

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Gurbachan Singh,
S/o Sh. Didar Singh,
Near Dashmesh Public School,
Bathinda Road,
Talwandi Sabo – 151 302

Versus

Public Information officer,
O/o Executive Engineer (XEN),
Mansa Division, I.B. Jawaharke,
District Mansa.
First Appellate Authority,
O/o Chief Engineer,
Irrigation Department Punjab,
Sector-18, Chandigarh.

Appeal Case No. 501 of 2021 (Video Conference Proceedings)

PRESENT:

Daljeet Singh (for the Appellant) 94171-71092
Jagmeet Singh, XEN, Mansa Canal (Respondent) 98880-48090

ORDER:

1. The RTI application is dated **14.7.2020** vide which the appellant has sought information **regarding an application bearing Diary No. 207 dated 11.6.2020 and Diary No. 90 dated 10.7.2020**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **2.9.2020** and Second Appeal was filed in the Commission on **12.1.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **13.8.2021**.
2. Both parties are present via Video Conference from Mansa. The respondent PIO, represented by Jagmeet Singh, XEN, Mansa Canal, stated that a reply pertaining to point No.1 and 3 was sent to the appellant vide Letter No. 3537 dated 26.8.2020, wherein the appellant was also informed that the information requested at point No. 4 and 5 relates to a Civil Suit and should be sought from the records of the concerned Civil Court.
3. The appellant stated that he did not receive the aforesaid reply and actually received the information pertaining to points 1 and 3 vide Letter No. 2541 dated 17.5.2021. He has also listed certain deficiencies in the information supplied at points 1 and 2. The appellant is requested to list said deficiencies in a letter to the respondent PIO, who must submit a reply to the deficiencies along with information requested thereon.
4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Contd. ...2

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Appeal Case No. 501 of 2021 (Video Conference Proceedings)

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 12.1.2022 at 11.00 am through Video Conference Facility at D.C. Office, Mansa.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
13.8.2021

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Krishan Lal,

S/o Sh. Thakar Ram,

C/o Malak Krishan Kheti Centre,

Street No.4, Mandi No. 1, Near SBI Bank,

Abohar,

District Fazilka – 152 116

Versus

Public Information officer,

O/o Chief Agriculture Officer,

District Mansa.

First Appellate Authority,

O/o Director, Department of Agriculture,

Agriculture Bhawan,

Phase-6, S.A.S. Nagar,

District Mohali.

Appeal Case No. 550 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Manjeet Singh, Chief Agricultural Officer, Mansa (for the Respondent) 98141-93502

ORDER:

1. The RTI application is dated **19.10.2020** vide which the appellant has sought information **regarding test report result of an insecticide sample collected by the Agriculture Department,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **4.12.2020** and Second Appeal was filed in the Commission on **22.1.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **13.8.2021**.

2. The appellant is absent but has emailed a copy of his second appeal and a submission. The respondent PIO represented by Manjeet Singh, Chief Agricultural Officer, Mansa, present via Video Conference from Mansa, has also made a submission via email dated 9.8.2021, wherein he has cited provisions of Insecticide Act and Section 8(1)(j) and Section 11 of the RTI Act 2005 to claim exemption from disclosing the requested information.

3. This Commission has closely examined the above and is of the considered view that the requested information does not qualify for exemption as personal or third party information. The said information in fact pertains to the test result of a sample routinely collected by the Agricultural Department to ensure the quality and purity of insecticide being used by / supplied to farmers. The said information belongs to and is in the custody of concerned Public Authority, in this instance the office of the Chief Agriculture Officer Mansa.. Following from the above, the respondent PIO is directed to supply the requested information after duly attesting it in the format given below. This must be done within 10 days of receipt of this order.

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Appeal Case No. 550 of 2021 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 12.1.2022 at 11.00 am through Video Conference Facility at D.C. Office, Mansa.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

13.8.2021

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Gurmeet Singh,
S/o Sh. Lal Singh Ram,
Village Kikkar Khera, Tehsil Abohar,
District Fazilka.

Versus

Public Information officer,
O/o Executive Engineer (XEN),
Water Drainage Department Faridkot at Gidderbaha,
Gidderbaha.

First Appellate Authority,
O/o Superintendent,
Water Drainage Department, Circle Gidderbaha,
Gidderbbaha.

Appeal Case No. 890 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Sukhjinder Singh, Superintendent (for the Respondent) 88721-54055

ORDER:

1. The RTI application is dated **7.9.2020** vide which the appellant has sought information **regarding the drainage of rain water in Village Kora Khera,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **16.11.2020** and Second Appeal was filed in the Commission on **5.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **13.8.2021**.

