had sent a progress report of the implementation of the order by collecting it from different schools.

After going through the progress report, I see that necessary action has been taken by the PIO as per order of the Commission so no further course of action is required.

The case is **disposed off and closed**.

**Chandigarh**  
**Dated:09.03.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

- CC to: 1. The Secretary, Govt of Punjab,  
Department of School Education,  
VidyaBhawan, Phase-VIII,  
SAS Nagar, Mohali
2. Director, Public Instructions  
(Elementary Education) Pb,  
Vidya Bhawan, Phase-VIII, SAS  
Nagar, Mohali.
3. Director Public Instructions  
Secondary Education), Pb  
Vidya Bhawan, Phase-VIII, SAS  
Nagar, Mohali



Sh.Amritpal Singh, S/o Sh.Avtar Singh,  
H No-263, A/13, Gali No-8,  
Hussainpura East, Amritsar.

... Appellant

Versus

**Public Information Officer,**  
O/o Addl Secretary,  
Local Govt.Deptt,  
Sector-35-A, Chandigarh.

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

...Respondent

**Appeal Case No. 1623 of 2020**

**PRESENT: None for the appellant**

**Sh.Harjit Singh, PIO for the Respondent**

**ORDER:**

The appellant through RTI application dated 25.02.2020 has sought information regarding enquiry report on the enquiry to be conducted by B.C.Gupta, Retd. Additional Session Judge relating to embezzlement in provident fund and pension contribution in MC Amritsar and other information concerning the office of Addl. Secretary, Local Govt. Department, Pb Chandigarh. The appellant was not satisfied with the reply of the PIO dated 09.03.2020 vide which the PIO denied the information, after which the appellant filed first appeal before the first appellate authority on 16.03.2020 which took no decision on the appeal.

The case was last heard on 14.12.2020 through video conferencing at DAC Amritsar. The appellant claimed that the PIO has not provided the information. The appellant further informed that he received a telephone call from the department for deposit of Rs.100/- which was deposited via postal order.

The respondent was absent. The PIO was directed to provide a copy of enquiry report to the appellant, if complete.

**Hearing dated 09.03.2021:**

The case has come up for hearing today through video conferencing at DAC Amritsar. The respondent present pleaded that the information has been provided to the appellant.

The appellant is absent and vide letter received in the Commission on 25.01.2021 has informed that he has received the information and his appeal case may be closed.

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

**Chandigarh**  
**Dated 09.03.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh.Yogesh Mahajan S/o Sh.Kuldeep Raj Mahajan,  
Opposite Water Tank, Municipal Market,  
Mission Road, Pathankot.

... Appellant

Versus

**Public Information Officer,**  
O/o XEN, Water Supply & Sanitation,  
Division No-2, Amritsar.

**First Appellate Authority,**  
O/o SE, Water Supply and Sanitation,  
Sanitation Circle, Amritsar,

...Respondent

**Appeal Case No. 1270 of 2020**

**PRESENT:               None for the parties**

**ORDER:**

The appellant through RTI application dated 06.01.2020 has sought information regarding grants received/utilized from 07.01.2019 to 06.01.2020 in the division – comparative statements approved by competent authority for works by e-tendering – comparative statements for work by tender/offline – sanction letter issued for work of CSR and other information concerning the office of Xen Water Supply and Sanitation Division Amritsar. The appellant was provided the information after which the appellant filed first appeal before the first appellate authority on 05.02.2020 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 06.10.2020. The appellant was absent and vide email informed that he has not received the information.

Since as per respondent, the information was sent on 06.10.2020, 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 VC at DAC Amritsar, the hearing could not take place.

The appellant vide letter received in the Commission on 04.12.2020 has informed that he has received the information from the PIO till date.

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

Chandigarh  
**Dated:09.03.2021**

**Sd/-**  
(Khushwant Singh)  
**State Information Commissioner**



Sh.Yogesh Mahajan S/o Sh.Kuldeep Raj Mahajan,  
Opposite Water Tank, Municipal Market,  
Mission Road, Pathankot.

... Appellant

Versus

**Public Information Officer,**  
O/o XEN, Water Supply & Sanitation,  
Division No-2, Amritsar.

**First Appellate Authority,**  
O/o SE, Water Supply and Sanitation,  
Sanitation Circle, Amritsar,

...Respondent

**Appeal Case No. 1272 of 2020**

**PRESENT: None for the parties**

**ORDER:**

The appellant through RTI application dated 06.01.2020 has sought information regarding works undertaken during 06.01.2019 to 06.01.2020 in Sub Division Tarsika, Sub Division No. 6 Amritsar and Sub Division Rayya – work order – comparative statements and other information concerning the office of Xen Water Supply and Sanitation Division No.2 Amritsar. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 05.02.2020 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 06.10.2020. The appellant was absent and vide email informed that he has not received the information.

Since as per respondent, the information was sent on 06.10.2020, 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 VC at DAC Amritsar, the hearing could not take place.

The appellant vide letter received in the Commission on 04.12.2020 has informed that he has received the information from the PIO till date.

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

**Chandigarh**  
**Dated 09.03.2021**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**