

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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Helpline No.:0172-2864116(10.00 AM to 04.00 PM on working days)



Shri Sandeep Kumar Maluja,
S/o Shri Om Parkash,
Street No.2, Near Shani Dev Mandir,
Patel Nagar, Malout,
District Sri Muktsar Sahib.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer, Nagar Council,
Sri Muktsar Sahib.

First Appellate Authority-cum-

O/o Regional Deputy Director,
Local Govt., Bathinda.

....Respondents

AC No.5735 of 2021

Present: (i) **Shri Sandeep Kumar Maluja, Appellant.**
(ii) **Shri Vikram Dhuria, Superintendent O/o Executive Officer, Municipal Corporation, Sri Muktsar Sahib on behalf of the PIO.**

ORDER:

1. This order may be read with reference to the order dated 22.03.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Sandeep Kumar Maluja, appellant comes present to attend the hearing in person before the Bench. He states that no information has been supplied to him.
3. Shri Vikram Dhuria, Superintendent O/o Executive Officer, Municipal Council, Sri Muktsar Sahib comes present in person before the Bench to attend the hearing on behalf of the PIO. He states that the information sought by the appellant is not specific and is vague. It relates to the streets and drains yet to be constructed in Sri Muktsar Sahib city.
4. After hearing the version of the representative of PIO, the Bench expresses its displeasure on the delay being caused in the supply of information. The PIO should have sought clarification from the appellant on receipt of application and decided the case within specified period of 30 days. The Bench examines the RTI application of the appellant and finds that the appellant has asked for information in the question form and that too, in respect of the streets and drains to be constructed in Sri Muktsar Sahib City, which amounts to seeking a hypothetical information. Notwithstanding the same, the Bench directs the PIO to provide point wise reply to the RTI application of the appellant, before the next hearing.

5. Both the parties, the appellant and the PIO are directed to come present in person before the bench on the next date of hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 22.08.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

Chandigarh
15.06.2022

Sd/-
(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab

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Shri Kanchanjit Singh Baath
S/o Shri Swarnjit Singh,
R/o House No.1020,
Sector-36C, Chandigarh.

.....Appellant

Versus

Public Information Officer

O/o Addl. Superintending Engineer,
M.E. Division,
Punjab State Power Corporation
Limited (PSPCL), Amritsar.

First Appellate Authority,

O/o Chief Engineer, Metering,
Punjab State Power Corporation
Limited (PSPCL), Patiala.

...Respondents

AC No.02/2022

Present: (i) **Shri Navjinder Singh, Advocate, on behalf of the Appellant, in person.**
(ii) **Ms. Neha, Divisional Accountant, M.E. Division, PSPCL, Amritsar and
Shri Anil Kumar, SDO, M.E. Division, PSPCL, Amritsar on behalf of PIO
in person.**

ORDER:

1. This order may be read with reference to the order dated 22.03.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Navjinder Singh, comes present to attend the hearing in person before the Bench on behalf of the appellant. He reiterates the version as made during the previous hearing on behalf of the appellant.
3. Ms. Neha, Divisional Accountant, M.E. Division, PSPCL, Amritsar and Shri Anil Kumar, SDO, M.E. Division, PSPCL, Amritsar on behalf of PIO come present in person before the Bench to attend the hearing on behalf of PIO. Ms. Neha states that the information has been sought by the appellant in respect of Shri Ashwani Kumar who had been working as daily wager, then was made Work Charged employee and now he has been promoted as Test Mechanic in PSPCL. She states that the appellant has been denied information vide letter dated 16.11.2020 being personal and third party Shri Ashwani Kumar, the person about whom information has been sought, has denied his consent to share the information about him.
4. The Bench observes that during the previous hearing, the representative of the appellant was given opportunity to make submissions, as requested by him, with regard to the justification of seeking the said information. On the asking of the Bench, he produces before the Bench a judgment dated 17.02.2010 of the



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AC No.02/2022

Hon'ble Kerala High Court, wherein the respondent therein had sought information about his co-employees. He states that in the said case, the respondent had sought information, having grievance in her service and in order to satisfy herself about the propriety and correctness of promotions and other benefits given to similar employees, the said respondent had sought details of the same and the Hon'ble High Court had ruled that confidential reports of employees being maintained by the appellant therein cannot be treated as personal information of an employee publication of which is prohibited under Section 8(1)(j) of the RTI Act and according, the Hon'ble Court had dismissed the appeal filed by the appellant against the findings of Ld. Single Judge.

5. The Bench during the previous hearing had observed that the information sought by the appellant neither serves any public interest nor it relates to any public activity. Now, after hearing the submissions made before the Hon'ble Commission with regard to the justification of seeking the said information, the Bench observes that in the official functioning, there must be transparency and thus, the Bench is not inclined to agree with the contention raised by the PIO and directs the PIO to provide information as sought by the appellant before the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 22.08.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
15.06.2022**

**Sd/-
((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Shri Nathu Ram Sihag
S/o Shri Mahavir Sihag
R/o Village Taja Patti,
Tehsil Abohar, Distt. Fazilka.

