

PUNJAB, STATE INFORMATION COMMISSION
Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

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E-mail-Psicsic30@punjabmail.gov.in

Sh.Balvir Singh, S/o sh.Joginder Singh,
R/o Village Saide Ki (Khoo.Mohar Singh Wala),
P/O DulchiKe, Tehsil &Distt.Ferozepur.

... Complainant

Versus

Public Information Officer,
O/o DDPO,
Ferozepur.

First Appellate Authority,
O/o DDPO,
Ferozepur.

...Respondent

Complaint Case No. 552 of 2018

Present: Sh.Balvir Singh as Complainant
None for the Respondent

ORDER:

The case was first heard on **20.08.2018**. The respondent was absent. The complainant pleaded that despite his first appeal and again a letter sent to the DC Ferozepur on 17.04.2018 as well as his personal visits to the office of BDPO twice, he has not been provided the information. The PIO was directed to provide the information to the complainant within 15 days and be present on the next date of hearing with valid explanation for not providing the information within the prescribed time under the RTI Act.

The case was again heard on **17.09.2018**. The appellant informed that he has not received the information. The PIO was absent. The PIO neither provided the information nor sent any explanation for delay in responding the RTI application. Due to non compliance of the orders of the Commission, the PIO was issued **show cause notice and the PIO** was directed to be present personally before the Commission alongwith written reply on an affidavit. The order is reproduced hereunder:

The case came up for hearing again on **05.11.2018**. The PIO was absent. The respondent present brought the information. The appellant was absent to point out the discrepancies, if any. The respondent was directed to send the information to the complainant through registered post and send compliance to the Commission.

The PIO did not file reply to the show cause notice issued on 17.09.2018. The PIO-BDPO was afforded one last opportunity to appear personally on the next date of hearing and reply to the show cause notice on an affidavit failing which the Commission will take action as per RTI Act.

The case was last heard on **11.12.2018**. The complainant informed that he has received the information on 09.11.2018 but the information is incomplete. The PIO was again absent and had not filed any reply to the show cause or any paper in his defense.

Complaint Case No. 552 of 2018

Keeping all facts in mind, the PIO, BDPO, Ferozepur was held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request, and for repeated and willful defiance of the Punjab State Information Commission's orders. A penalty of Rs.10,000/- was imposed upon the PIO, BDPO, Ferozepur under section 20 of the RTI Act, 2005 which was to be deposited in the Govt. Treasury.

Further, the PIO, BDPO, Ferozepur was directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury. The PIO was also directed to contact the complainant and sort out the discrepancies in providing the information as sought under the RTI Act.

Hearing dated 13.02.2019:

The complainant informed that he has not received the information. In the last hearing, since the PIO was absent and neither filed any reply to the show cause issued to the PIO on 17.09.2018 for non compliance of the orders of the Commission, a penalty of Rs.10000/- was imposed upon the PIO- BDPO, Ferozepur under section 20 of the RTI Act, 2005 which was to be deposited in the Govt. Treasury.

Sh.Paramjit Singh, PIO-BDPO, Ferozepur alongwith Sh.Kulwant Singh, Panchayat Secretary O/o BDPO appeared late and informed that the information has been provided to the complainant. The PIO further pleaded they will contact the complainant and sort out the discrepancies with the complainant if any. The respondent is directed to comply with the earlier order of the Commission which still stands and send a compliance report to the Commission.

To come up for hearing **on 03.04.2019 at 11.00AM.**

Chandigarh
Dated: 13.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :The BDPO Ferozepur.

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Sh.Tarsem Singh, S/o Sh.Swaran Singh,
R/o Village Saide Ki (Khoo.Mohar Singh Wala),
P/O DulchiKe, Tehsil &Distt.Ferozepur.

... Complainant

Versus

Public Information Officer,
O/o DDPO,
Ferozepur.

First Appellate Authority,
O/o DDPO,
Ferozepur.

...Respondent

Complaint Case No. 553 of 2018

Present: None for the Complainant
None for the Respondent

ORDER:

The case was first heard on 20.08.2018. The respondent was absent. The complainant pleaded that despite his first appeal and again a letter sent to the DC Ferozepur on 17.04.2018 as well as his personal visits to the office of BDPO twice, he has not been provided the information. The PIO was directed to provide the information to the complainant within 15 days and be present on the next date of hearing with valid explanation for not providing the information within the prescribed time under the RTI Act.

The case was again heard on **17.09.2018**. The appellant informed that he has not received the information. The PIO was absent. The PIO neither provided the information nor sent any explanation for delay in responding the RTI application. Due to non compliance of the orders of the Commission, the PIO was issued **show cause notice and the PIO** was directed to be present personally before the Commission alongwith written reply on an affidavit. The order is reproduced hereunder:

The case was last heard on **05.11.2018**. The PIO was absent. The respondent present has brought the information. The appellant was not present to point out the discrepancies, if any. The respondent was directed to send the information to the complainant through registered post and send compliance to the Commission.

The PIO did not file reply to the show cause notice issued on 17.09.2018. The PIO-BDPO was afforded one last opportunity to appear personally on the next date of hearing and reply to the show cause notice on an affidavit failing which the Commission will take action as per RTI Act.

The case was last heard on **11.12.2018**. The order is reproduced hereunder:

“The complainant informed that he has received information on 09.11.2018 but the information is incomplete. In the last hearing, the PIO was afforded one last opportunity to appear personally on the next date of hearing and reply to the show cause notice issued on the PIO on 17.09.2018 on an affidavit. The PIO, BDPO, Ferozepur is absent and has not filed any reply to the show cause or any paper in his defense.

During the course of hearing, it has come to the notice of the Commission that two different people have sought exactly same information and in one case No.552/2018, the PIO, BDPO Ferozepur has been penalized for not providing the information within the prescribed time under the RTI Act. In this case, the PIO, BDPO is granted one last opportunity to sort out the discrepancies and provide the information to the complainant as per the RTI application. The PIO is also directed to appear personally on the next date of hearing and submit reply to the show cause on an affidavit. “

Hearing dated 13.02.2019:

Since both the parties were absent, the case was adjourned.

Sh.Paramjit Singh, PIO-BDPO, Ferozepur alongwith Sh.Kulwant Singh, Panchayat Secretary O/o BDPO appeared late and informed that the information has been provided to the complainant. The PIO further pleaded they will contact the complainant and sort out the discrepancies with the complainant if any. The respondent is directed to comply with the earlier order of the Commission which still stands and send a compliance report to the Commission.

To come up for hearing **on 03.04.2019 at 11.00AM.**

Chandigarh
Dated: 13.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :The BDPO Ferozepur.

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana.

... Appellant

Versus

Public Information Officer,
Police Station,
Village Ladowal, Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1286 of 2018

Present: Sh.Ashok Kapoor as Appellant.
None for the respondent

ORDER: The case was first heard on **13.06.2018**. Sh.Raj Kumar, ASI, Police Station, Ladowal was present on behalf of respondent-PIO who pleaded that the appellant may visit their office and inspect the available record and get the requisite information. The PIO was directed to provide the point-wise information to the appellant before the next date of hearing.

The case was again heard on **30.07.2018**. The appellant informed that he had visited the office of PIO and after inspecting the record, the PIO was apprised of the information required. The respondent has informed that he has brought the information. The PIO was directed to send the information to the appellant via Registered Post. The appellant was asked to go through the information and inform the deficiency, if any, to the PIO.

The case again came up for hearing on **25.10.2018** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. The appellant informed that no information has been provided to him so far. The respondent was absent without intimation to the Commission and despite repeated orders of the Commission on 13.06.2018 and 30.07.2018, no information was provided. The PIO was **issued show cause notice** and he was directed to appear before the Commission along with the written replies on an affidavit.

The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission and send compliance report to the Commission.

The case was last heard on **03.12.2018**. The PIO, SHO Police Station, Ladowal, District Ludhiana was again absent without intimation to the Commission but preferred to send an Sh.Jatinder Singh, ASI who did not know contents of the case. This was the fourth consecutive time that the PIO was absent. The PIO even not bothered to send formal reply citing the reasons for exemption. The appellant was present and informed that he has not been provided the information and is being harassed for trying to obtain the requisite information under the RTI Act, which is his right. He pleaded strict action against the erring PIO.

Keeping the above-mentioned facts of the case, it was observed that the PIO is flouting the spirit of the RTI Act continuously and the PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission, a bailable Warrant of SHO Police Station, Ladowal, District Ludhiana Under Section 18(3) of the RTI Act was issued through Commissioner of Police, Ludhiana for his presence before the Commission on 29.01.2019., which date was postponed to 13.02.2019.

