

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in
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Sh.Tejinder Singh,
R/o Village Bholpaur, P.O Ramgarh,
Chandigarh Road, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o GLADA,
Ludhiana.

First Appellate Authority,
O/o Addl, Chief Administrator,
GLADA, Ludhiana.

...Respondent

Appeal Case No. 21 of 2019

PRESENT: None for the Appellant
Sh.Santosh Kumar Bains, PIO GLADA for the Respondent

ORDER:

The case was first heard on **08.04.2019**. The appellant was absent and vide email informed that the PIO has not provided the information.

The respondent present pleaded that they have already started action against the allottee of the flat and the allottee has been issued notices on 13.03.2019, 22.03.2019 and 05.04.2019 for calling reply. The respondent further informed that they have sent reply to the appellant on 05.04.2019. The Commission recommended that the action against the defaulter be taken as per law and a compliance report be sent to the Commission. The PIO was also directed to explain the reasons for delay in attending to the RTI application.

The case was last heard on **12.06.2019**. The appellant claimed that the PIO has not provided the information. The appellant further informed that he has also not received the letter dated 05.04.2019 vide which the respondent claims to have sent reply to the appellant.

The Commission observed that the PIO has not complied with the earlier order of the Commission nor has supplied the information to the appellant, and there is an enormous delay of nine months in providing the information. The PIO was issued a **show cause notice under section 20 of the RTI Act and** directed to file an affidavit in this regard.

The case was last heard on **05.08.2019**. The respondent present pleaded that the information has been provided to the appellant vide letter dated 06.06.2019. The respondent further pleaded that as per decision of the Punjab & Haryana High Court, they have taken necessary action and allotment of the house has been cancelled. The appellant was provided reply vide letter dated 30.07.2019 during the hearing.

The information had been provided. However, in the affidavit submitted by the respondent, the PIO had not been able to justify the delay of 8 months in providing the information since the RTI application was filed by the appellant on 16.08.2018 and the reply was sent by the PIO on 05.04.2019.

A penalty of **Rs.15,000/-** was imposed upon the PIO-GLADA Ludhiana to be deposited in the Govt. Treasury. The PIO-GLADA 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.

Hearing dated 13.11.2019:

The respondent PIO is present and submitted a copy of the challan as a proof of having deposited the amount of penalty 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 as per order of the Commission, no further course of action is required.

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

Chandigarh
Dated 13.11.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Ashok Kumar,
H No-214, Pine Homes,
Dhakoli, Zirakpur.

... Appellant

Versus

Public Information Officer,
O/o Chief Administrator,
GMADA, PUDA Bhawan,
Sector-62, Mohali..

First Appellate Authority,
O/o Chief Administrator,
GMADA, Sector-62,
Mohali.

...Respondent

AppealCase No. 95 of 2019

PRESENT: None for the Appellant
Sh.Gulshan Kumar, PIO GMADA for the Respondent

ORDER:

The case was first heard on **08.04.2019**. The respondent present pleaded that they have already sent the information to the appellant vide letter dated 06.11.2018. The appellant was absent and vide letter received in the Commission on 04.04.2019 informed that he has not received the information as per the RTI application.

Since the appellant was absent and no discrepancy could be discussed at the hearing, the case was adjourned.

The case was again heard on **29.05.2019**. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated that he has sought calculation sheet vide which the allotment price of land was finalized alongwith allotment letter for the land allotted to Reimagining Higher Education Foundation. The respondent pleaded that the information is relates to 3rd party and the 3rd party has not given its consent to part with the information.

Having gone through the RTI application and the reply of the PIO, the PIO was directed to provide the information regarding point-1 within a week. Regarding point-3, the 3rd party M/s Reimagining Higher Education Foundation was impleaded and directed to appear before the Commission on the next date of hearing to plead its case, should it have something to say in the matter.

The case was last heard on **05.08.2019**. The respondent present pleaded that the information has been provided to the appellant vide letter dated 03.06.2019 and a copy of the same submitted to the Commission. The appellant was absent and vide email informed that that the PIO has not provided the calculation sheet. The appellant wanted that what factors are taken into account to arrive at the given rates which have been provided to him. The respondent said that no such information is available in their office as to how these rates have been calculated since the rates are decided at the level of Secretary Housing & Urban Development Punjab.

