

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
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Sh. Vikrant Sharma,
H No- 43, Gurmeet Nagar,
Mithapur Road, Model Town,
Jalandhar City.

... Appellant

Versus

Public Information Officer,
O/o Sub Divisional Engineer,
Model Town Commercial,
Sub Division No-2, PSPCL Bootan Pind,
Jalandhar City.

...Respondent

Complaint Case No. 745 of 2019

PRESENT: None for the Complainant
Sh.Ashwani Kumar, SDE-PSPCL for the Respondent

ORDER:

The case was first fixed for hearing on 18.12.2019. Both the parties were absent. The case was adjourned.

The case was again heard on **17.02.2020**. The complainant claimed that the PIO has not provided the information. The respondent was absent. Having gone through the record, the Commission observed that the complainant has come to the commission without going to the First Appellate Authority. The case was remanded back to the First Appellate Authority with the direction to consider and dispose off the appeal within the prescribed period of 30 days.

The Commission further observed that there has been an enormous delay of nine months in attending to the RTI application and the respondent was also absent on 2nd consecutive hearing. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit**

The case came up for further hearing on 03.06.2020 through video conferencing at DAC Jalandhar. The appellant informed that the PIO has not provided the information. The respondent was absent nor had sent any reply to the show cause notice. The PIO was given one last opportunity to comply with the earlier order of the Commission and directed to appear personally on the next date of hearing alongwith reply to the show cause notice on an affidavit. The First Appellate Authority was also directed to consider and dispose off the appeal as per earlier order of the Commission.

Hearing dated 22.07.2020:

The case has come up for hearing today through video conferencing at DAC Jalandhar. The respondent present pleaded that the information has been supplied to the appellant and the appellant has agreed to withdraw his complaint. The respondent has also send a copy of an affidavit stating therein the reasons for delay in providing the information which is taken on the file of the Commission. The appellant is absent and vide email has sought adjournment.

Complaint Case No. 745 of 2019

Having gone through the reply, it is observed that the reply is from the SDO who is not the PIO. The PIO in this case happens to be the Deputy Chief Engineer, PSPCL Circle Jalandhar. So the reply of the SDO is not accepted. Since the show cause was issued to the PIO, the PIO is directed to send reply to the show cause notice issued on 17.02.2020 for delay in providing the information.

The case is adjourned. To come up for further hearing on **07.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Jalandhar.

Chandigarh
Dated 22.07.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: The Chief Engineer, PSPCL,
Circle, Jalandhar.

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Madhya Marg, Sector 16, Chandigarh.
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Sh. Baldev Raj, S/o sh Buta Ram,
VPO Sarhali, Tehsil Phillaur,
Distt Jalandhar..

...Complainant

Vs

Public Information Officer,
O/o Addl, SE (Operational),
PSPCL, Phagwara Division,
Distt Kapurthala.

....Respondent

Complaint Case No. 1062 of 2019

PRESENT: None for the Complainant
Sh.Rajinder Singh, Sr.Xen, PSPCL Phagwara for the Respondent

ORDER:

The case was last heard on 03.06.2020 through video conferencing at DAC, Jalandhar. The respondent present pleaded that the information has been provided to the complainant on 09.03.2020. The complainant pleaded that the PIO has provided the incomplete information even after the issue of notice of the Commission.

Having gone through the record, the Commission observed that the complainant has come to the Commission without going to the First Appellate Authority. The complainant was directed to go to the First Appellate Authority if he is not satisfied with the information. The First Appellate Authority was directed to consider the appeal and dispose off the same within a period of 30 days as per RTI Act.

The Commission further observed that there has been enormous delay of eight months in attending to the RTI application. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

Hearing dated 22.07.2020:

The case has come up for hearing today through video conferencing at DAC Jalandhar. The respondent present pleaded that the information has been provided to the complainant. The complainant vide email has informed that he has received the complete information and requested to close the complaint case.

The respondent has also sent reply to the show cause notice on an affidavit via email which is taken on the file of the Commission.

Since the information stands provided and the complainant does not want to pursue his case further, the show cause is dropped and the complaint case is closed.

The case is **disposed off and closed.**

Chandigarh
Dated 22.07.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Manjeet Singh,
H No-1435, Street No-6, Block-A,
Guru Nanak Colony, Gill Road,
Ludhiana.

.....Appellant.

Versus

Public Information Officer,
O/o XEN, PSPCL Unit-1,
2443 Sub Division, Janta Nagar
Ludhiana-3.

First Appellate Authority,
O/o XEN, PSPCL, Unit-1-2443,
Sub Division-1, Janta Nagar,
Gill Road, Ludhiana-3.