2. The appellant is absent without intimation. The respondent PIO, represented by Sukhjinder Singh, Superintendent, present via Video Conference from Mansa, stated that a reply was first sent to the appellant vide Letter No. 2222 dated 15.10.2020. A copy of the same was again sent to him by registered post on 11.8.2021.

3. The respondent PIO is directed to send a copy of the said reply to the Commission at the earliest. He is also advised to examine the RTI application and submit a fresh pointwise reply to all the 10 points thereon. A copy of this must be sent to this Commission.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

Contd. ...2

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Appeal Case No. 890 of 2021 (Video Conference Proceedings)

5. **Next hearing on 12.1.2022 at 11.00 am through Video Conference Facility at D.C. Office, Mansa.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
13.8.2021

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REGISTERED SHOW CAUSE NOTICE

Krishan Lal (advocate),
S/o DarshanLal,
B1/171, Mohalla Chaudhrian, Near Shiv Mandir,
Tehsil Phillaur, District Jalandhar.

Versus

Public Information Officer,
o/o Police Commissioner,
District Ludhiana.
First Appellate Authority,
o/o Police Commissioner,
District Ludhiana.

Appeal Case No. 2784 of 2019 (Video Conference Proceedings)

PRESENT :
(Appellant) Absent
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 5.9.19, 25.9.19, 6.11.19, 27.12.19, 19.2.2020, 23.9.2020, 12.11.2020, and 15.1.2021)

1. The RTI application is dated **8.4.19** vide which the appellant has sought information **regarding complaint against ASI Jawala Parshad**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **15.5.19**, and second appeal was filed in the Commission on **10.7.19** under Section 19 of the Right to Information Act, 2005. This appeal case was last heard on **15.1.2021**.

2. Both parties are absent. The respondent PIO has intimated the Commission that most of the employees are occupied for the celebration of Independence Day and requested adjournment. Meanwhile, in response to this Commission's orders on 15.1.2021, the respondent PIO has submitted some documents pertaining to Complaint No.1507900 dated 18.2.2019 against ASI Jwala Parshad who is posted at Police Station, Salem Tawri.

3. It is notable that the Commission had summoned the original file as well as additional attested copies of the entire file. The respondent PIO has failed to comply with regard to original file summoned and has submitted photocopies which are not properly. The respondent PIO, who is clearly still trying to withhold the requested information, is herewith issued with this Show Cause Notice.

Contd. ...2

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Appeal Case No. 2784 of 2019 (Video Conference Proceedings)

4. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **8.4.19**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

5. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

6. Next hearing on 12.1.2022 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

13.8.2021

Cc: Inspector General of Police,
District Ludhiana, for information and further necessary action.

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Kamaljeet Singh,
S/o Gurcharan Singh,
VPO Kalakh,
Tehsil & District Ludhiana

Versus

Public Information Officer,
o/o Sub Divisional Officer,
Punjab State Power Corporation Limited (PSPCL),
Narangwal,
District Ludhiana.

First Appellant Authority,
o/o Chief Engineer,
Punjab State Power Corporation Limited (PSPCL),
Ludhiana.

Appeal Case No. 1019 of 2020 (Video Conference Proceedings)

PRESENT:

Kuldeep Kumar Kaura (for the appellant) 98144-40385
Balwinder Singh, AEE (for the respondent) 96461-11563

ORDER:

(To be read in continuity with earlier orders on 23.9.2020, 12.11.2020, and 15.1.2021)

1. The RTI application is dated **21.11.2019** vide which the appellant has sought information **regarding permission granted to Assistant Lineman Sital Singh for purchase of house, motorcycle etc.,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **27.12.2019** and second appeal was filed in the Commission on **5.3.2020** under Section 19 of the Right to Information. This appeal case was last heard on **15.1.2021**.

2. Both parties are present via Video Conference from Ludhiana. The appellant is represented by Kuldeep Singh Kaura. The respondent PIO, represented by Balwinder Singh, AEE, was directed at the last hearing to re-examine the RTI application with regard to information that does not qualify as third party. The respondent has failed to comply. After examining this RTI application, this Commission is of the view that the information requested at all the points of the RTI application except points 5 and 6, qualify as personal or third party information. The information requested at points 5 and 6 must be supplied to the appellant.

3. The respondent PIO is herewith directed to supply the information with regard to point No.5 and 6 after duly attesting as per format given below.

