



Smt Balwinder Kaur,
H No- HM-130, Phase-4, Mohali.

... Complainant

Versus

Public Information Officer,
O/o Addl, SE, PSPCL,
Morinda Division, Kharar.

...Respondent

Complaint Case No. 79 of 2019

PRESENT: Sh.Sukhdeep Singh husband of Smt.Balwinder Kaur for the Complainant
Sh.K.S.Randhawa, Addl. SE PSPCL Kharar for the Respondent

ORDER:

The case was first heard on **07.05.2019**. The complainant pleaded that the PIO has not provided the information and informed that the ledger stands destroyed by the termites. The respondent was absent. The PIO was directed to file full reply whether any enquiry has been conducted in the matter which establishes that the record is missing or destroyed. Alternatively, the PIO was directed to ascertain, if this information is available through any other source, it be provided. The PIO was further directed to submit complete enquiry report and be present on the next date of hearing.

The case was last heard on **03.07.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent on 2nd consecutive hearing nor had sent any communication regarding the enquiry if any conducted for missing record. The PIO was issued a show **cause notice and directed to** file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO was directed to inform such persons of the show cause and direct them to appear before the Commission alongwith the written replies.

The PIO was again directed to provide the information to the appellant within 15 days as per earlier order which still stands.

Hearing dated 13.08.2019:

The respondent present pleaded that since the record stands destroyed by the termites, the information cannot be provided.

However, the respondent pleaded that even though the record is not available with them, they will procure the said record from LIC in whose custody a copy of the record might lie, and provide to the complainant. The respondent has sought more time. The respondent further pleaded that there was no malafide on their part to hold back the information, the show cause be dropped. The plea is accepted.

The respondent is directed to procure the information from the LIC and provide to the appellant before the next date of hearing. The decision on the show cause shall be taken at the next date of hearing.

The case is adjourned. To come up for further hearing on **26.11.2019 at 11.00 AM.**

Chandigarh
Dated 13.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Ashmani Kumar, S/o sh mansa Ram,
Plot No-7-8-9-10, Sector-25-D,
Chandigarh.

... Complainant

Versus

Public Information Officer,
O/o GMADA,
Mohali.

...Respondent

Complaint Case No. 87 of 2019

PRESENT: Sh.Ashmani Kumar as the Complainant
Sh.Gulshan Kumar, PIO, GMADA for the Respondent

ORDER:

The case was first heard on **07.05.2019**. The respondent present pleaded that the information has been provided to the complainant vide letter dated 22.04.2019 on points 1 to 4 by the APIO-LAC, PUDA and information regarding point-5 has been provided vide letter dated 29.04.2019 by the PIO-GMADA and a copy of the same is submitted to the Commission.

Due to delay in providing the information, the PIO was issued a show **cause notice and the PIO was directed to file reply on an affidavit**. If there are other persons responsible for the delay in providing the information, the PIO was directed to inform such persons of the show cause and direct them to appear before the Commission alongwith the written replies.

The case was last heard on **03.07.2019**. The respondent present pleaded that the available information has been provided to the appellant. The appellant claimed that the PIO has not provided the information regarding details of trees and compensation provided in lieu of those trees. The respondent pleaded that since the information is voluminous and is not readily available; it has to be created and will divert the resources. Hearing both the parties, the PIO was directed to provide assessment reports of the trees sent by the Forest and Horticulture department from the year 2014 onwards. If the information is in paper form, requisite fee be raised as per the RTI Act or it be provided via email/CD.

The Commission also received an affidavit from the PIO vide letter diary No.11688 on 18.06.2019 which was taken on the file of the Commission.

Hearing dated 13.08.2019:

The respondent present pleaded that as per order of the Commission, the complainant has been informed vide letter dated 06.08.2019 to deposit requisite fee of Rs.1038/- for 569 pages and get the information, but the complainant has not deposited the fee.

If the appellant still wants the information, he is directed to deposit the requisite fee and get the information. The PIO is directed to provide the information to the appellant once the fee is deposited.

With the above order, the case is **disposed off and closed**.

Chandigarh
Dated 13.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Naresh Goel, S/o Sh Hans Raj,
501/62/1, Shastri Nagar, Street No-3,
Jagraon, Distt Ludhiana.

