

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



Arjun Kakkar,

S/o Mahinder Lal Kakkar,

254, Sector- 1 B, Vikas Nagar,

Mandi Gobindgarh, District Fatehgarh Sahib.

Versus

Public Information Officer,

o/o Executive Officer, Nagar Council,

Mandi Gobindgarh. District Fatehgarh Sahib.

First Appellate Authority,

o/o Deputy Director Urban Local Bodies,

First Floor, District Administration Complex,

District Ludhiana.

Appeal Case No. 3748 of 2019 (Video Conference Proceedings)

PRESENT:

Arjun Kakkar (Appellant) 98722-97979

Kamaljeet Singh, Junior Assistant (for the Respondent) 98885-33915

ORDER:

(To be read in continuity with earlier orders on 12.12.19, 7.2.2020, 24.6.2020, 2.9.2020, 2.12.2020, and 4.2.2021)

1. The RTI application is dated **10.6.19** vide which the appellant has sought **voluminous information regarding building plans, unauthorized colonies etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **30.9.2019** and Second Appeal was filed in the Commission on **9.10.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.2.2021**.

2. Both parties are present. The appellant has joined this hearing via Cisco Webex. The respondent PIO is represented by Kamaljeet Singh, Junior Assistant. The respondent PIO, who was issued a Show Cause Notice on 4.2.2021, has made a submission along with copies of the NOCs issued to the two buildings cited by the appellant on the directions of this Commission. The said information has still not been given to the appellant. The respondent PIO, stated that the third parties/owners of the two buildings have submitted objections to the supply of copies of their NOCs to the appellant.

3. The respondent PIO is directed to inform the said third parties about the next date of hearing, whereon they will be given an opportunity to be heard. Alternatively the said third parties can also make written submissions to this Commission.

Contd. ...2

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Appeal Case No. 3748 of 2019 (Video Conference Proceedings)

4. **Next hearing on 14.12.2021 at 11.00 am through Video Conference Facility at DC Office, Patiala.**

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

Chandigarh
16.9.2021

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REGISTERED SHOW CAUSE NOTICE

Surjit Singh,

S/o Sh. Bishan Singh,
2, Phase 2, Urban Estate,
Post Office Punjabi University,
District Patiala-147002

Versus

Public Information Officer,

o/o Joint Commissioner,
Municipal Corporation,
Patiala.

Public Information Officer,

o/o Municipal Corporation,
Patiala.

First Appellate Authority,

o/o Commissioner,
Municipal Corporation,
Patiala.

Appeal Case No. 907 of 2021 (Video Conference Proceedings)

PRESENT:

Surjit Singh (Appellant) 98720-19658

Ishtpreet Kaur, Building Inspector (for the Respondent) 98720-10380

ORDER:

1. The RTI application is dated **21.10.2020** vide which the appellant has sought **voluminous information regarding unauthorized shops sealed in Gobind Bagh between 1.1.2019 and 20.10.2020**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **24.11.2020** and Second Appeal was filed in the Commission on **10.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **16.9.2021**.

2. Both parties are present via Video Conference Facility from Patiala. The respondent PIO, represented by Ishtpreet Kaur, Building Inspector, has submitted a reply vide Letter No. 8611/BLD Dated 28.3.2021. However, no information has been furnished with this reply. Ms. Ishtpreet Kaur, Building Inspector, is herewith directed to arrange for an inspection of the record pertaining to the Building Branch on 20.9.2021 at 11.00 am. She must personally be present to assist the appellant during the inspection.

Contd....2

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Appeal Case No. 907 of 2021 (Video Conference Proceedings)

3. Meanwhile, the PIO-cum-Joint Commissioner, Patiala, Avikesh Gupta, has failed to respond to the remaining points 3 and 4 of this RTI application. The Commission deems it fit to serve the respondent PIO, Avikesh Gupta, with this Show Cause Notice.

4. The respondent **PIO-cum-Joint Commissioner, Patiala, Avikesh Gupta** 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 **21.10.2020**.