The PIO was also directed to provide the information within five days of receipt of this order.

Hearing dated 13.02.2019:

The appellant informed that he has not received the information.

Sh.Varinder Pal Singh, SHO, Ladowal appeared late and pleaded that the available information has been provided to the appellant. The respondent further pleaded that he has brought the information again and the discrepancy if any, found in the information, will be sorted out with the appellant.

Since the case was adjourned, the respondent has been directed to comply with the earlier order of the Commission which still stands and be present on the next date of hearing alongwith appropriate reply to the show cause.

To come up for further hearing on **03.04.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 13.02.2019

Sd/-.
(Khushwant Singh)
State Information Commissioner

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Ladowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1295 of 2018

Present: Sh.Ashok Kapoor as Appellant.
None for the Respondent

ORDER: The case was first heard on **13.06.2018**. Sh.Raj Kumar, ASI, Police Station, Ladowal was present on behalf of respondent-PIO who pleaded that the appellant may visit their office and inspect the available record and get the requisite information. The PIO was directed to provide the point-wise information to the appellant before the next date of hearing.

The case was again heard on **30.07.2018**. The appellant informed that he had visited the office of PIO and after inspecting the record, the PIO was apprised of the information required. The respondent has informed that he has brought the information. The PIO was directed to send the information to the appellant via Registered Post. The appellant was asked to go through the information and inform the deficiency, if any, to the PIO.

The case was last heard on **25.10.2018** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. The appellant informed that no information has been provided to him so far. The respondent was absent without intimation to the Commission and despite repeated orders of the Commission on 13.06.2018 and 30.07.2018, no information was provided. The PIO was **issued show cause notice** and he was directed to appear before the Commission along with the written replies on an affidavit.

The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission and send compliance report to the Commission.

The case was last heard on **03.12.2018**. The PIO, SHO Police Station, Ladowal, District Ludhiana was again absent without intimation to the Commission but preferred to send an Sh.Jatinder Singh, ASI who did not know contents of the case. This was the fourth consecutive time that the PIO was absent. The PIO even not bothered to send formal reply citing the reasons for exemption. The appellant was present and informed that he has not been provided the information and is being harassed for trying to obtain the requisite information under the RTI Act, which is his right. He pleaded strict action against the erring PIO.

Keeping the above-mentioned facts of the case, it was observed that the PIO is flouting the spirit of the RTI Act continuously and the PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission, a bailable Warrant of SHO Police Station, Ladowal, District Ludhiana Under Section 18(3) of the RTI Act was issued through Commissioner of Police, Ludhiana for his presence before the Commission on 29.01.2019., which date was postponed to 13.02.2019.

The PIO was also directed to provide the information within five days of receipt of this order.

Hearing dated 13.02.2019:

The appellant informed that he has not received the information.

Sh.Varinder Pal Singh, SHO, Ladowal appeared late and pleaded that the available information has been provided to the appellant. The respondent further pleaded that he has brought the information again and the discrepancy if any, found in the information, will be sorted out with the appellant.

Since the case was adjourned, the respondent has been directed to comply with the earlier order of the Commission which still stands and be present on the next date of hearing alongwith appropriate reply to the show cause.

To come up for further hearing on **03.04.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 13.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Ladowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1296 of 2018

Present: **Sh.Ashok Kapoor as Appellant.**
 None for the Respondent

ORDER: The case was first heard on **13.06.2018**. Sh.Raj Kumar, ASI, Police Station, Ladowal was present on behalf of respondent-PIO who pleaded that the appellant may visit their office and inspect the available record and get the requisite information. The PIO was directed to provide the point-wise information to the appellant before the next date of hearing.

The case was again heard on **30.07.2018**. The appellant informed that he had visited the office of PIO and after inspecting the record, the PIO was apprised of the information required. The respondent has informed that he has brought the information. The PIO was directed to send the information to the appellant via Registered Post. The appellant was asked to go through the information and inform the deficiency, if any, to the PIO.

The case was last heard on **25.10.2018** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. The appellant informed that no information has been provided to him so far. The respondent was absent without intimation to the Commission and despite repeated orders of the Commission on 13.06.2018 and 30.07.2018, no information was provided. The PIO was **issued show cause notice** and he was directed to appear before the Commission along with the written replies on an affidavit.