.....Appellant

Versus

Public Information Officer
O/o Executive Engineer,
Operational Division,
Punjab State Power Corporation
Limited (PSPCL), Abohar, Distt:Fazilka.

First Appellate Authority,
O/o Chief Engineer,
Punjab State Power Corporation
Limited (PSPCL), Bathinda.

...Respondents

AC No.5708/2021

Present: (i) **Shri Nathu Ram Sihag, Appellant, in person.**
(ii) **Shri Neeraj Kumar, Circle Assistant, O/o Addl. S.E., PSPCL, Abohar, District Fazilka on behalf of PIO, in person.**

ORDER:

1. This order may be read with reference to the order dated 22.03.2022 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Nathu Ram Sihag, appellant comes present to attend the hearing in person before the Bench.
3. Shri Neeraj Kumar, Circle Assistant, PSPCL, Abohar, District Fazilka also comes present to attend the hearing in person. He states that the information has been supplied to the appellant vide letter dated 20.08.2021, 02.09.2021 and 06.12.2021 by registered post stating therein that with regard to the complaint made by the appellant referred to in his RTI application, an enquiry has been initiated which is still under process and the information has been denied under Section 8(1)(j) of RTI Act. He further states that a letter dated 02.03.2022 to this effect has also been sent to the Hon'ble Commission.
4. On the asking of the Bench, the appellant states that he has been denied information under Section 8(1)(h) and 8(1)(j) of RTI Act, 2005, only his RTI application has been sent to him and he has only been verbally informed that charge sheet has been issued to the said employee against whom complaint was made by him.



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AC No.5708/2021

6. Post deliberations, the Bench observes that in denying information to the appellant, the officers of the Public Authority are trying to shield the official named in the RTI application of the appellant who is reported to be indulged in wrong doings in his official working. The Bench directs the representative of the PIO to sit in the adjacent court room and show him the relevant record. Then, the appellant comes present again before the Bench and states that the representative of PIO has stated that if the Hon'ble Bench gives directions, the status report in the said enquiry can be supplied to the appellant. Upon this, the Bench directs the PIO to provide status report of the enquiry as also provide copy of the enquiry report when it is finalized.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 06.07.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
15.06.2022**

**Sd/-
((Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Shri Deepak Kumar
S/o Shri Sarwan Singh,
R/o #ES 314/2, Mohalla Abadpura,
Jalandhar.

.....Appellant

Versus

Public Information Officer
O/o Deputy Commissioner,
Jalandhar.

First Appellate Authority-cum-
O/o Deputy Commissioner,
Jalandhar.

....Respondents

AC No.5424 of 2021

Present: (i) Appellant- absent.
(ii) Shri Balwant Singh, Junior Assistant, O/o Tehsildar, Jalandhar-II,
on behalf of the PIO.

ORDER:

(Heard in person/on mobile phone)

1. This order may be read with reference to the order dated 22.03.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Deepak Kumar, appellant has not come present to attend the hearing either in person before the bench or through cisco webex.
3. Shri Balwant Singh, Junior Assistant, O/o Tehsildar, Jalandhar-II comes present in person before the Bench to attend the hearing on behalf of the PIO. He states that he has brought along the information for handing over to the appellant and also produces before the Bench forwarding letter dated 13.06.2022, giving point wise information.
4. The appellant is contacted on mobile phone. He does not respond to the phone calls initially and then picks up, disconnects the call. Then, he himself contacts on mobile phone and states that he has not been provided information. Then he is made to talk to the representative of PIO, who explains to him the details of point wise information brought along before the Bench. Then the Bench talks to the appellant and apprises him of the position with regard to each point of his RTI application and apprises him that the PIO is being directed to send the information to him by registered post today itself. The Bench also advises the appellant to point out deficiencies, if any, in the information supplied before the next hearing.

5. The Bench directs the representative of PIO to send the information to the appellant today itself by registered post and on receipt of deficiencies, if any, from the appellant, the same be removed and the rectified information be supplied to the appellant before the next hearing. The PIO is also directed to file reply to the show cause notice before the next hearing and ensure to come present in person before the Bench on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 22.08.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

Chandigarh
15.06.2022
Copy to (By Regd.Post)

Sd/-
(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab

Tehsildar, Jalandhar-II to ensure compliance of the directions.

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Shri Randeep,
Street/Ward No.4,
Kotkapura,
District Faridkot.

.....Appellant

Versus

Public Information Officer
O/o Deputy Commissioner,
Sri Muktsar Sahib.

First Appellate Authority
O/o Deputy Commissioner,
Sri Muktsar Sahib.