AppealCase No. 95 of 2019

The Secretary Housing and Urban Development, Punjab was impleaded in the case and directed to look at the RTI application and provide the information. The Commission made it clear that if there is any document that clarifies that how these rates have been arrived at, be provided to the appellant.

Hearing dated 13.11.2019:

The respondent present pleaded that they have already provided the available information to the appellant and no other document is available in their record regarding calculation of allotment price of land in IT City. The reply has been sent to the appellant.

I have gone through the reply of the PIO and find that the information has been provided to the best possible extent and no further course of action is required.

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

Chandigarh
Dated 13.11.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Smt.Gursimran kaur,
R/o 836 MIG, PHB Colony,
Jamalpur, Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o State Transport Commissioner,
Pb, Chd.

First Appellate Authority,
O/o State Transport Commissioner,
Pb, Chd.

...Respondent

Appellant Case No. 116 of 2019

PRESENT: Ms.Gurdeep Singh Kahlon, Advocate for the Appellant
Sh.Payara Singh-OIO, STC Pb for the Respondent

ORDER: The case was first heard on **08.04.2019**. Since both the parties were absent, the case was adjourned.

The case was again heard on **12.06.2019**. The appellant claimed that the PIO has not supplied the information. The respondent present pleaded that since the information relates to the RTA Ferozepur, they have already transferred the RTI application to the PIO-RTA Ferozepur vide letter dated 30.08.2018. The PIO-Regional Transport Authority, Ferozepur was impleaded in the case and directed to provide the information to the appellant as per the RTI application transferred by the STC Punjab on 30.08.2018. The PIO-RTA was also directed to explain the reasons for not attending to the RTI application well within the time prescribed under the RTI Act and appear before the Commission alongwith the explanation on an affidavit.

The case was last heard on **05.08.2019**. The appellant claimed that the PIO has not provided the information. The respondent present from the office of STC Punjab informed that they have already transferred the RTI application to the RTA-Ferozepur since the information relates to them.

The respondent from the office of RTA Ferozepur was absent nor had complied the order of the Commission. The PIO was issued a show cause under **Section 20 of the RTI Act 2005 and directed to file** an affidavit in this regard. The PIO was again directed to provide the information to the appellant within 10 days.

Hearing dated 13.11.2019:

The counsel for the appellant informed that the PIO has not provided the information to the appellant. The respondent present informed that the RTA Ferozepur has not supplied the information. The PIO-STC Pb is directed to collect the information from the concerned office and provide to the appellant. The PIO is also directed to file reply to the show cause notice otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **05.12.2019 at 11.00 AM**.

Chandigarh
Dated 13.11.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :PIO-Regional Transport Authority, Ferozepur

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Sh. Manjinder Singh,
2469, Sunny Enclave,
Sector-125, Kharar,
Distt Mohali.

... Appellant

Versus

Public Information Officer,
O/o Regional Transport Authority,
Sangrur.

First Appellate Authority,
Secretary, Regional Transport Authority
Sangrur.

...Respondent

Appeal Case No. 122 of 2019

Present: None for the Appellant
None for the Respondent

ORDER: The case was first heard on 09.04.2019. The appellant claimed that no information has been provided to him. The respondent was absent without intimation to the Commission. The PIO was directed to look at the RTI application and provide the information within 15 days and be present on the next date of hearing alongwith the reasons for not attending to the RTI application.

The case was last heard on **28.05.2019**. The appellant claimed that despite order of the Commission, the PIO has not provided the information. The respondent was absent without intimation to the Commission. Since there has been an enormous delay of eight months in providing the information, the PIO was issued a show **cause notice under section 20 of the RTI Act and directed to** file an affidavit in this regard. The PIO was again directed to provide the information to the appellant within 10 days.

The case was last heard on **05.08.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO-RTA Sangrur was given one last opportunity to comply with the earlier order of the Commission and be present on the next date of hearing otherwise the Commission will be constrained to decide the case ex-parte assuming that you have nothing to say on the matter.

A copy of the order was sent to the STC, Punjab, Chandigarh to get the order served to the concerned PIO and to ensure compliance of this order, as well as ensure that the concerned PIO provide the information and appear personally or through its representative at the next date of hearing. It may also be noted that the PIO-RTA Sangrur has shown dereliction in attending to the summons of the Commission from time to time.

Hearing dated 13.11.2019:

Since both the parties are absent, in the interest of justice, one more opportunity is given and the case is adjourned.

To come up for further hearing on **20.01.2020 at 11.00 AM.**

Chandigarh
Dated 13.11.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-STC, Pb, Sector 17, Chandigarh.

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Sh. Gurmukh Singh, S/o Sh.Mohinder Singh,
H No-610, Sector-11, Preet Nagar,
Kharar, Distt.Mohlai.

... Appellant

Versus

Public Information Officer,
O/o General Manager,
PRTC, Chandigarh.

First Appellate Authority,
O/o PRTC, Head Officer,
Patiala.

...Respondent

Appeal Case No. 143 of 2019

Present: Sh.Gurmukh Singh as the Appellant
None for the Respondent

ORDER:

The case was first heard on 09.04.2019. The respondent present pleaded that the information has been provided to the appellant vide letter dated 03.04.2019. The appellant was not satisfied. The respondent further informed that since the dealing official has been on medical leave, the complete information could not be provided and the remaining information will be provided on joining the dealing official.

Since there had been an enormous delay of seven months, the PIO was issued a **show cause notice under section 20 of the RTI Act** and the PIO was directed to file reply on an affidavit. The PIO was also directed to provide the information within a week and be present personally on the next date of hearing.

The case was again heard on **28.05.2019**. The respondent present pleaded that the information has been provided to the appellant again vide letter dated 12.04.2019 and a copy submitted to the Commission. In the reply, the PIO had mentioned that as per record available, the appellant had not filed claim for reimbursement of TA bills from January 2013 to December 2013 and that no reimbursement was made. The appellant however, shown a document that he had filed claim for reimbursement of TA but the reimbursement was not made. Senior authority of the department was directed to look into the matter and resolve it as per provisions of the Department.

The respondent did not bring any reply to the show cause and said that the delay had occurred at the level of previous PIO Sh.Gurvinder Singh who has been now transferred and posted at Head Office Patiala. Sh.Gurvinder Singh, PRTC Patiala (earlier PIO-PRTC Chandigarh) was directed to appear personally and reply to the show cause notice on an affidavit on the next date of hearing.

Appeal Case No. 143 of 2019

The case was last heard on **05.08.2019**. Sh.Gurvinder Singh, earlier PIO-PRTC Patiala appeared and pleaded that the information has been provided to the appellant. The appellant was not satisfied with the information. The respondent also submitted reply to the show cause notice on an affidavit which was taken on the file of the Commission.

The PIO was directed to remove the discrepancies and provide whatever the information is available on record, to the appellant. The case to be adjudicated on the next date of hearing.

Hearing dated 13.11.2019:

The appellant claims that the PIO has not provided the information as per the RTI application. The respondent is absent. The PIO is given one more opportunity and directed to be present on the next date of hearing alongwith the original record relating to the TA bills.

The case is adjourned. To come up for further hearing on **20.01.2020 at 11.00 AM**.

Chandigarh
Dated 13.11.2019

Sd/-
(KhushwantSingh)
State Information Commissioner

CC to: Sh.Gurvinder Singh, O/o PRTC,
Patiala(Earlier PIO-PRTC Chandigarh)

Note:Sh.Gurvinder Singh(Earlier PIO-PRTC) appeared late and informed that the information has been again sent to the appellant. He was directed to bring original record in the Commission at the next date of hearing.



Sh. Lalit Mohan, S/o Sh.Satpal Gargi,
13813-A, Street No-7, Ganesha Basti,
Bathinda.

... Appellant

Versus

Public Information Officer,
O/o Secretary, Regional Transport Officer,
Faridkot.

First Appellate Authority,
O/o Sate Transport Commission,
Pb, Chandigarh.

...Respondent

Appeal Case No. 152 of 2019

Present: None for theAppellant
None for the Respondent

ORDER: The case was first heard on **10.04.2019**. The respondent present pleaded that the information has been provided to the appellant on 01.04.2019. The appellant had received the information and was satisfied. The appellant however, pleaded that the information has been provided with a delay of one year. The Commission observed that there has been an enormous delay of one year in attending to the RTI application, and issued a **show cause notice under section 20 of the RTI Act and** directed the PIO to file reply on an affidavit.

The case was again heard on **29.05.2019**. In reply to the show cause, the respondent submitted an affidavit which was taken on the file of the Commission. The PIO in the reply stated that the appellant had filed RTI application with the office of SDM Faridkot which was transferred by them to this office. The PIO further stated that since the record was with Vigilance Department which was not handed over by them to this office in time, the information was delayed.

Having gone through the affidavit, the PIO was directed to elaborate point-6 of the affidavit and specify through documentary evidence, so that the Commission can ascertain the exact time when the record was returned by the Vigilance Department, to arrive at a conclusion whether the plea of the PIO is bonafide or not.

The case was last heard on **05.08.2019**. The information had been provided. The appellant was exempted. The respondent was absent. The PIO is given one more opportunity to comply with the earlier order and be present on the next date of hearing.

Hearing dated 13.11.2019:

In the last hearing, the appellant was exempted since the information stands provided. The respondent is absent nor has complied with the order of the Commission. The PIO is given one last opportunity to comply with the earlier order and be present on the next date of hearing otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

To come up for further hearing on **20.01.2020 at 11.00 AM.**

Chandigarh
Dated 13.11.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Rakesh Kumar Gupta,
8/237, Jagraon Road, Mandi Mullanpur,
Distt Ludhiana.

.....Appellant.

Versus

Public Information Officer,
DFSC, Ludhiana (West),
Zone-D, Municipal Corporation Building,
Sarabha Nagar, Ludhiana

First Appellate Authority,
The Director, Food, Civil Supplies & Consumer Affairs,
Anaj Bhawan, Sector-39-C,
Chandigarh.

.... Respondent

Appeal Case No. 1669 of 2018

Present: None for the Appellant
Sh.Jaswinder Singh Inspector O/o DFSC on behalf of the Respondent

ORDER:

The case was first heard on **06.08.2018**. Sh.Jaswinder Singh from the office of DFSC was present. The respondent present pleaded that the information being third party information cannot be provided since the third parties had not given their consent. Having gone through the merits of the case, the claim of the PIO that the information is third party information was not fully justified. The PIO was directed to provide the point-wise information to the appellant in accordance with the RTI Act.

The case was again heard on **23.10.2018**. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and informed that the information is incomplete.

Having gone through the RTI application and hearing both the parties, the PIO was directed to relook at the RTI application and send reply to the point No. 1 on an affidavit. The information regarding points 2, 4, 5, 6 & 9 be provided as per RTI application. Regarding point No.7, to provide certified copy of details of penalty. Regarding point No.8, to forward application to the PIO, Market Committee.

The case came up for hearing on **04.12.2018**. The respondent from the office of Market Committee has brought the information regarding point No.8 and handed over to the appellant. The appellant received the same and is satisfied. Regarding points 2,4,5,6 &9, the respondent from the office of DFSC pleaded that since the paddy season is going on, they are busy in the procurement of paddy and sought adjournment. The adjournment was granted. The PIO was directed to provide information as per earlier order which still stands.

The case was again heard on **26.02.2019**. The appellant was absent and vide email informed that the PIO has not provided the information as per order of the Commission. The PIO was directed to comply with the earlier order of the Commission which still stands.

Appeal Case No. 1669 of 2018

The case was further heard on **07.05.2019**. The appellant was absent and vide email informed that the PIO has not provided the information as per order of the Commission. The respondent present from the office of Mandi Board informed that the information concerning them has already been provided.

The PIO-DFSC was directed to comply with the earlier order which still stands and provide the information to the appellant within 15 days and send a compliance report to the Commission, otherwise the Commission will be constrained to take action against the PIO as per provisions of the RTI Act.