The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission and send compliance report to the Commission.

The case was last heard on **03.12.2018**. The PIO, SHO Police Station, Ladowal, District Ludhiana was again absent without intimation to the Commission but preferred to send an Sh.Jatinder Singh, ASI who did not know contents of the case. This was the fourth consecutive time that the PIO was absent. The PIO even not bothered to send formal reply citing the reasons for exemption. The appellant was present and informed that he has not been provided the information and is being harassed for trying to obtain the requisite information under the RTI Act, which is his right. He pleaded strict action against the erring PIO.

Keeping the above-mentioned facts of the case, it was observed that the PIO is flouting the spirit of the RTI Act continuously and the PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission, aailable Warrant of SHO Police Station, Ladowal, District Ludhiana Under Section 18(3) of the RTI Act was issued through Commissioner of Police, Ludhiana for his presence before the Commission on 29.01.2019., which date was postponed to 13.02.2019.

The PIO was also directed to provide the information within five days of receipt of this order.

Hearing dated 13.02.2019:

The appellant informed that he has not received the information.

Sh.Varinder Pal Singh, SHO, Ladowal appeared late and pleaded that the available information has been provided to the appellant. The respondent further pleaded that he has brought the information again and the discrepancy if any, found in the information, will be sorted out with the appellant.

Since the case was adjourned, the respondent has been directed to comply with the earlier order of the Commission which still stands and be present on the next date of hearing alongwith appropriate reply to the show cause.

To come up for further hearing on **03.04.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 13.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Ladowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1297 of 2018

Present: **Sh.Ashok Kapoor as Appellant.**
 None for the Respondent

ORDER: The case was first heard on **13.06.2018**. Sh.Raj Kumar, ASI, Police Station, Ladowal was present on behalf of respondent-PIO who pleaded that the appellant may visit their office and inspect the available record and get the requisite information. The PIO was directed to provide the point-wise information to the appellant before the next date of hearing.

The case was again heard on **30.07.2018**. The appellant informed that he had visited the office of PIO and after inspecting the record, the PIO was apprised of the information required. The respondent has informed that he has brought the information. The PIO was directed to send the information to the appellant via Registered Post. The appellant was asked to go through the information and inform the deficiency, if any, to the PIO.

The case was last heard on **25.10.2018** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. The appellant informed that no information has been provided to him so far. The respondent was absent without intimation to the Commission and despite repeated orders of the Commission on 13.06.2018 and 30.07.2018, no information was provided. The PIO was **issued show cause notice** and he was directed to appear before the Commission along with the written replies on an affidavit.

The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission and send compliance report to the Commission.

The case was last heard on **03.12.2018**. The PIO, SHO Police Station, Ladowal, District Ludhiana was again absent without intimation to the Commission but preferred to send an Sh.Jatinder Singh, ASI who did not know contents of the case. This was the fourth consecutive time that the PIO was absent. The PIO even not bothered to send formal reply citing the reasons for exemption. The appellant was present and informed that he has not been provided the information and is being harassed for trying to obtain the requisite information under the RTI Act, which is his right. He pleaded strict action against the erring PIO.

Keeping the above-mentioned facts of the case, it was observed that the PIO is flouting the spirit of the RTI Act continuously and the PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission, aailable Warrant of SHO Police Station, Ladowal, District Ludhiana Under Section 18(3) of the RTI Act was issued through Commissioner of Police, Ludhiana for his presence before the Commission on 29.01.2019., which date was postponed to 13.02.2019.

The PIO was also directed to provide the information within five days of receipt of this order.

Hearing dated 13.02.2019:

The appellant informed that he has not received the information.

Sh.Varinder Pal Singh, SHO, Ladowal appeared late and pleaded that the available information has been provided to the appellant. The respondent further pleaded that he has brought the information again and the discrepancy if any, found in the information, will be sorted out with the appellant.

Since the case was adjourned, the respondent has been directed to comply with the earlier order of the Commission which still stands and be present on the next date of hearing alongwith appropriate reply to the show cause.

