

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



FINAL ORDER

Er. Sukhdeep Singh AAE,
S/o Pritam Singh SI,
Street Arrewali, District Tarn Taran.

Versus

Public Information Officer,
o/o Additional Superintendent Engineer (Works),
o/o Chief Engineer, B-Zone,
Punjab State Power Corporation Limited (PSPCL), Amritsar.
First Appellant Authority,
o/o Chief Engineer, B-Zone,
Punjab State Power Corporation Limited (PSPCL), Amritsar.

Appeal Case No. 1981 of 2020(Video Conference proceedings)

PRESENT:

(Appellant) Absent

Jitender Singh, Deputy Chief Engineer, Tarn Taran(for the Respondent)96461-13006

ORDER:

1. The RTI application is dated **17.2.2020** vide which the appellant has sought **information regarding task force**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **12.3.2020**, and second appeal was filed in the Commission on **29.7.2020** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **19.11.2020**.
2. The appellant is absent but has emailed this Commission stating that he has received the information and is satisfied with it. The respondent PIO, represented by Deputy Chief Engineer Jitender Singh, stated that the requested information was collected from 3 different circles and supplied to the appellant in tranches on 5.10.2020, 9.10.2020 and 21.10.2020. The respondent PIO has also written to the Commission on 28.10.2020 along with a copy of the appellant's receiving.
3. Under the circumstances, there is no further cause of action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
19.11.2020

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FINAL ORDER

Maninderjit Singh,
S/o Sh. Swaran Singh,
358-A, New Partap Nagar,
District Amritsar.

Versus

Public Information Officer,
o/o Senior Environmental Engineer,
Punjab Pollution Control Board,
Industrial Area, Mehta Road,
District Amritsar.

Complaint Case No. 417 of 2020(Video Conference proceedings)

PRESENT:
(Complainant) Absent
(Respondent) Absent

ORDER:

1. The complainant, **Maninderjit Singh**, filed this RTI application dated **19.3.2020** and sought information in Eight points regarding his complaint of 23.12.19 against one Rajinder Singh who is running an "illegal" factory in a residential area of Amritsar, from the PIO o/o **Senior Environmental Engineer, Amritsar**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **6.7.2020**. Notice was issued to the parties for first hearing in the Commission on **19.11.2020**.
2. Both parties are absent but have each made written submissions to this Commission.
3. The respondent PIO-cum-Environmental Engineer at the PPCB's Regional Office in Amritsar, informed vide Letter No. 5163 of 8.10.2020 that a reply has already been sent to the applicant (complainant) vide his Letter No. 2961 dated 10.7.2020. A perusal of the respondent PIO's reply shows that he has individually responded to each of the eight points / questions listed in the complainant's RTI application of 19.3.2020.
4. Meanwhile, in an email to this Commission dated 10.11.2020, the complainant Maninderjit Singh has raised a number of objections with respect to the reply he received from the respondent PIO (Letter No. 2961 of 10.7.2020). Among other things, the complainant has objected to a lapse of "*more than 100 days*" between the submission of his RTI application (on 19.3.2020) and the posting of the PIO's reply (on 10.7.2020). He has also taken exception to the fact that the respondent PIO's letterhead does not bear his telephone or mobile telephone number. Notably, here, it must be mentioned that the letterhead does in fact mention an official telephone number as well as an email address and the PPCB website.

Contd. ...2

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Complaint Case No. 417 of 2020(Video Conference proceedings)

5. Besides the above, the complainant also objects as follows: “*Information was sought from Senior Environmental Engineer, Punjab Pollution Control Board but (the) same is provide by Environmental Engineer and not by Senior Environmental Engineer... .*” Here, the complainant appears to be ignorant of the fact that the Environmental Engineer (and not the Senior Environmental Engineer) is the officially designated Public Information Officer (PIO) for the PPCB’s Regional Office at Amritsar, and so is the right official to respond to RTI applications.

6. The complainant Maninderjit Singh’s essential peeve appears to lie elsewhere. He is, perhaps understandably, troubled by the long delay on the part of PPCB officials in initiating action against what he alleges is an “illegal factory in plot number A-357 Partap Nagar Amritsar,” against which, he and other residents of the area had submitted a complaint to the PPCB’s Regional Office as far back as on 23.12.2019.

7. It is however, not this Commission’s mandate to direct or order any public authority, in this instance the Punjab Pollution Control Board, to initiate action against “erring” individuals / establishments. The Punjab State Information Commission’s mandate and authority is limited to ensuring implementation of the Right to Information Act, 2005 in the state of Punjab and ensuring the disclosure to citizens, of “information” as defined by Section 2 of the Act, that is held by any “Public Authority” also defined by Section 2 of the Act.