...Respondents

AC No.1942/2022

Present: (i) **Appellant- absent.**
(ii) **None on behalf of PIO/Respondent.**

ORDER:

1. The RTI application is dated 06.11.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 09.01.2022 and the second appeal was filed in the Commission on 02.02.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 15.06.2022. Accordingly, the case has been heard today. Shri Randeep, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.
3. The PIO O/o Deputy Commissioner, Sri Muktsar Sahib has also not come present to attend the hearing in person before the Bench or through cisco webex nor he has deputed any of his representatives to attend the hearing..
4. The appellant is contacted on mobile phone. On the asking of the Bench, he states that he has not been provided any information so far.
5. In view of the absence of the PIO or his representative, the Bench is unable to proceed further unless the version of the PIO is hard. As such, the Bench deems it appropriate to adjourn the matter. The PIO is, however, directed to supply requisite information to the appellant as also ensure to come present to attend the year in person before the Bench.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.07.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

Chandigarh
15.06.2022

Sd/-
(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab

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Shri Randeep,
Street/Ward No.4,
Prem Nagar, Sikhawala Road,
Kotkapura, District Faridkot-151204.
Mobile No.8699723393.

.....Appellant

Versus

Public Information Officer
O/o Deputy Commissioner,
Sri Muktsar Sahib.

First Appellate Authority
O/o Deputy Commissioner,
Sri Muktsar Sahib.

...Respondents

AC No.1942/2022

Present: (i) Appellant- absent.
(ii) None on behalf of PIO/Respondent.

ORDER:

1. The RTI application is dated 06.11.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 09.01.2022 and the second appeal was filed in the Commission on 02.02.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 15.06.2022. Accordingly, the case has been heard today. Shri Randeep, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.

3. The PIO O/o Deputy Commissioner, Sri Muktsar Sahib has also not come present to attend the hearing in person before the Bench or through cisco webex nor he has deputed any of his representatives to attend the hearing..

4. The appellant is contacted on mobile phone. On the asking of the Bench, he states that he has not been provided any information so far.

5. In view of the absence of the PIO or his representative, the Bench is unable to proceed further unless the version of the PIO is hard. As such, the Bench deems it appropriate to adjourn the matter. The PIO is, however, directed to supply requisite information to the appellant as also ensure to come present to attend the year in person before the Bench.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.07.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

**Chandigarh
15.06.2022**

**Sd/-
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Shri Randeep,
Street/Ward No.4,
Prem Nagar, Sikhawala Road,
Kotkapura, District Faridkot-151204.
Mobile No.8699723393.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer
Municipal Council,
Sri Muktsar Sahib.

First Appellate Authority

O/o Deputy Commissioner,
Sri Muktsar Sahib.

...Respondents

AC No.1945/2022

Present:

- (i) Appellant- absent.
- (ii) Shri Vikram Dhuria, Superintendent O/o Executive Officer, Municipal Council, Sri Muktsar Sahib, on behalf of PIO/Respondent, in person.

ORDER:

(Heard in person/on mobile phone)

1. The RTI application is dated 13.11.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 27.01.2022 and the second appeal was filed in the Commission on 02.02.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 15.06.2022. Accordingly, the case has been heard today. Shri Randeep, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.
3. Shri Vikram Dhuria, Superintendent O/o Executive Officer, Municipal Council, Sri Muktsar Sahib comes present to attend the hearing in person before the Bench and states that the information has been supplied to the appellant vide letter dated 02.11.2021 by ordinary post.
4. The appellant is contacted on mobile phone and is made to talk to Shri Vikram Dhuria who explains to him the details of information supplied. On the asking of the Bench, he denies the receipt of information.

5. The Bench directs the PIO to call the appellant to his office and allow him access to the relevant official records. The appellant, after inspection of the records, will identify the information as per his RTI application. The PIO is directed to supply information to the appellant as may be identified by him, before the next hearing as also to ensure to come present in person before the Bench on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.07.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

**Chandigarh
15.06.2022**

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Street/Ward No.4,
Prem Nagar, Sikhawala Road,
Kotkapura, District Faridkot-151204.
Mobile No.8699723393.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer
Municipal Council,
Sri Muktsar Sahib.

First Appellate Authority

O/o Deputy Commissioner,
Sri Muktsar Sahib.

...Respondents

AC No.1944/2022

Present:

- (i) Appellant- absent.
- (ii) Shri Vikram Dhuria, Superintendent O/o Executive Officer, Municipal Council, Sri Muktsar Sahib, on behalf of PIO/Respondent, in person.

ORDER:

(Heard in person/on mobile phone)

1. The RTI application is dated 06.11.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 09.01.2022 and the second appeal was filed in the Commission on 02.02.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 15.06.2022. Accordingly, the case has been heard today. Shri Randeep, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.
3. Shri Vikram Dhuria, Superintendent O/o Executive Officer, Municipal Council, Sri Muktsar Sahib comes present to attend the hearing in person before the Bench and states that the information has been supplied to the appellant vide letter dated 02.11.2021 by ordinary post.
4. The appellant is contacted on mobile phone and is made to talk to Shri Vikram Dhuria who explains to him the details of information supplied. On the asking of the Bench, he denies the receipt of information.

5. The Bench directs the PIO to call the appellant to his office and allow him access to the relevant official records. The appellant, after inspection of the records, will identify the information as per his RTI application. The PIO is directed to supply information to the appellant as may be identified by him, before the next hearing as also to ensure to come present in person before the Bench on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.07.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

**Chandigarh
15.06.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab**