

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Mukhtiar Singh, S/o sh Hukam Singh,
R/o Basti Kamer Wala, Tehil jalalabad,
Distt Fazilka.

... Complainant

Versus

Public Information Officer,
O/o ADC, (D),
Fazilka.

...Respondent

Complaint Case No. 523 of 2019

PRESENT: None for the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 24.08.2018 has sought information regarding formation of a separate panchayat from village Kamrewala Block Jalalabad alongwith copy of complete file and other information concerning the office of ADC(D) Fazilka. The complainant was asked vide letter dated 20.09.2018 by the PIO to deposit requisite fee of Rs.320/- which was deposited by the complainant. However, since the information was not supplied by the PIO, the complainant filed a complaint in the Commission on 03.06.2019.

The complainant is absent and vide email has sought exemption stating that he has to cast his vote in Jalalabad constituency.

Having gone through the record, the Commission observes that despite deposit of requisite fee by the complainant, the PIO has not provided the information. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide the information within 10 days and send a compliance report to the Commission.

To come up for further hearing on **08.01.2020 at 11.00 AM.**

Chandigarh
Dated 21.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Mohan Lal, S/o Sh Raj Kumar,
175, Military Hospital, Cantt Abohar,
Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council,
Abohar, Distt Fazilka.

First Appellate Authority,
Deputy Director,
Local Govt, Ferozepur.

...Respondent

Appeal Case No. 1970 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 12.02.2019 has sought information on 8 points regarding details of parking stands constructed on public places in Abohar and other information concerning the office of EO Nagar Council, Abohar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 29.03.2019, which took no decision on the appeal. After filing appeal, the PIO sent reply to the appellant vide letter dated 01.05.2019 stating that the NC has not provided any contract for parking place in the city.

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

To come up for further hearing on **09.12.2019 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka. The order be sent to both the parties through **registered post**.

Sd/-

Chandigarh
Dated 21.10.2019

(Khushwant Singh)
State Information Commissioner

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Sh Sahab Ram, S/o Sh Kapura Ram,
R/o Village Kaleran, P.O Segti,
Distt Ambala.

... Appellant

Versus

Public Information Officer,
O/o SHO, Police Station,
Banur, Distt Patiala.

First Appellate Authority,
O/o SSP,
Patiala.

...Respondent

Appeal Case No. 1974 of 2019

PRESENT: Sh.Sahab Ram as the Appellant
Sh.Sukhbahal Singh, HC and Sh.Mahinder Singh, HC for the Respondent

ORDER:

The appellant through RTI application dated 17.07.2018 has sought information regarding action taken on the complaint dated 01.05.2018 against Sagir Mohd s/o Sh.Mangu Khan and family and other information concerning the office of SHO Police Station Banur, Distt.Patiala. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 21.11.2018 which took no decision on the appeal.

The respondent present has brought the information and handed over to the appellant. The appellant has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Sd/-

Chandigarh
Dated 21.10.2019

(Khushwant Singh)
State Information Commissioner

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Sh Shakti Bhushan, S/o Sh Krishan Kaushal,
Street Bhaini Sahib, Ward NO-8,
Dhanola, Distt Barnala.

... Appellant

Versus

Public Information Officer,
O/o SDM-cum- Licensing & Registration Authority,
Sri Mukatsar Sahib.

First Appellate Authority,
O/o State Transport Commissioner,
Sector 17, Punjab, Chandigarh.

... Respondent

Appeal Case No. 1977 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 08.11.2018 has sought information regarding registration of new Swaraj Tractors alongwith sale bills and other information concerning the office of SDM Sri Mukatsar Sahib. The appellant was denied the information by PIO vide letter dated 05.12.2018 stating that the information sought relates to the 3rd party after which the appellant filed a first appeal before the First Appellate Authority on 11.03.2019 which took no decision on the appeal.

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

To come up for further hearing on **08.01.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 21.10.2019

(Khushwant Singh)
State Information Commissioner

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Sh Jasbir Singh, S/o Sh Harbans Singh,
Village Jalal Khara, P.O Sular,
Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o SDO, PSPCL, Sular Cantt,
Sub Division, PSPCL,
Patiala.

First Appellate Authority,
O/o Chief Engineer, PSPCL (Commercial),
Head Office, Patiala.

...Respondent

Appeal Case No. 1985 of 2019

PRESENT: Sh.Jasbir Singh as the Appellant
Sh.Ravi Kumar, SDO-Cant Sub Div.PSPCL Patiala for the Respondent

ORDER:

The appellant through RTI application dated 08.03.2019 has sought information regarding domestic connection provided from Jan 2017 to Dec.2018 and other information concerning the office of SDO, PSPCL Sular Cantt Sub Div. PSPCL Patiala. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 08.04.2019 which took no decision on the appeal.

The respondent present has brought the information and handed over to the appellant. The appellant has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Sd/-

Chandigarh
Dated 21.10.2019

(Khushwant Singh)
State Information Commissioner

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Sh Jasbir Singh, S/o Sh Harbans Singh,
Village Jalal Khera, P.O Sular,
Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o Commissioner of Police,
Jalandhar.