... Compliant

Versus

Public Information Officer,
Tehsildar, Village Gill,
Ludhiana(South)

...Respondent

Complaint Case No. 986 of 2018

Present: Sh.Naresh Goel as Complainant
Sh.Harvinder Singh, reader/Tehsildar (South) Ludhiana for the Respondent

Order:

This order should be considered in continuation to the earlier order.

The complainant through RTI application dated 02.07.2018 sought information regarding demarcation of land applied through sewa kendra, Janta Nagar Ludhiana vide acknowledgement No.02114669 dated 08,09,2017 & 01218540 dated 23.06.2017. The complainant was not provided the information, after which he filed complaint in the Commission on 14.08.2018.

The case was first heard on 27.11.2018. The complainant informed that he has not received any communication from the PIO. The respondent was absent. The PIO was directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act and be present on the next date of hearing personally or through a representative.

The case was again heard on 16.01.2019. The PIO was again absent nor sent any communication. The complainant was present and informed that no information was received. The respondent was given one more opportunity to provide the information to the appellant and be present on the next date of hearing failing which the Commission will be constrained to take action as per RTI Act.

The case again came up for hearing on **13.03.2019**. The complainant claimed that the PIO has not provided the information. The respondent was absent on 3rd consecutive hearing and nor sent any communication. The PIO –Tehsildar, Village Gill(Ludhiana) was issued a **show cause notice under section 20 of the RTI Act for not supplying the information within the statutorily prescribed period of time, and** directed to file an affidavit in this regard.

On the next date of hearing which was held on 14.05.2019, the complainant informed that no information has been provided. The respondent was again absent nor had sent any reply to the show cause notice. The PIO was given one last opportunity to comply with the earlier order of the Commission which still stands and be present on the next date of hearing alongwith the reply to the show cause notice on an affidavit.

The case was again heard on 03.07.2019. The PIO however in spite of the orders of the Commission to be personally present did not turned up nor had sent any reply to the show cause notice. Invoking section 20 of the RTI Act, a penalty of **Rs.15,000/-** was imposed upon the PIO, Tehsildar, under whose jurisdiction the Village Gill (Ludhiana) falls, which was be deposited in the Govt. Treasury.

Complaint Case No. 986 of 2018

Further, PIO, Tehsildar, Village Gill (Ludhiana) 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 again directed to provide the information within 10 days and send a compliance report to the Commission.

A copy of the order was sent to the Deputy Commissioner, Ludhiana to ascertain the PIO – Tehsildar, under whose jurisdiction Village Gill(Ludhiana) falls. To get the order served to the concerned PIO and to ensure compliance of this order, as well as ensure that the concerned PIO appears personally at the next date of hearing.

Hearing dated 13.08.2019:

The respondent present pleaded that neither the RTI application nor any order of the Commission was received by them and they only received the order dated 03.07.2019 through the office of DC Ludhiana. The respondent has also submitted a letter dated 09.08.2019 signed by the PIO-cum-Tehsildar, Ludhiana(West) whereby the Tehsildar Ludhiana(South) has informed that he has just joined on 05.07.2019 and as per their record, no RTI application pertaining to this appeal case is pending nor any order of the Commission was received.

A copy of the RTI application has been provided to the respondent with a direction to look at the RTI application and provide the information to the appellant.

The respondent is also directed to inform the name of the PIO when the RTI application was filed and his period of stay. The concerned PIO is directed to be present personally at the next date of hearing.

To come up for further hearing on **26.11.2019 at 11.00 AM.**

Chandigarh
Dated: 13.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :PIO-Deputy Commissioner, Ludhiana



Sh.Naresh Goel, S/o Sh Hans Raj,
501/62/1, Shastri Nagar, Street No-3,
Jagraon, Distt Ludhiana

... Compliant

Versus

Public Information Officer,
O/o Taluka Inspector of Land Records,
Village Gill-2, Ludhiana.

...Respondent

Complaint Case No. 988 of 2018

Present: Sh.Naresh Goel as Complainant
Sh.Harvinder Singh, Reader/Tehsildar Ludhiana(West) for the Respondent

Order:

The case was first heard on **27.11.2018**. The respondent was absent. As per complainant, he had not received any information from the PIO. The PIO was directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act and be present personally or through his representative on the next date of hearing.

The case was again heard on **16.01.2019**. The appellant informed that no information has been provided. The respondent was absent. The respondent was given one more opportunity to provide the information to the appellant and be present on the next date of hearing failing which the Commission will be constrained to take action as per RTI Act.

