

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

Helpline No. 0172-2864100 Phone No-0172-2864120

Email: psic31@punjabmail.gov.in Visit us - www.infocommpunjab.com

Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Prabhjot Singh Gill (M: 8146007472),

S/o Sh. Jagjit Singh,
329, VPO Doda Baja Patti., Village Doda,
Muktsar.

Appellant

V/s.

Public Information Officer,

O/o Deputy Commissioner,
Sangrur.

First Appellate Authority,

O/o Deputy Commissioner,
Sangrur.

Respondent

Appeal Case No. 1959 of 2022

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Prabhjot Singh is present.

Ms. Jaswinder Kaur, Superintendent –cum- APIO, Grade-1 is present from the Department.

ORDER:

The date of RTI application is 02.09.2021, the date of First Appeal is dated 18.11.2021 and the date of Appeal filed in the Commission is 22.04.2022.

In today's hearing, the Appellant, Sh. Prabhjot Singh Gill states that no information has been supplied to him till date either online or offline from the concerned department. He also mentions that the department has not done compliance of suo motto as per orders of Hon'ble High Court.

On this, the Superintendent, Ms. Jaswinder Kaur states that due to delay in starting the online portal at their concerned office they have received the concerned RTI on 27.10.2021 and further mentions that they are following it suo motto and everything is available at their website. She also mentions that the RTI application of the Appellant is not clear, **which is unacceptable as it is very much clear to the undersigned.**

After having the pointwise discussion with the Appellant relating to his RTI (i.e.7 points mentioned in his RTI) and discussing with the representative of the Respondent / PIO, the concerned department is directed to download the specific items (as per RTI application of the Applicant) from their concerned website and submit the same to the undersigned along with its website link within a week. Furthermore, the concerned department is also directed to submit a point wise reply of the Applicant's RTI to the undersigned within a week and if the information is not available with them then the concerned PIO is directed to submit the same in the shape of an affidavit vide which explaining the reasons why the information is not available with them or why it could not be supplied to the Appellant.

As I am demitting the office on 23.09.2022, hence, next date of hearing in this case cannot be announced. Accordingly this case file be sent to the Deputy Registrar to place this file before the Hon'ble Chief Information Commissioner for appropriate orders.

Copy of the order be sent to the parties.

Dated: 09.08.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

To

The Deputy Registrar, PSIC
(Encl. Case File AC: 1959 of 2022)

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RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Surat Chander,
144, Housing Board Colony,
Urban Estate - 1, Jalandhar (Punjab)

Appellant

V/s.

Public Information Officer,
O/o The Executive Engineer,
Punjab Water Supply and Sewerage Board, Division No. 1, Jalandhar.

First Appellate Authority,
O/o The Superintending Engineer,
Punjab Water Supply and Sewerage Board,
Model Town, Mall Road, Manbro Chowk, Jalandhar.

Respondent

Appeal Case No. 1398 of 2021

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Surat Chander is present.
Sh. Balraj Singh, SDO, WS&SB Jalandhar is present.

ORDER:

This case was last heard on 19.04.2022.

In today's hearing, the SDO, Sh. Balraj Singh states that the information has been supplied to the Appellant vide letter number 1392 dated 27.04.2022 which has been signed by Executive Engineer, Punjab Water Supply and Sewerage Division Number 1, Jalandhar, vide which it has been written that :

"In this connection it is requested that the Estate Officer, Municipal Corporation, Jalandhar vide his letter No. CE/ J/ 396 dt. 18.05.2021 (photocopy attached) has intimated this office that the land under consideration is having ownership dispute and no action to be taken till Government decides the matter"

On this the Appellant, Sh. Surat Chander states that he has received this letter but further requests the Court to look into the dates as his RTI request is of dated 03.12.2020 and the instructions have been given after the date of his RTI i.e. vide letter dated 18.05.2021.

In view of above, the SDO, Sh. Balraj is directed to submit the status in writing upto the date of RTI request i.e. 03.12.2020 relating to the sewerage facility in the mentioned area as per RTI, signed by the PIO to the Appellant through registered post within a week and a copy of the same be also sent to the Commission through email, failing which a strict action would be taken against the PIO.

Also, the Appellant, Sh. Surat Chander is directed to go through the supplied information, once he receives the same from the Respondent/PIO and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which it would be presumed that he has nothing to say and the case would be decided on merits.

As I am demitting the office on 23.09.2022, hence, next date of hearing in this case cannot be announced. Accordingly this case file be sent to the Deputy Registrar to place this file before the Hon'ble Chief Information Commissioner for appropriate orders.

Copy of the order be sent to the parties.

Dated: 09.08.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

To

The Deputy Registrar, PSIC
(Encl. Case File AC: 1398 of 2021)

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



(Regd. Post) **Sh. Kailash Bassi,**
Model Town, Miani Road, P.O. Dasuha (144205),
District Hoshiarpur (Punjab)

Appellant

V/s.