First Appellate Authority,
O/o Commissioner of Police,
Jalandhar

...Respondent

Appeal Case No. 1986 of 2019

PRESENT: Sh.Jasbir Singh as the Appellant
Sh.Harvinder Singh, ASI and Sh.Balwinder Kumar, ASI for the Respondent

ORDER:

The appellant through RTI application dated 07.03.2019 has sought information regarding copy of order for release of fund Rs.20.50 lacs for P.S.Bhargocap CP Jalandhar and other information concerning the office of Commissioner of Police, Jalandhar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 08.04.2019 which took no decision on the appeal.

The appellant claims that the PIO has not provided the information. The respondent present submitted a letter of the PIO whereby the PIO has denied the information citing section 8(1) of the RTI Act.

The Commission observes that the information sought by the appellant pertains to the expenditure incurred for the beautification of a police station and the money has been spent from the public exchequer. The appellant has a right to access the document pertaining to the expenditure incurred on public property. I hereby direct the PIO to provide point-wise information to the appellant as per the RTI application.

To come up for further hearing on **08.01.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 21.10.2019

(Khushwant Singh)
State Information Commissioner

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Sh Baldev Raj Salwan, S/o Sh Ram Lal Salwan,
R/o Police Station Street Shamsher Nagar,
Dr. Rare and Silk Mill, Cherratta,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Chief Engineer, TA&I, Branch-3,
Shakti Vihar, Powercom, Patiala.

First Appellate Authority,
O/o Chairman-cum-MD,
Punjab State Electricity Deptt,
Patiala.

...Respondent

Appeal Case No. 1992 of 2019

PRESENT: None for the Appellant
Sh.Baldev Singh, Sr Assistant for the Respondent

ORDER:

The appellant through RTI application dated 23.07.2018 has sought information regarding action taken on the applications dated 20.02.2018, 26.02.2018, 8.5.2018 & 19.05.2018 relating to complaint dated 08.05.2013 and other information concerning the office of Chief Engineer, TA&I Branch-3, Shakti Vihar, Powercom. Patiala. The appellant was not satisfied with the reply of the PIO dated 23.08.2018 after which the appellant filed a first appeal before the First Appellate Authority on 29.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant. The appellant vide letter received in the Commission diary No.20001 on 15.10.2019 has informed that he has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Sd/-

Chandigarh
Dated 21.10.2019

(Khushwant Singh)
State Information Commissioner

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Sh Karamjeet Singh, S/o Sh Karnail Singh,
R/o Village Bardwal, Tehsil Dhuri,
Distt Sangrur.

... Appellant

Versus

Public Information Officer,
O/o Addl, SE, PSPCL,
Distribution Division, Dhuri,
Distt Sangrur.

First Appellate Authority,
O/o PSPCL,
Patiala.

...Respondent

Appeal Case No. 1995 of 2019

PRESENT: Sh.Karamjit Singh as the Appellant
Sh.Tarsem Chand Jindal, Addl. SE, PSPCL Dhuri for the Respondent

ORDER:

The appellant through RTI application dated 29.08.2018 has sought information regarding copy of service book from the date of appointment till date of Sh.Harmel Singh s/o Sh.Nachattat Singh, LDC Dub Division Dhuri and other information concerning the office of Addl, SE, PSPCL, Distribution Division, Dhuri, Distt Sangrur. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 08.10.2018 which disposed off the appeal on 04.12.2018 with the direction to the PIO to provide information on point-2.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 20.09.2018. The appellant is not satisfied and stated that despite order of the First Appellate Authority, the PIO has not provided the information.

Having gone through the record and hearing both the parties, the following was concluded:

- | | | |
|--------------|---|---|
| Points-1 | - | Not to be provided |
| Point-2 & 3 | - | The respondent informed that the information relates to the office of Addl. SE(Operation), Nagar Central Division (Special), PSPCL Ludhiana and they had called for the information regarding points 2 & 3. The office of Addl. SE, Operation, however, informed that the information is not available in their office it being 32 years old. The PIO to transfer the RTI application to the office of SE, Operation, Central Division and ask them to file their reply on an affidavit alongwith the reasons for missing record regarding point-2. The PIO to bring record relating to charge sheet to the Commission on the next date of hearing. |
| Points-4 & 5 | - | Not to be provided. |

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

Chandigarh
Dated 21.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: Addl. Supertending Engineer, Operation
Nagar Central Division, PSPCL, Ludhiana.

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Sh Swaran Singh,
Village Mehmood Khane Ke,
Tehsil Jalalabad (West),
Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o DC,
Fazilka.

First Appellate Authority,
O/o DC,
Fazilka.

...Respondent

Appeal Case No. 2009 of 2019

PRESENT: Sh.Swaran Singh as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 18.02.2019 has sought information regarding action taken on the application dated 09.01.2019 for cancellation of ownership of property HB No.342 village Midha, Tehsil Jalalabad and other information concerning the office of DC Fazilka. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 15.04.2019 which took no decision on the appeal.

The appellant claims that the PIO has not provided the information. The respondent is absent. The Commission has received a letter dated 18.10.2019 from the PIO Office of DC Fazilka stating that the since the ownership of property was effected by the Tehsildar Jalalabad, the application of the applicant was sent to the SDM Jalalabad for conducting an enquiry into the matter, who, however, vide letter dated 10.06.2019 sent back the application stating that the applicant wants to get the enquiry conducted through the District Revenue Officer. Thereafter, the enquiry has been marked to Naib Tehsildar Fazilka vide letter dated 24.07.2019 and the appellant has been informed of the same.

The PIO is directed to get the enquiry conducted and provide the information to the appellant within 15 days.

To come up for further hearing on **08.01.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 21.10.2019

(Khushwant Singh)
State Information Commissioner



Sh Rachana Devi,
127, Phulkian Enclave,
Patiala.

... Appellant

Versus

Public Information Officer,
O/o EO, BDA,
Bathinda.

First Appellate Authority,
O/o Addl, Chief Administrator,
BDA, Bathinda.

...Respondent

Appeal Case No. 2018 of 2019

PRESENT: Sh.Sat Narain Bansal husband of Mrs.Rachna Devi for the Appellant
Sh.Harpal Singh, Suptd. for the Respondent

ORDER:

The appellant through RTI application dated 31.12.2018 has sought information regarding status of work for drinking water in PUDA enclave Budhlada alongwith work for construction of boundry wall and other information concerning the office of EO BDA Bathinda. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 28.02.2019 which disposed off the appeal on 20.03.2019 ex-parte since the appellant did not appear before the First Appellate Authority.

The respondent present pleaded that the information has been supplied to the appellant vide letter dated 18.03.2019. The appellant is not satisfied and stated that the PIO has not provided the information on points a, c & d. The respondent further pleaded that the concerned dealing person is on medical leave due to illness. The appellant stated that he filed RTI application on 31.12.2018 and even after a lapse of nine months, he has not been provided the complete information.

Having gone through the record, the Commission observes that the information stands provided on points b, c & e. However, there seems to be an enormous delay in providing the information. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide the information on points a & d within 10 days and send a compliance report to the Commission.

To come up for further hearing on **08.01.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 21.10.2019

(Khushwant Singh)
State Information Commissioner

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Sh Kuldip Kumar,
5-C, Phase-1, Urban Estate,
Focal Point, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o PDA,
Patiala.

First Appellate Authority,
O/o PDA,
Patiala.

...Respondent

Appeal Case No. 2022 of 2019

PRESENT: Sh.Kuldip Kumar as the Appellant
Sh.Vinod Kumar, Jr Assistant for the Respondent

ORDER:

The appellant through RTI application dated 15.10.2018 has sought information regarding duty roster of pump operators for the month of 1/18 and 9/18, location of all duty points, mobile numbers of each case and other information concerning the office of PDA Patiala. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 17.11.2018 which took no decision on the appeal. After filing first appeal, the PIO sent reply to the appellant vide letter dated 28.11.2018 vide which the PIO denied the information stating that the information being personal information of the employees, it cannot be provided.

The appellant stated that the PIO has denied the information wrongly whereas as per provisions of section 4(1)(b) of the RTI Act, it is mandatory for a public authority to publish within one hundred and twenty days from the enactment of this act the particulars of its organization, functions and duties of the officers and officials, norms set for the discharge of its functions, directory of its officers and employees etc.

Having gone through the record and hearing both the parties, the following was concluded:

- | | | |
|---------|---|--|
| Point-1 | - | To be provided |
| Point-2 | - | To provide whatever the document available in the record |
| Point-3 | - | To provide the number which is used against mobile allowance |
| Point-4 | - | To provide address available in the record |
| Point-5 | - | To provide total amount of salary |
| Point-6 | - | To provide |

The information be provided within 15 days.

The case is adjourned. To come up for compliance on **08.01.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 21.10.2019

(Khushwant Singh)
State Information Commissioner



Sh Surjit Singh,
H No-2990/76, Street No-4,
Guru Gobind Singh Nagar,
Near Mair di Chakki, P.O Lohara,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Chief Administrator,
GLADA, Ludhiana.

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

...Respondent

Appeal Case No. 2024 of 2019

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

ORDER:

The appellant through RTI application dated 21.01.2019 has sought information regarding building of Palm Heights Colony comprising building plan, sale deed, fire safety certificate, names of officers who granted approval and other information concerning the office of Chief Administrator GLADA Ludhiana. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 05.03.2019 which took no decision on the appeal.

The respondent present pleaded that since the information relates to the 3rd party and the 3rd party has not given its consent to disclose its information, it cannot be provided. The appellant has been informed vide letter dated 18.02.2019.

The appellant is absent. The 3rd party M/s Malhotra Land Developers & Colonizers Pvt. Ltd. is impleaded in the case and directed to appear before the Commission on the next date of hearing and plead their case.

To come up for further hearing on **08.01.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 21.10.2019

(Khushwant Singh)
State Information Commissioner

CC to M/s Malhotra Land Developers & Colonizers Pvt. Ltd.
Shop No.14-15, Palm Heights,
VPO Jaspal Bangar,
Sidhwan Canal Road, Ludhiana.