The case was again heard on **13.03.2019**. The appellant claimed that he has not received the information. The respondent was absent on 3rd consecutive hearing. The PIO-Taluka Inspector of Land Records, Village Gill-2, Ludhiana was issued a **show cause notice under Section 20 of the RTI Act** and directed to file reply on an affidavit. The PIO was again directed to provide the information to the appellant within 10 days.

The case was again heard on **14.05.2019**. The complainant informed that no information has been provided to him. The respondent was absent nor had sent any reply to the show cause notice. The PIO was granted one last opportunity to comply with the earlier order of the Commission which still stands and be present on the next date of hearing alongwith the reply to the show cause notice on an affidavit.

The case was last heard on **03.07.2019**. The complainant claimed that he has not received the information. The respondent was absent nor has sent any reply to the show cause notice issued on 13.03.2019. The PIO was given one more opportunity to comply with the earlier order of the Commission which still stands.

A copy of the order was also sent to the Deputy Commissioner, Ludhiana to ascertain that who is the PIO of Taluka Inspector of Land Records, Village Gill-2 Ludhiana and get the order served to the concerned PIO and further ensure compliance of this order as well as ensure that the concerned PIO to appear at the next date of hearing.

Hearing dated 13.08.2019:

Sh.Harvinder Singh, reader of Tehsildar(South) who appeared in appeal case No.986/2018 informed that the information relates to them. He however, further informed that no RTI application or any order of the Commission was received by them.

A copy of the RTI application has been handed over to him with a direction to look at the RTI application and provide the information to the appellant.

The case is adjourned. To come up for further hearing on **26.11.2019 at 11.00 AM.**

Chandigarh
Dated: 13.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to 1. PIO-Deputy Commissioner, Patiala

2. PIO-Tehsildar Village Gill-2, Ludhiana(South).



Regd Post

Sh.Yadwinder Singh, S/o ShSimranjit Singh,
Distt Jail, Roopnagar.

... Appellant

Versus

Public Information Officer,
O/o commissioner of Plice ,
Ludhiana.

First Appellate Authority,
O/o commissioner of Plice ,
Ludhiana.

...Respondent

Appeal Case No. 156 of 2019

PRESENT: Sh.Yadvinder Singh, as the Appellant
None for the Respondent

Order:

The appellant through RTI application dated 13.08.2018 sought copies of certain documents regarding case No.125/2014 registered at Police Station, Jamalpur. On receiving no information, the appellant filed first appeal before the First Appellate Authority on 12.11.2018 and subsequently approached the Commission vide second appeal on 03.01.2019.

The case was first heard on 26.02.2019 by Sh.S.S.Channy, Chief Information Commissioner. The respondent denied the information stating that the matter is under investigation and challan has been filed in the court which was handed over to the appellant. The respondent also handed over a copy of judgement of the court in their defense to the appellant. The appellant handed over copies of four judgements in his support to the representative of the respondent. Both the parties were directed to furnish their reply to each other with a copy to the Commission.

The case was again heard by Sh.S.S.Channy, Chief Information Commissioner on 02.04.2019. The appellant submitted a letter which was taken on the record and a copy was handed over to the respondent. The respondent however failed to submit their reply on the judgements handed over to him by the appellant on 26.02.2019. The respondent was directed to file appropriate reply on the judgement and the letter submitted by the appellant.

The case was further heard on 08.07.2019. The respondent pleaded that the accused is in the judicial custody via order of Sh.Arunveer Vashist, Addl. Session Judge, Ludhiana in a double murder case of killing two persons. The respondent further informed that the appellant was working as a reader with Sh.Manjinder Singh, SHO in Police Station Machhiwara. Sh.Yadwinder Singh alongwith two other accused Sh.Manjinder Singh and Sh.Sukhvir Singh went on a raid in a case under the police station Jamalpur where due to heated arguments between both the parties, these accused killed two persons. Sh.Manjinder Singh and Sh.Sukhvir Singh have been declared P.O by the Court of Sh.Arunveer Vashist, Addl. Session Judge, Ludhiana. The statement of the respondent was taken on the file.

The appellant was absent and vide email has sought exemption being in judicial custody. The case was adjourned.