(Regd. Post) **Public Information Officer,**
O/o The Executive Engineer,
Punjab Water Supply and Sewerage Division, Hoshiarpur (Punjab)

(Regd. Post) **First Appellate Authority,**
O/o The Superintending Engineer,
Punjab Water Supply and Sewerage Division, Jalandhar (Punjab)

Respondent

Appeal Case No. 3420 of 2021

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Kailash Bassi is present.
None is present from the Department.

ORDER:

This case was last heard on 19.04.2022.

In today's hearing, the Appellant, Sh. Kailash Bassi states that no information has been supplied to him.

On the other hand, none is present from the department.

Commission takes a serious view of the casual approach of the Respondent / PIO as information is still pending and moreover, nobody appears from the department relating to this case for clarifying the facts of this case.

In view of above, the penalty amount i.e. Rs. 5000/- which was imposed vide order dated 17.01.2022 be enhanced by Rs. 5000/- (i.e. enhanced today) which leads to Total penalty amounting to Rs. 10,000 /- (Rupees Ten Thousand Only) is imposed upon the concerned PIO office of Executive Engineer, Punjab Water Supply and Sewerage Division, Hoshiarpur.

Major Head .. 0070 -Other Administrative Services
Sub-Major Head .. 60 - Other Services
Minor Head .. 800 - Other Receipts
Sub-Head .. 86 - Fee under the Right to Information Act, 2005
Detailed Head .. 0070 Other Administrative Services

60 Other Services- 800- Other Receipts-

86- Fees under the Right to Information Act, 2005

And a copy of challan receipt be submitted to the Commission on the next date of hearing.

Last opportunity is given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request, through registered post or e-mail with a copy to the Commission by the next date of hearing and deposit the copy of challan receipt to the Commission.

An opportunity is also given to the appellant to confirm whether he has received the information or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

As I am demitting the office on 23.09.2022, hence, next date of hearing in this case cannot be announced. Accordingly this case file be sent to the Deputy Registrar to place this file before the Hon'ble Chief Information Commissioner for appropriate orders.

Copy of the order be sent to the parties through registered post.

Dated: 09.08.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

To

The Deputy Registrar, PSIC
(Encl. Case File AC: 3420 of 2021)

PUNJAB STATE INFORMATION COMMISSION

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Tejinder Singh,
Civil Court, Tehsil Complex, Backside Sanjh Kender,
Phillaur. (144410)

Appellant

V/s.

Public Information Officer,
O/o The Sub Divisional Magistrate,
Bhikhiwind, District Tarn Taran.

First Appellate Authority,
O/o The Sub Divisional Magistrate,
Bhikhiwind, District Tarn Taran.

Respondent

Appeal Case No. 2448 of 2020

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Tejinder Singh is present.
None is present from the Department.

ORDER:

This case may be read with the reference of the previous order dated 19.04.2022.

In today's hearing, the Appellant, Sh. Tejinder Singh states that he has received the information but there were certain deficiencies which have been pointed out by him to the concerned department vide letter dated 14.07.2022 and a copy of the same has been sent to the Commission.

On the other hand, none is present from the department.

After going through the case file, it has been observed that a letter number 24 dated 09.05.2022 has been received from the department to the Commission vide which they had mentioned that the penalty amount Rs. 10,000/- (Rupees Ten Thousand only) which was imposed on the concerned PIO (i.e. vide orders dated 25.05.2021 and enhanced by 17.08.2021) has been deposited into the Government Treasury and proof of the same has been sent to the Commission, which is taken on record.

In view of above, the Appellant, Sh. Tejinder Singh is directed to send the letter of deficiencies dated 14.07.2022 again to the concerned PIO as well as a copy of the same to the Commission within a day or two from today's hearing and on the other hand, the concerned PIO is directed to supply the information to the Appellant, Sh. Tejinder Singh after removing the deficiencies.

If the letter of deficiencies would not be received by the Commission or the concerned PIO within a day or two from today's date of hearing then it would be presumed that the Appellant has nothing to say and the case would be decided on merits.

As I am demitting the office on 23.09.2022, hence, next date of hearing in this case cannot be announced. Accordingly this case file be sent to the Deputy Registrar to place this file before the Hon'ble Chief Information Commissioner for appropriate orders.

Copy of the order be sent to the parties through registered post.

Dated: 09.08.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

To

The Deputy Registrar, PSIC
(Encl. Case File AC: 2448 of 2020)

PUNJAB STATE INFORMATION COMMISSION

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Jaswant Sarpal, S/o Sh. Darbari Lal Sarpal,
H. No. 2220/2, Arian Street,
I/s Mahan Singh Gate, Amritsar.M: 94654-77771

Appellant

V/s.

Public Information Officer,
O/o The Secretary,
To Govt. of Punjab, Department of Local Government,
Municipal Bhawan, Sector 35-A, Plot No. 03, Chandigarh.

First Appellate Authority,
O/o The Secretary,
To Govt. of Punjab, Department of Local Government,
Municipal Bhawan, Sector 35-A, Plot No. 03, Chandigarh.

Respondent

Appeal Case No. 3006 of 2021

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Jaswant Sarpal is present.
Sh. Balvinder Pal, Senior Assistant from LG 4 Branch is present from the Department.

ORDER:

This case may be read with the reference of the previous order dated 19.04.2022.