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Appeal Case No. 1019 of 2020 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 12.1.2022 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
13.8.2021

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Amarjit Singh Dhamotia,
S/o Sh. Rai Singh,
60-35-P-330, Street No. 8,
Maha Singh Nagar,
Post Office-Dhandari Kalan,
District-Ludhiana-141014

Versus

Public Information Officer,
o/o Executive Engineer,
PWD B & R, Provincial Division,
Rani Jhansi Road, PWD Complex,
District Ludhiana

First Appellate Authority,
o/o Superintendent Engineer,
Canal Sidhwan, Canal Complex,
Phase-1, Dugri,
District Ludhiana-141013

Appeal Case No. 1580 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Jagpreet Singh, SDO-cum-APIO (for the Respondent) 76961-81682

ORDER:

1. The RTI application is dated **2.12.2020** vide which the appellant has sought information **regarding Bridge in Jaspal Banger Canal**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **4.1.2021** and Second Appeal was filed in the Commission on **30.3.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **13.8.2021**.
2. The appellant is absent but has intimated the Commission of his inability to attend this hearing. The respondent PIO represented by Jagpreet Singh, SDO-cum-APIO, present via Video Conference from Ludhiana, stated that the requested information pertains to the XEN, PWD (B&R), Ludhiana and the RTI application was referred to the said department vide Letter No. 6450-51/IW/RTI dated 11.12.2020. A copy of this was also sent to the appellant.
3. A copy of this Order be sent to the PIO, office of Provincial Division, PWD (B & R) o/o SE, PWD (B&R), Ludhiana, with the direction to submit a written, pointwise reply to the RTI application along with the requested information. The PIO must cite specific provisions of the RTI Act to request exemption from disclosing any part of the requested information.

Contd. ...2

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Appeal Case No. 1580 of 2021 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 12.1.2022 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

13.8.2021

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Amarjit Singh Dhamotia,
S/o Sh. Rai Singh,
60-35-P-330, Street No. 8,
Maha Singh Nagar,
Post Office-Dhandari Kalan,
District-Ludhiana-141014

Versus

Public Information Officer,
o/o Superintendent Engineer,
Water Resources,
Irrigation Department,
District Ludhiana.

First Appellate Authority,
o/o Superintendent Engineer,
Water Resources,
Irrigation Department,
District Ludhiana.

Appeal Case No. 1581 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Jagpreet Singh, SDO-cum-APIO (Respondent) 76961-81682

ORDER:

1. The RTI application is dated **4.1.2021** vide which the appellant has sought information **regarding roads constructed etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **5.2.2021** and Second Appeal was filed in the Commission on **30.3.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **13.8.2021**.

2. The appellant is absent but has intimated the Commission of his inability to attend this hearing. The respondent PIO, represented by Jagpreet Singh, SDO-cum-APIO, present via Video Conference from Ludhiana, stated that a reply was sent to the appellant on 5.2.2021, vide Letter No. 805/RTI asking him to specify the time period for which he requires the information. The appellant has however, failed to reply till date. The respondent PIO is advised to send one more reminder regarding the time period. Failing a response from the appellant, the Commission will be constrained to dispose of and close this case.

3. **Next hearing on 12.1.2022 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
13.8.2021

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Amarjit Singh Dhamotia,
S/o Sh. Rai Singh,
60-35-P-330, Street No. 8,
Maha Singh Nagar,
Post Office-Dhandari Kalan,
District-Ludhiana-141014

Versus

Public Information Officer,
o/o Superintendent Engineer, Sidhwan Canal,
Durga Mata Mandir Road,
Phase-1, Urban Estate, Durgri,
District Ludhiana-141013

Public Information Officer,
o/o Executive Engineer,
Ropar Headworks Division,
District Roopnagar.

First Appellate Authority,
o/o Superintendent Engineer,
Sidhwan Canal,
District Ludhiana

Appeal Case No. 1598 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Jagpreet Singh, SDO-cum-APIO (Respondent) 76961-81682

ORDER:

1. The RTI application is dated **2.1.2021** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **5.2.2021** and Second Appeal was filed in the Commission on **30.3.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **13.8.2021**.
2. The appellant is absent but has intimated the Commission of his inability to attend this hearing. The respondent PIO, represented by Jagpreet Singh, SDO-cum-APIO, present via Video Conference from Ludhiana, stated that the information pertains to the office of XEN, Ropar Sub Division and the RTI application was transferred to the PIO of the concerned office vide Letter No. 514/15/IW/RTI dated 27.1.2021 under intimation to the appellant.
3. A copy of this Order citing letter No.514/15/RTI be sent to the PIO, office of the Executive Engineer, Ropar Headworks Division, Roopnagar, with the direction to submit a written point-wise reply to this RTI application along with requested information.

Contd. ...2

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Appeal Case No. 1598 of 2021 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 22.10.2021 at 11.00 am through Video Conference Facility. (The appellant will attend the hearing at D.C. Office, Ludhiana and the respondent PIO will attend the hearing at D.C. Office, Mohali.)

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

13.8.2021

Encl: Copy of letter, for further necessary action.