The case was last heard on **05.08.2019**. The appellant was absent nor had sent any communication whether he had received the information or not. The case was adjourned.

Hearing dated 13.11.2019:

The respondent present from the office of DFSC pleaded that the concerned third party has filed a writ petition in the Punjab & Haryana High Court against the order of the Commission for providing their information to the appellant and the status of the writ petition is awaited. The appellant is absent and vide email has sought adjournment preferably for Tuesday.

Having gone through the file, the Commission observes that during the intervening period of hearing, the 3rd party M/s Ram Kirpa Rice Mills filed a writ petition No.21424 of 2019 in the Punjab & Haryana High Court and challenged the order dated 07.05.2019 passed by the Commission in this appeal case. The said CWP has been dismissed by Punjab & Haryana High Court on 13.08.2019.

The earlier order of the Commission stands. The PIO is given one last opportunity to comply with the order of the Commission and provide the information to the appellant within 10 days otherwise the Commission will be constrained to issue show cause under section 20 of the RTI Act.

The case is adjourned. To come up for compliance on **25.02.2020 at 11.00 AM**.

Chandigarh
Dated: 13.11.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: The PIO, Distt.Mandi Officer,
District Mandi Bhawan, Gill Road,
Ludhiana.



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: Sh.Gurdeep Singh Kahlon, Advocate for the Appellant
Sh.Bharat Bhushan, Sr Xen PSPCL Focal Point, Ludhiana 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 again 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.

The case was last heard on **13.08.2019** The appellant was absent and vide email has sought adjournment. The respondent was also absent nor has sent any reply to the show cause notice. The PIO was 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.

Hearing dated 13.11.2019:

The respondent present has filed a reply to the show cause notice issued to the PIO on 14.05.2019 which is taken on the file of the Commission. In the reply, the PIO has mentioned that since the letter received from GLADA for taking action for disconnection did not have signature of the competent authority on all pages, the action could not be taken. The GLADA provided the authentic documents only in the year 2019 but again without the details regarding the name of allottee, contact number or PSPCL account etc. However, on the part of PSPCL, the process of identifying the consumers and serving notices, has already been initiated, a copy of which is submitted to the Commission.

The respondent has further stated that the process of taking action against the violators is being conducted jointly by the team of officers of GLADA with the support of police protection alongwith PSPCL personnel, which has not so far been initiated by GLADA in this case. Now in view of law and order situation, Chief Administrator, GLADA has been requested vide this office memo No.4833 dated 08.11.2019 to form a committee of all the sections involved for such mass drive. The respondent has pleaded to drop the show cause.

Having gone through the record and hearing both the parties, it has been concluded that the RTI application has been suitably replied. The plea of the respondent is accepted and the show cause is dropped.

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

Chandigarh
Dated: 13.11.2019.

CC to Superintending Engineer, PSPCL, Ludhiana

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Sukhwinder Singh, S/o Sh Mewa Singh,
R/o Flat No-501, Block-A, New Generation Extension,
Dhakoli, Zirkapur.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Patiala.

First Appellate Authority,
O/o IGP,
Patiala.

...Respondent

Appeal Case No. 3395 of 2019

PRESENT: None for the Appellant
Sh.Hakam Singh, ASI and Sh.Jaswinder Singh, ASI-Bakshiwala Police
Station for the Respondent

ORDER:

The appellant through RTI application dated 24.05.2019 has sought information regarding police file relating to FIR No.40 dated 07.02.2010 registered in police station Tripri Town u/s 376 and other information concerning the office of SSP Patiala. The appellant was not provided the information after which the appellant file first appeal before the First Appellate Authority on 26.07.2019 which took no decision on the appeal.

The respondent present pleaded that the appellant has been declared proclaimed offender by Sh.Balwant Singh, PCS Principal Magistrate Juvenile Board Patiala on 07.06.2011 and the challan has been presented in the Court on 23.09.2011 and that the accused is yet to be arrested, the information cannot be provided.

The appellant is absent. The case is adjourned.

To come up for further hearing on **04.12.2019 at 11.00 AM.**

Chandigarh
Dated: 13.11.2019.

Sd/-
(Khushwant Singh)
State Information Commissioner