In today's hearing, the Appellant, Sh. Jaswant Sarpal is not audible during the hearing and also a call has been received to the bench of undersigned vide which the Appellant states that no information has been supplied to him. Also, an email dated 22.03.2022 of the Appellant is taken on record.

On the other hand, the Senior Assistant states that the Appellant doesnot present before FAA or point out particular information which he requires.

In view of above, the PIO concerned is directed to bring all the documents / reply to the Commission relating to this case on the next date and **if the PIO and other concerned officials would not personally appear with all the concerned documents relating to this case in the Court on the next date of hearing then it would be presumed that the concerned PIO has nothing to say and Court could take further action against the PIO on the next date of hearing.**

The Appellant, Sh. Jaswant Sarpal or his representative is directed to appear in the Commission with all the requisite documents relating to this case on the next date of the hearing and if he failed to appear in the Commission on the next date of hearing then it would be presumed that he has no intention in collecting the information anymore and the case would be decided on merits.

As I am demitting the office on 23.09.2022, hence, next date of hearing in this case cannot be announced. Accordingly this case file be sent to the Deputy Registrar to place this file before the Hon'ble Chief Information Commissioner for appropriate orders.

Copy of the order be sent to the parties.

Dated: 09.08.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

To

**The Deputy Registrar, PSIC
(Encl. Case File AC: 3006 of 2021)**

PUNJAB STATE INFORMATION COMMISSION

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Baljinder Singh, Advocate, (M:7529031503),
R/o Village Sihla, Tehsil Dirba, District Sangrur (Pin:148035)

Appellant

V/s.

Public Information Officer,
O/o The Deputy Commissioner, Sangrur.

First Appellate Authority,
O/o The Deputy Commissioner, Sangrur.

Respondent

Appeal Case No. 32 of 2022

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Baljinder Singh is present.
Sh. Balwinder Singh, Superintendent from Revenue Branch is present from the Department.

ORDER:

This case may be read with the reference of the previous order dated 26.04.2022.

In today's hearing, the Appellant, Sh. Baljinder Singh states that no information has been supplied to him till date. He further mentions about his email dated 08.08.2022 which has been sent to the Commission and is taken on record.

On the other hand, the Superintendent, Sh. Balwinder Singh gives a vague reply and misleading reply to the Court which is not acceptable.

In view of above, the PIO concerned is directed to supply the requisite information to the Appellant and inform the same to the Commission through email or registered post within a week and if the information is not available with them the concerned PIO is directed to file an affidavit explaining the reasons why the information is not available with them and it could not be supplied to the Appellant till date; failing which an action would be taken against the concerned PIO, on the next date of hearing.

The PIO is also directed to submit the copy of the postal receipts to the Commission vide which information would have been supplied to the Appellant, by the next date of hearing.

The Appellant, Sh. Baljinder Singh is directed to go through the supplied information, once he receives the same from the Respondent/PIO and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which it would be presumed that he has nothing to say and the case would be decided on merits.

Also, the AC: 32 of 2022 i.e. present case and CC:1181 of 2021 were clubbed in the CC: 1181 of 2021 vide order dated 18.07.2022 as the RTI applications are same in both the cases.

As I am demitting the office on 23.09.2022, hence, next date of hearing in this case cannot be announced. Accordingly this case file be sent to the Deputy Registrar to place this file before the Hon'ble Chief Information Commissioner for appropriate orders.

Copy of the order be sent to the parties.

Dated: 09.08.2022

To

The Deputy Registrar, PSIC
(Encl. Case File AC: 32 of 2022)

(Sanjiv Garg)
State Information Commissioner
Punjab

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Baljinder Singh, Advocate, (M:7529031503),
R/o Village Sihla, Tehsil Dirba, District Sangrur (Pin:148035)

Complainant

V/s.

Public Information Officer,
O/o The Deputy Commissioner, Sangrur.

Respondent

Complaint Case No. 1181 of 2021

{Heard through Cisco Webex Meetings Software}

Present : The Complainant, Sh. Baljinder Singh is present.
Sh. Balwinder Singh, Superintendent from Revenue Branch is present from the Department.

ORDER:

This case may be read with the reference of the previous order dated 18.07.2022

In today's hearing, the Complainant, Sh. Baljinder Singh states the concerned department is misleading the Court and further expresses his reason for applying the complaint case before the Commission.

On the other hand, the Superintendent, Sh. Balwinder Singh gives a vague reply and misleading reply to the Court which is not acceptable.

In view of above, the CC: 1181 of 2021 i.e. present case and AC: 32 of 2022 were clubbed vide previous order dated 18.07.2022 as the RTI applications are same in both the cases.

The information would be supplied to the Appellant/ Complainant accordingly.

As I am demitting the office on 23.09.2022, hence, next date of hearing in this case cannot be announced. Accordingly this case file be sent to the Deputy Registrar to place this file before the Hon'ble Chief Information Commissioner for appropriate orders.

Copy of the order be sent to the parties.

Dated: 09.08.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

To

The Deputy Registrar, PSIC
(Encl. Case File CC: 1181 of 2021)