8. The complainant’s objection (as stated in his email to this Bench on 10.11.2020) that “Information was provided after passing of more than 100 days of application and that too after filing to complaint to RTI Commission”, is in this Commission’s view, partially incorrect and unfair. The complainant would do well to recall that Punjab (as also the entire Country) went into a curfew / Lockdown only days after he filed his RTI application (on 19.3.2020), and that the respondent PIO sent him the requested information / reply only shortly after things began ‘normalizing’ in early July. It is also noteworthy and must be mentioned here for the benefit of both parties, that the respondent PIO sent his reply on 10.7.2020, and did not await this Commission’s Notice of 24.8.2020, as is being asserted by the complainant.

9. In conclusion, it is this Commission’s view that the respondent PIO has not only adequately addressed the complainant’s queries (as listed in his RTI application, but that he conducted himself efficiently given the extraordinary constraints and challenges imposed upon all by the ongoing Coronavirus Pandemic.

10. There is no further cause for action and this Complaint Case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
19.11.2020

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FINAL ORDER

Balram,
S/o Ram Narain
Village Dharampura,
Tehsil Abohar, District Fazilka.

Versus

Public Information Officer,
o/o Senior Superintendent of Police,
Fazilka.

First Appellate Authority,
o/o Inspector General of Police,
Ferozepur Range,
District Ferozepur Cantt.

Appeal Case No. 1790 of 2020 (Video Conference proceedings)

PRESENT:

(Appellant) Absent

SP-Headquarter, Mohan Lal (Respondent)

ORDER:

1. The RTI application is dated **23.12.2019** vide which the appellant has sought **information regarding action taken on Complaint No.3658 PC**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **17.1.2020**, and second appeal was filed in the Commission on **6.7.2020** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **19.11.2020**.

2. The appellant is absent without intimation. The respondent PIO, represented by SP(Headquarters) Mohan Lal, stated that the requested information was supplied to the appellant on 20.7.2020. He has also submitted a copy of the appellant's receiving, to this Commission.

3. Under the circumstances, there is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

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FINAL ORDER

Nathu Ram,
S/o MahabirSihag,
Village Taja Patti,
Tehsil Abohar, District Fazilka.

Versus

Public Information Officer,
o/o Tehsildar,
Tehsil Complex, Abohar,
District Fazilka.
First Appellate Authority,
o/o Sub Divisional Magistrate,
Tehsil Complex, Abohar,
District Fazilka.

Appeal Case No. 1886 of 2020(Video Conference proceedings)

PRESENT:

Nathu Ram (Appellant) 94638-22000
Jaspal Singh Brar, PIO-cum-Tehsildar (Respondent)

ORDER:

1. The RTI application is dated **18.12.2019** vide which the appellant has sought **information regarding demarcation of land of a school in Village Taja Patti**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **10.2.2020**, and second appeal was filed in the Commission on **14.7.2020** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **19.11.2020**.
2. Both parties are present through Video Conference in the Deputy Commissioner office, at Fazilka. The respondent PIO-cum-Tehsildar, Jaspal Singh Brar, stated that the information was given to the appellant well within the stipulated period of 30 days on 1.1.2020. The appellant however, says that the information he received is incomplete. However, on examining the information, a copy of which is available in this Commission, it is evident that the PIO has in fact supplied all the relevant information requested by the appellant, Nathu Ram.
3. Under the circumstances, there is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner
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FINAL ORDER

Gurdev Singh,
S/o Surjeet Singh,
R/o Opposite Chankiya Public School,
9/199, Ward No. 5, Street No. 5,
District Fazilka.

Versus

Public Information Officer,
o/o Municipal Council,
Front of Civil Hospital,
District Fazilka.

Complaint Case No. 435 of 2020(Video Conference proceedings)

PRESENT:

Gurdev Singh (Complainant) 95877-00090

Rakesh Kumar, Building Clerk (for the Respondent) 98146-70132

ORDER:

1. The complainant, **Gurdev Singh**, filed this RTI application dated **20.2.2020** and sought information regarding site plan of his house from the PIO o/o **M.C., Amritsar**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **20.7.2020**. Notice was issued to the parties for first hearing in the Commission on **19.11.2020**.

2. Both parties are present through Video Conference in the Deputy Commissioner's office at Fazilka. The respondent PIO, represented by Rakesh Kumar, Building Clerk, stated that a reply by way of information was sent to the appellant vide Letter No. 3534 on 26.6.2020. During the course of this hearing, the appellant concurred that he had received the requested information. However he pointed to the "long delay".

3. The Commission notes that the RTI application was submitted on 20.2.2020 and the information was supplied on 26.6.2020. The delay cited by the complainant is perhaps explained by the long curfew/lockdown following the submission of this RTI application, and so herewith condoned.

4. There is no further cause for action and this complaint case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
19.11.2020