Appeal Case No. 156 of 2019

The case was last heard on **29.07.2019**. The Commission observed that the appellant is a young under trial in a double murder case at Ludhiana, and is at present under custody at District Jail Rupnagar in FIR No. 125 dated 27.09.2014 u/s 302,148,149, 201 IPC PS Jamalpur, Ludhiana. The appellant sought to obtain copies of *Rojnamncha* and all the *Ziminies* of the Police file in the said FIR for his defense in the court. Still further, as per the facts, which are coming out of the file and the pleadings, the challan in the present case has already been filled and thus the Investigations have been completed.

The Commission further observed that in the present case, the respondent has not pleaded or has substantiated in any manner as to how by supplying the entire *zimini* file to the accused the prosecution shall get hampered. They have taken a blanket plea of an absolute bar, which is not available to them under the Law. The Judgments cited by the Appellant are very much applicable to the facts and circumstances of the present case, and the judgment cited by the Respondent pertain to section 24 of the RTI which is a special provision under which only those organizations fall which have been notified so, and admittedly Punjab Police does not enjoy the protection of Section 24 of the RTI Act.

That the "second" part of Section 8 (1) (h) of the Act is subjective and depends upon the facts and circumstances of each case.

Hence, given the circumstances of this particular case, the Commission was of the view that the disclosure of information rather than hampering prosecution may help the appellant to defend himself and in proving his innocence. The PIO was directed to provide all *ziminies* and all other information as sought in the RTI application within 10 days of receipt of this order. Police to ensure that the same set of papers are provided that were referred to by the court during a hearing earlier.

Hearing dated 13.08.2019:

The appellant claims that the PIO has not provided the information. The respondent is absent and vide email has sought adjournment stating that all the staff is on duty for maintaining security and peace on the eve of independence day.

The case is adjourned. The PIO is directed to provide the information to the appellant as per earlier order which still stands. Information be provided before the next date of hearing.

To come up for further hearing on **28.08.2019 at 11.00 AM.**

Chandigarh
Dated:13.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
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Visit us: - www.infocommpunjab.com



Sh Paramjit Singh, S/o Sh Ishwar Singh,
Ward No-15, Mohalla Koko Majri,
Near Rose Garden, Sunam, Distt Sangrur.

... Appellant

Versus

Public Information Officer,
O/o Deputy Chief Engineer,
Distribution Division, PSPCL,
Bathinda.

First Appellate Authority,
O/o Chief Engineer, (West Zone),
PSPCL, Bathinda.

...Respondent

Appeal Case No. 398 of 2019

PRESENT: Sh.Paramjit Singh as the Appellant
Sh.Hemant Kumar, AEE PSPCL Bhatinda for the Respondent

ORDER:

The case was first heard on **07.05.2019**. The respondent present pleaded that the record is missing and they have already filed DDR on 13.11.2018. The PIO was directed to conduct an enquiry into the matter which establishes that the record is missing, and fix the responsibility of the person under whose custody the record went missing. The PIO was directed to provide a copy of enquiry report and a copy of DDR to the appellant.

The case was last heard on **03.07.2019**. The appellant claimed that the PIO has not provided the information.

The respondent Sh.Hemant Kumar, AEE-Nathani Sub Division, PSPCL appeared late and informed that they have started enquiry against the official under whose custody the record was missing. The respondent further informed that they have already sent reply to the appellant on an affidavit alongwith a copy of DDR vide letter dated 02.07.2019 and a copy of the same was submitted to the Commission. The respondent was directed to submit complete enquiry report which establishes that the record is missing and be present on the next date of hearing.

Hearing dated 13.08.2019:

The respondent present has brought enquiry report and handed over to the appellant. A copy of DDR has also been handed over to the appellant.

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

Chandigarh
Dated 13.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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 Manjeet Singh,
H No-1435, Street No-6, Block-A,
Guru Nanak Colony, Gill Road,
Ludhiana.

.....Appellant.

Versus

Public Information Officer,
O/o XEN, PSPCL,
Unit-1, Ludhiana-3, Ludhiana.

First Appellate Authority,
O/o XEN, PSPCL, Unit-1-2443,
Sub Division-1, Ludhiana-3,
Ludhiana.

...Respondent

Appeal Case No. 407 of 2019

PRESENT: Sh.Manjit Singh as the Appellant
Sh.Gurcharan Singh, AEE for the Respondent

ORDER:

The case was first heard on **07.05.2019**. The appellant informed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information as per RTI application and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. The PIO was also directed to be present personally or through a representative on the next date of hearing.