...Respondent

Appeal Case No. 407 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER: This order should be read in continuation to the earlier order.

On the date of hearing on 13.08.2019, the respondent present informed that the information has been provided to the appellant. The appellant was not satisfied and stated that he wants the status of his complaint. The PIO was directed to relook at the RTI application and provide status report on the complaint of the appellant.

On the date of hearing of **29.11.2019**, the respondent was absent nor had provided the information. The PIO was issued a **show cause notice and directed to file reply on an affidavit**. The PIO was again directed to provide the information to the appellant within 10 days.

On 27.01.2020, Sh.Jasvir Singh, AEE Commercial Janta Nagar Div(spl) appeared and informed that the information has been provided to the appellant vide letter dated 27.12.2019. The PIO was absent nor had sent any reply to the show cause, rather tried to take the Commission into confidence on the ground that the information has been provided. The PIO was given one last opportunity to file a reply to the show cause on an affidavit.

On the last date of hearing on 03.06.2020, the appellant vide email informed that the PIO has not provided the information. The respondent was absent nor had sent any reply to the show cause notice. The PIO was given one last opportunity to provide the information to the appellant and appear personally on the next date of hearing alongwith reply to the show cause notice on an affidavit.

Hearing dated 22.07.2020:

The case has come up for hearing today through video conferencing at DAC, Ludhiana. Both the parties are absent. The earlier order stands. The case is adjourned.

To come up for further hearing on **09.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Sd/-

Chandigarh
Dated 22.07.2020

(Khushwant Singh)
State Information Commissioner

CC to Additional S.E (Op),
Janta Nagar Div(Spl), PSPCL,Ludhiana.

Sh Pawan Kalia,
18, Adarsh Nagar,
Kapurthala.

... Appellant

Versus

Public Information Officer,
O/o Chief Administrator,
JDA, Jalandhar.

First Appellate Authority,
O/o Chief Administrator,
JDA, Jalandhar.

...Respondent

Appeal Case No. 3874 of 2019 and 3875 of 2019

PRESENT: None for the Appellant
Sh.Sanjeev Sharma-PIO-JDA and Sh.Ashok Kumar, Suptd- GLADA(earlier
APIO-JDA) for the Respondent

ORDER:

The case was first heard on 19.02.2020. The respondent present pleaded that since the information was in the custody of APIO-O/o Dy Chief Administrator, JDA Jalandhar, the RTI application was transferred to the APIO which further transferred the same to the APIO-cum-Superintendent(R) O/o Estate Officer(R) JDA Jalandhar on 05.04.2019 since the record was transferred again to the office of Estate Officer (R)–JDA Jalandhar. However, even after sending reminders, the APIO-Estate Officer (R) has not provided the information.

The respondent further pleaded that in another appeal case No.3875/2019, wherein the appellant vide RTI application dated 08.03.2019 has sought information regarding status report of his application dated 14.02.2019 for issuance of NOC, the information is in the custody of Sh.Ashok Kumar, Superintendent-cum-APIO, Estate Officer (R) JDA Jalandhar and the RTI application has been transferred to them on 29.04.2019 by APIO-O/o Dy Chief Administrator JDA Jalandhar.

Given the above circumstances, it was found clear that in both the cases, even though the information sought was different, but it was in the same file and in the custody of Sh.Ashok Kumar, Superintendent-cum-APIO, Estate Officer (R) JDA Jalandhar. However, in both the cases, the APIO had not provided the information even after issuance of reminders by the PIO-JDA Jalandhar.

So both the cases were clubbed together and Sh.Ashok Kumar, Superintendent-cum-APIO, Estate Officer (R) JDA Jalandhar was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.** Sh.Ashok Kumar, Superintendent-cum-APIO, Estate Officer (R) JDA Jalandhar was also directed to provide the information within a week and be present personally on the next date of hearing.

The case came up for further hearing on 03.06.2020 through video conferencing at DAC, Jalandhar. The respondent present pleaded that the information has been provided to the appellant. The appellant was absent and vide email sought adjournment.

Appeal Case No. 3874 of 2019 and 3875 of 2019

The respondent further informed that since the information in appeal cases No.3874/2019 and 3875/2019 was in the custody of Sh.Ashok Kumar, APIO, Estate Officer(R) JDA Jalandhar, the RTI application was transferred to them under section 5(4) on 19.03.2019 and the APIO was directed to provide the information to the appellant as per RTI application.

Sh.Ashok Kumar, APIO was absent nor had sent any reply to the show cause notice.

The respondent informed that Sh.Ashok Kumar has been transferred and is now posted as Superintendent, Greater Ludhiana Development Authority, Ludhiana. Sh.Ashok Kumar-APIO was given one last opportunity to be present on the next date of hearing alongwith reply to the show cause notice.