To come up for further hearing on **03.04.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 13.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Ladowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1298 of 2018

Present: **Sh.Ashok Kapoor as Appellant.**
 None for the Respondent

ORDER: The case was first heard on **13.06.2018**. Sh.Raj Kumar, ASI, Police Station, Ladowal was present on behalf of respondent-PIO who pleaded that the appellant may visit their office and inspect the available record and get the requisite information. The PIO was directed to provide the point-wise information to the appellant before the next date of hearing.

The case was again heard on **30.07.2018**. The appellant informed that he had visited the office of PIO and after inspecting the record, the PIO was apprised of the information required. The respondent has informed that he has brought the information. The PIO was directed to send the information to the appellant via Registered Post. The appellant was asked to go through the information and inform the deficiency, if any, to the PIO.

The case was last heard on **25.10.2018** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. The appellant informed that no information has been provided to him so far. The respondent was absent without intimation to the Commission and despite repeated orders of the Commission on 13.06.2018 and 30.07.2018, no information was provided. The PIO was **issued show cause notice** and he was directed to appear before the Commission along with the written replies on an affidavit.

The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission and send compliance report to the Commission.

The case was last heard on **03.12.2018**. The PIO, SHO Police Station, Ladowal, District Ludhiana was again absent without intimation to the Commission but preferred to send an Sh.Jatinder Singh, ASI who did not know contents of the case. This was the fourth consecutive time that the PIO was absent. The PIO even not bothered to send formal reply citing the reasons for exemption. The appellant was present and informed that he has not been provided the information and is being harassed for trying to obtain the requisite information under the RTI Act, which is his right. He pleaded strict action against the erring PIO.

Keeping the above-mentioned facts of the case, it was observed that the PIO is flouting the spirit of the RTI Act continuously and the PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission, a bailable Warrant of SHO Police Station, Ladowal, District Ludhiana Under Section 18(3) of the RTI Act was issued through Commissioner of Police, Ludhiana for his presence before the Commission on 29.01.2019., which date was postponed to 13.02.2019.

The PIO was also directed to provide the information within five days of receipt of this order.

Hearing dated 13.02.2019:

The appellant informed that he has not received the information.

Sh.Varinder Pal Singh, SHO, Ladowal appeared late and pleaded that the available information has been provided to the appellant. The respondent further pleaded that he has brought the information again and the discrepancy if any, found in the information, will be sorted out with the appellant.

Since the case was adjourned, the respondent has been directed to comply with the earlier order of the Commission which still stands and be present on the next date of hearing alongwith appropriate reply to the show cause.

To come up for further hearing on **03.04.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 13.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

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Ms. Preety,
35 Mohindra Colony-A,
Near NIS Chowk&PehalwanAkhara,
Patiala.

Appellant.

Versus

Public Information Officer,
PSPCL,
Patiala.

First Appellate Authority,
Chief Engineer, (HRD)
PSPCL, Patiala.

...Respondent

Appeal Case No. 2533 of 2018

Present: None for the Appellant
Sh.Sukhvinder Singh UDC and Sh.Harpreet Singh,UDC for the Respondent

ORDER: The case was first heard on **29.10.2018**. The respondent present informed that the information regarding point no.1 has been provided to the appellant vide letter dated 09.02.2018 and the reply to other points has been sent to the appellant vide letter dated 12.03.2018. The respondent pleaded that they had sent the reply to the RTI application on 15.02.2018 and the appellant was asked to deposit requisite fee for getting the information. After receipt of requisite fee, the information was supplied to the appellant on 12.03.2018.

The respondent submitted certain documents mentioning response to all the points of RTI application. The appellant was absent to point out discrepancy if any and sought adjournment due to ill health which was granted."

The case was last heard on **04.12.2018**. The order is reproduced hereunder:

"The respondent present pleaded that the information has already been provided to the appellant. The appellant is absent to point out discrepancy and vide email has sought adjournment.

In the last hearing, The respondent had submitted certain documents mentioning the response to all the points of RTI application. The appellant was absent and sought adjournment.

The case is adjourned. The appellant is directed to point out discrepancies if any in the information and be present on the next date of hearing otherwise the case will be decided ex-parte."

Hearing dated 13.02.2019:

The respondent present pleaded that the information has been provided to the appellant. The appellant is absent and vide email has informed that she has received the information and the case be closed.

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

Chandigarh
Dated: 13.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

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Sh. Sarabjeet Singh, Whistle Blower,
H No-60/35-P-376-1, Street No-8,
Maha Singh Nagar, P.O DhandariKalan,
Ludhiana.