“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 14.12.2021 at 11.00 am through Video Conference Facility at DC Office, Patiala.**

Sd/-
(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh
16.9.2021

Cc: Commissioner, Municipal Corporation, Patiala, for information and further necessary action.

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REGISTERED SHOW CAUSE NOTICE

Jang Singh,
S/o Sh. Mahinder Singh,
Vilalge Kheri Raju Singh,
Tehsil Dudhan Sadhan,
District Patiala.

Versus

Public Information Officer,
o/o Collector-cum-Sub Divisional Magistrate,
Patran, Tehsil Patran,
District Patiala.

First Appellate Authority,
o/o Deputy Commissioner,
District Patiala.

Appeal Case No. 1038 of 2021 (Video Conference Proceedings)

PRESENT:

Jang Singh (Appellant) 98145-55850
(Respondent) Absent

ORDER:

1. The RTI application is dated **18.9.2020** vide which the appellant has sought **voluminous information land of Jang Singh S/o Mahinder Singh acquired for NH No. 71**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.11.2020** and Second Appeal was filed in the Commission on **22.2.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **16.9.2021**.

2. The respondent PIO is absent without intimation. This RTI application was filed on 18.9.2020. The respondent PIO, vide Letter No. 68 Dated 12.10.2021 wrote to the appellant saying that the requested information was appended to the letter. However, as per the appellant he has received nothing by way of information till date. First Appeal was filed by the appellant on 17.11.2020 also elicited no response. Under the circumstances this Commission deems it fit to serve the respondent PIO with this Show Cause Notice.

3. 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 **18.9.2020**.

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Appeal Case No. 1038 of 2021 (Video Conference Proceedings)

“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.

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 14.12.2021 at 11.00 am through Video Conference Facility at DC Office, Patiala.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

16.9.2021

Cc: Deputy Commissioner, District Patiala, for information and further necessary action.

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Gurvinder Paul Singh Rana (Advocate),
S/o Sh. Baldev Singh,
Chamber No.145, New Courts, District Jalandhar.

Versus

Public Information Officer,
o/o Senior Superintendent of Police, District Patiala.

Complaint Case No. 851 of 2020 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

ASI Hakam Singh (for the Respondent) 94643-92733

ORDER:

(To be read in continuity with earlier orders on 4.2.2021)

1. The complainant, **Gurvinder Paul Singh Rana**, filed this RTI application dated **20.2.2020** and sought information **regarding FIR No. 94 dated 2.10.2018, PS Anaj Mandi, Patiala**, from the **PIO o/o SSP, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **10.11.2020**. The case was last heard on **4.2.2021**.

2. The complainant is absent but has informed the Commission of his inability to attend this hearing. At the last hearing on 4.2.2021, the complainant was given one more opportunity to make a submission to this Commission with regard to the exemption claimed by the respondent PIO. In response to the letter received in this Commission on 9.4.2021, the complainant has submitted documentary evidence that he is not a third party in the FIR cited in this RTI application.

3. The respondent PIO, represented by ASI Hakam Singh via Video Conference Facility from Patiala, meanwhile stated that the case cited in the RTI application is still under process with Assistant Inspector General of Police, Crime Zone Jalandhar. This case is adjourned to its next hearing.

4. **Next hearing on 14.12.2021 at 11.00 am through Video Conference Facility at DC Office, Patiala.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

16.9.2021

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Sohan Singh,

S/o Sucha Singh,

Village Bara, PO Pathreri Jatan,

Tehsil & District Roopnagar.

Versus

Public Information Officer,

o/o Director, V & S, Vigilance,

Punjab State Power Corporation Ltd. (PSPCL),

District Patiala.

Complaint Case No. 503 of 2020 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Hardeep Singh, Superintendent (for the Respondent) 98768-97227

ORDER:

(To be read in continuity with earlier orders on 4.2.2021)

1. The complainant, **Sohan Singh**, filed this RTI application dated **6.3.2020** and sought information **regarding copies of statements etc in enquiry No. 466/2011 dated 4.7.2021**, from the **PIO o/o Director, V&S, Vigilance, PSPCL, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **4.8.2020**. The case was last heard on **4.2.2021**.

2. The complainant is absent without intimation. At the last hearing on 4.2.2021, the respondent PIO was issued a Show Cause Notice for causing unnecessary delay in furnishing the information. The respondent PIO, represented at this hearing by Hardeep Singh, Superintendent, states that there was some confusion with regard to this RTI application, which was filed on 6.3.2020, just before the state went into lockdown and official work was suspended for two months. A subsequent demand for Rs. 66/- was raised from the respondent PIO vide Letter No. 1866 Dated 20.5.2020, which the complainant did not pay since the 30 day period stipulated in the RTI Act had already lapsed. The respondent PIO now admits that the information requested by the complainant pertains to his office and can be provided to the complainant.

3. The respondent PIO is herewith directed to provide a pointwise reply to the RTI application along with duly attested copies of the information. This must be sent to the Commission by registered post. The complainant will be informed when the said reply/information is received in the Commission so that he can collect the same from the Commission.

4. Next hearing on 14.12.2021 at 11.00 am through Video Conference Facility at DC Office, Patiala.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

16.9.2021

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Sushil Gupta,

S/o Lal Chand,

1410, Phase-I, Urban Estate, Dugri Road,

District Ludhiana – 141 013

Versus

Public Information Officer,

o/o Deputy Secretary,

Punjab State Power Corporation Limited,

District Patiala.

Complaint Case No. 721 of 2020 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Amandeep Singh, APIO-cum-Senior XEN (for the Respondent) 96461-18116

ORDER:

(To be read in continuity with earlier orders on 4.2.2021)

1. The complainant, **Sushil Gupta**, filed this RTI application dated **24.8.2020** and sought information **regarding a complaint / request dated 12.8.2020 to the Chief Engineer (Enforcement) PSPCL, Patiala**, from the **PIO o/o Deputy Secretary, PSPCL, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **4.8.2020**. The case was last heard on **4.2.2021**.

2. The complainant is absent. The respondent PIO represented by APIO-cum-Senior XEN, Amandeep Singh, has, as directed at the last hearing sent a copy of the reply and information given to the complainant on 17.9.2021.

3. On examining the said reply and information and deliberations at this hearing, the respondent PIO is herewith directed to draft a fresh reply to the complainant's RTI application which must clearly state the correct position with regard to the queries enumerated in the RTI application, along with copy of the complainant's letter Dated 12.8.2020 to the Chief Engineer Enforcement, PSPCL, Patiala, as it was marked down.

4. **Next hearing on 14.12.2021 at 11.00 am through Video Conference Facility at DC Office, Patiala.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

16.9.2021

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Gurleen Singh (Advocate),
Chamber No.154, Tehsil Sunam,
Udham Singh Wala,
District Sangrur.

Versus

Public Information Officer,
o/o Executive Officer,
Municipal Committee,
Sunam.
District Sangrur.

Complaint Case No. 764 of 2020 (Video Conference Proceedings)

PRESENT:
(Complainant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier orders on **4.2.2021**)

1. The complainant, **Gurleen Singh**, filed this RTI application dated **8.8.2020** and sought information **regarding colonies and colonizers in Ward No. 2 of Sunam Town**, from the **PIO o/o Patiala Development Authority, Patiala**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **8.10.2020**. The case was last heard on **4.2.2021**.

2. Both parties are absent. As directed at the last hearing on 4.2.2021 the PIO, office of Patiala Development Authority has transferred the RTI application under Section 6(3) of the RTI Act 2005 to PIO Municipal Council Sunam, vide Letter No. 1658 Dated 8.2.2021. There is however no submission from the PIO office of Municipal Council Sunam, who was sent this Commission's Order of 4.2.2021. The PIO-cum-Executive Officer, Municipal Council, Sunam, is herewith directed to file a written, pointwise reply to this RTI application forthwith.

3. **Next hearing on 14.12.2021 at 11.00 am through Video Conference Facility at DC Office, Patiala.**

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

Chandigarh
16.9.2021