The case was last heard on **03.07.2019**. The appellant claimed that the PIO has not provided the information.

The respondent Sh.Gurcharan Singh, AEE PSPCL Janta Nagar, Ludhiana appeared late and informed that they have already supplied the information to the appellant vide letter dated 13.12.2018 which the appellant has acknowledged having received the information on 17.01.2019. A copy of acknowledgement was submitted to the Commission.

Hearing dated 13.08.2019:

The respondent present informed that the information has been provided to the appellant. The appellant is not satisfied and stated that he wants the status of his complaint. The PIO is directed to relook at the RTI application and provide status report on the complaint of the appellant.

To come up for compliance on **26.11.2019 at 11.00 AM.**

Chandigarh
Dated 13.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Regd Post

Sh Jit Singh, S/o Sh Ram Saroop,
R/o Village Saketri, Tehsil & Distt Panchkula,
Haryana.

... Appellant

Versus

Public Information Officer,
O/o PSPCL, Badali Ala Singh,0
Fatehgarh Sahib.

First Appellate Authority,
O/o Chief Engineer, PSPCL,
Distt Ludhiana.

...Respondent

Complaint Case No. 1110 of 2019

PRESENT: Sh.Jit Singh as the Appellant
Sh.Rajinder Kumar, SDO Badali Ala Singh for the Respondent

ORDER:

The case was last heard on 24.07.2018. The respondent present pleaded that since the information is 3rd party information and the 3rd party has not given its consent for disclosure of information, it cannot be provided.

The case was adjourned for adjudication on the next date of hearing.

Hearing dated 13.08.2019:

In the last hearing, the respondent had denied the information claiming that the information is 3rd party and the 3rd party has not given its consent for disclosure of information. However, during the course of this hearing, the appellant has presented an evidence and a copy of order of the SDM Bassi Pathana dated 29.09.2017, in which the appellant is treated as a co-sharer in the water rights of tubewell connection about which he is seeking information. The Commission is of the view that since the appellant is a co-sharer, he is eligible to access the information that he has sought.

The PIO is directed to provide a copy of entire record regarding point-3 of the RTI application. The other points have already been addressed in appeal case No.1109/2019. The appellant is directed to visit the office of the PIO on 20.08.2019 and collect the record pertaining to point-3 of the RTI application.

With the above observation and order, the case is **disposed off and closed**.

Chandigarh
Dated:13.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Mrs Amar Sneh Kaur,
K No-933, Phase-XI, Sector-65,
Mohali

... Appellant

Versus

Public Information Officer,
GMADA, PUDA Bhawan,
Sector-62, Mohali.

First Appellate Authority,
GMADA, PUDA Bhawan,
Sector-62, Mohali.

...Respondent

Appeal Case No. 2444 of 2018

Present: None for the Appellant
Sh.Gulshan Kumar-PIO GMADA for the Respondent

ORDER:

The case was first heard on **29.10.2018**. The respondent was absent without intimation to the Commission. The PIO was directed to provide the information to the appellant within 10 and be present personally or through his representative on the next date of hearing and explain the reasons for not providing the RTI application within the time prescribed under the RTI Act.

The case was again heard on **04.12.2018**. The appellant informed that the information has not been provided by the PIO. The respondent was absent nor provided the information despite order of the Commission. The PIO was **issued a show cause notice and directed** to file reply on an affidavit. The PIO was also directed to provide the information to the appellant within 10 days.

The case again came up for hearing on **23.01.2019**. The representative present on behalf of the appellant informed that the information has not been provided. Sh.Gulshan Kumar, PIO and Sh.Kuldeep Singh, APIO were present. The respondents neither brought any information nor reply to the show cause.

During hearing, it came to the notice of the Commission that the present PIO has joined on 15.11.2018 and the responsibility for delay in providing the information rests with the previous PIO. The Commission had clearly mentioned in the show cause that if there are other persons responsible for delay in providing the information, the PIO to inform such persons to appear before the Commission alongwith written replies. However, no reply had been filed.

Keeping the above facts of the case in mind, the PIO-GMADA was held guilty for not providing the information on time and for repeated and willful defiance of the Commission's orders and a penalty of **Rs.25,000/-** was imposed upon the PIO, GMADA, Punjab.

However, since there were two PIOs involved in the case, to ascertain and fix the responsibility of the PIO involved in the dereliction of duty in attending to

the RTI application, the Commission directed both the PIOs (Present and earlier)to be present at the next date of hearing with complete detail of the posting dates of the PIOs.

Further, the Commission was of the view that since the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO was directed to pay an amount of **Rs.5000/-** via demand draft drawn through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO was directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant. The PIO was also directed to provide the information to the appellant within a week and send a compliance report to the Commission.

The case was again heard on **13.03.2019**. The representative present on behalf of the appellant informed that the information has been received. The respondent in compliance with the order of the Commission has brought a demand draft of Rs.5000/- and handed over to the representative of the appellant.

The present PIO submitted an affidavit that he joined as PIO-GMADA only on 30.11.2018 and the previous PIO did not attend the RTI application on time.

Keeping the above facts in view, the Commission found that the delay in providing the information has occurred on the part of previous PIO and there has been a delay of more than 100 days, the previous PIO - Mrs.Suman Bala, AEO GMADA was held guilty for not providing the information on time and a penalty of **Rs.25,000/-** was imposed upon Mrs.Suman Bala, the previous PIO, GMADA, Punjab and 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 case was last heard on **14.05.2019**. The respondent present informed that as per order of the Commission, the amount of penalty has been deducted from the salary of Mrs.Suman Bala(Previous PIO) and they will deposit the amount in Govt Treasury within 2-3 days. The PIO was given one more opportunity and directed to comply with the earlier order of the Commission which still stands and send a compliance report to the Commission.

The case was last heard on **16.07.2019**. The respondent was absent. The PIO was given one last opportunity to comply with the earlier order of the Commission and send a compliance report to the Commission.

Hearing dated 13.08.2019:

The respondent has submitted a copy of challan as a proof of having deposited the penalty amount of Rs.25000/- in the Govt Treasury which is taken on the file of the Commission.

Since the information stands provided and the PIO has deposited the amount of penalty and paid compensation to the appellant, no further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated: 13.08.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Tejinder Singh, R/o Village Bholapur,
P.O Ramgarh, Chandigarh Road,
Ludhiana.

...Appellant

Versus

Public Information Officer,
O/oExecutive Engineer, (Commercial),
PSPCL, Focal PointDivision,
Ludhiana.

First Appellate Authority,
O/oChief Engineer,
PSPCL, Ludhiana.

...Respondent

Appeal Case No. 3984 of 2018

Present: None for the Appellant
None for the Respondent

ORDER: The case was first heard on **12.03.2019**. The appellant informed that the information has not been provided. The respondent was absent. The PIO is directed to provide the information as per RTI application to the appellant within 10 days and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case was again heard on **14.05.2019**. The appellant informed that the PIO has not provided the information. The respondent had not brought any information. Due to an enormous delay of more than nine months, the PIO was issued a **show cause notice under section 20 of the RTI and** directed to file reply on an affidavit. The PIO was again directed to provide the information to the appellant within a week.

The case was last heard on **03.07.2019**. The respondent pleaded that no action has been taken till now since the letter of the GLADA, which was received by the department in the year 2017, did not have signature of the competent authority on all pages and they have written twice to GLADA to authenticate the document and send it back for further action. The appellant disputed this claim and stated that GLADA vide letter issued in the year 2017 and another letter dated 16.02.2018 had instructed the PSPCL to remove the encroachment.

The Commission observed that the letters sent by GLADA were of the year 2017 & 2018, whereas the letters written by the PSPCL were in the month of May & June, 2019. The Commission directed the Superintending Engineer, PSPCL to take immediate action on the letters of the GLADA and provide full enquiry report to the Commission as to why appropriate action was not taken in time. The PIO was directed to appear personally on the next date of hearing with all the observations on an affidavit.

Hearing dated 13.08.2019:

The appellant is absent and vide email has sought adjournment. The respondent is absent nor has sent any reply to the show cause notice. The PIO is given one more opportunity to comply with the earlier order of the Commission which still stands and appear personally on the next date of hearing otherwise the Commission will be constrained to take action under the provisions of the RTI Act.

The case is adjourned. To come up for further hearing on **13.11.2019 at 11.00 AM.**

Sd/-

Chandigarh
Dated: 13.08.2019.

(Khushwant Singh)
State Information Commissioner

CC to Superintending Engineer, PSPCL, Ludhiana