Appellant.

Versus

Public Information Officer,
GLADA,
Ludhiana.

First Appellate Authority,
Chief Administrator, GLADA,
Ludhiana

...Respondent

Appeal Case No. 2737 of 2018

Present: None for the Appellant
 Sh.Santosh Kumar Bains O/o GLADA Ludhiana for the Respondent

ORDER:

The case was first heard **on 31.10.2018**. The respondent present pleaded that since this case relates with GLADA, he is appearing on behalf of the PIO. The respondent sought an adjournment and assured to provide the information to the appellant before the next date of hearing.

The case was adjourned. The PIO was directed to relook at the RTI application and provide the information to the appellant as per RTI application and be present on the next date of hearing.

The case was last heard on **11.12.2018**. The order is reproduced hereunder:

“The respondent present pleaded that the information is voluminous and cannot be provided and the appellant was asked vide letter dated 28.05.2018 to specify the name of the school for which the appellant wants the information since consolidated information regarding schools running in the villages falling in all Tehsils of Ludhiana District is not available with them. The respondent has also cited instructions vide letter No.437-39 dated 17.02.2008 of the Department of Information Technology (Administrative Reforms) which reads as under:

“Only such information is required to be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority. The CPlo is not supposed to create information or to interpret information or to solve the problems raised by the applicants or to furnish replies to hypothetical questions”

The respondent further informed that there are around 927 villages and their field staff was asked to provide the information but the field staff has informed that the information regarding private schools is not available with them.

I have gone through the RTI application and found that the information sought is very voluminous and will involve diversion of resources.

Appeal Case No. 2737 of 2018

The Supreme Court in a case; Central Board of Secondary Education &Anr.v. Aditya Bandopadhyay& Anr observed that, "the nation cannot afford to have the honest public officials bogged down with all and sundry request unrelated to corruption as it will adversely affect the efficiency of the government agencies. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritizing 'information furnishing', at the cost of their normal and regular duties.

Since the appellant is not here to plead his case, the case is adjourned. The PIO is directed to provide information regarding point 1 only till the next date of hearing."

Hearing dated 13.02.2019:

The respondent present pleaded that in compliance with the order of the Commission, a complete list of all schools under the jurisdiction of the Ludhiana has been provided to the appellant. The appellant is absent and vide email has sought exemption.

I have gone through the information and found that the information has been provided by the PIO to the best possible extent.

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

Chandigarh
Dated: 13.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION
Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

Ph No- 0172-2864114 Visit us @ www.infocommpunjab.com
E-mail-Psicsic30@punjabmail.gov.in

Sh.Gurdeep Singh, S/o Sh.Darshan Singh,
VPO Thuhi, Tehsil Nabha, Distt Patiala.

... Appellant.

Versus

Public Information Officer,
Chief Administrator, PUDA,
Mohali.

First Appellate Authority,
Chief Administrator, PUDA,
Mohali.

...Respondent

Appeal Case No. 3010 of 2018

Present: **Sh.Gurdeep Singh as Appellant**
 Sh.Gulshan Kumar, PIO PUDA Mohali for the Respondent

Order:

The case was first heard on **14.11.2018**. The respondent present submitted a letter dated 10.08.2018 vide which the appellant was asked to specify the information. The respondent pleaded that since the information is voluminous and the appellant has not specified the information he wants.

It was observed that the respondent has not replied to the RTI application well in time and First Appellant Authority has also not taken any decision on the appeal of the appellant dated 11.06.2018. The PIO was directed to relook at the RTI application and provide the point-wise information to the appellant. The PIO was also directed to be present personally on the next date of hearing and explain the reasons for delay in attending to the RTI application.

The case was last heard on **08.01.2019**. The appellant stated that a specific list was sent to the PIO as per order of the Commission but yet the information has not been provided. The PIO was directed to provide the information to the appellant within 15 days and send compliance report to the Commission.

Hearing dated 13.02.2019:

The respondent present pleaded that they have record of only six colonies and has brought the record. The respondent further pleaded that the appellant be asked to inspect the record and get whatever the information he wants.

The appellant is directed to inspect the record. The PIO to provide the information of six colonies free of cost and send a compliance report to the Commission.

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

Chandigarh
Dated: 13.02.2019

Sd/-
(Khushwant Singh)
State Information Commissioner