The PIO-JDA was also directed to clarify-

- Who was the PIO at the time of filing RTI'
- Who was the PIO at the time of issue of show cause notice

Hearing dated 22.07.2020:

The case has come up for hearing today through video conferencing at DAC Jalandhar. Sh.Ashok Kumar, Suptd.,GLADA (earlier APIO-JDA) is present and pleaded that the information has been provided to the appellant. The appellant vide email has informed that he has received the complete information and wants to withdraw his complaint case.

The respondent has also sent reply to the show cause notice on an affidavit which is taken on the file of the Commission.

Since the information stands provided and the appellant has withdrawn his appeal case, the show cause is dropped and the case is closed with a warning to the PIO to treat the RTI with the sanctity that it deserves and such thing should not be repeated in future.

The case is **disposed off and closed.**

Chandigarh
Dated 22.07.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Sh.Ashok Kumar, Superintendent,
Greater Ludhiana Area Development Authority,
Ludhiana.

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana.

... Appellant

Versus

Public Information Officer,
Police Station,
Village Ladowal, Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1286 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
Sh.Raj Kumar, ASI for the respondent

ORDER: This order should be read in continuation to the earlier order.

The case last came up for hearing on 03.06.2020 through video conferencing at DAC, Ludhiana. The respondent present pleaded that the information has been sent to the appellant via speed post. The appellant claimed that the information which was sent via speed post relates to another appeal case No.2063 and the PIO has not provided the information in the present case.

The PIO was directed to send complete reply and provide the information to the appellant. If the information is not available in the record, to give detailed reply on an affidavit. The PIO was also directed to bring original record pertaining to the RTI application to the Commission on the next date of hearing.

Hearing dated 22.07.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent has supplied affidavit to the appellant as per last order. The appellant has however, stated that what the respondent is stating, is not the fact finding since as per the document procured by the appellant from the Tehsildar through RTI, it is clear that the tehsildar has sent this document to the police vice-versa.

The appellant is asked to place the discrepancies case-wise to the Commission as well as to the PIO. The respondent is directed to relook and provide the information. If need be, to revise the affidavit.

To come up for further hearing on **09.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 22.07.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Commissioner of Police, Ludhiana.

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Iadowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1295 of 2018

Present: **Sh.Ashok Kapoor as the Appellant.**
Sh.Raj Kumar, ASI for the respondent

ORDER: This order should be read in continuation to the earlier order.

The case last came up for hearing on 03.06.2020 through video conferencing at DAC, Ludhiana. The respondent present pleaded that the information has been sent to the appellant via speed post. The appellant claimed that the information which was sent via speed post relates to another appeal case No.2063 and the PIO has not provided the information in the present case.

The PIO was directed to send complete reply and provide the information to the appellant. If the information is not available in the record, to give detailed reply on an affidavit. The PIO was also directed to bring original record pertaining to the RTI application to the Commission on the next date of hearing.

Hearing dated 22.07.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent has supplied affidavit to the appellant as per last order. The appellant has however, stated that what the respondent is stating, is not the fact finding since as per the document procured by the appellant from the Tehsildar through RTI, it is clear that the tehsildar has sent this document to the police vice-versa.

The appellant is asked to place the discrepancies case-wise to the Commission as well as to the PIO. The respondent is directed to relook and provide the information. If need be, to revise the affidavit.

To come up for further hearing on **09.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 22.07.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Commissioner of Police, Ludhiana.



Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Iadowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1296 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
Sh.Raj Kumar, ASI for the respondent

ORDER: This order should be read in continuation to the earlier order.

The case last came up for hearing on 03.06.2020 through video conferencing at DAC, Ludhiana. The respondent present pleaded that the information has been sent to the appellant via speed post. The appellant claimed that the information which was sent via speed post relates to another appeal case No.2063 and the PIO has not provided the information in the present case.

The PIO was directed to send complete reply and provide the information to the appellant. If the information is not available in the record, to give detailed reply on an affidavit. The PIO was also directed to bring original record pertaining to the RTI application to the Commission on the next date of hearing.

Hearing dated 22.07.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent has supplied affidavit to the appellant as per last order. The appellant has however, stated that what the respondent is stating, is not the fact finding since as per the document procured by the appellant from the Tehsildar through RTI, it is clear that the tehsildar has sent this document to the police vice-versa.

The appellant is asked to place the discrepancies case-wise to the Commission as well as to the PIO. The respondent is directed to relook and provide the information. If need be, to revise the affidavit.

To come up for further hearing on **09.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 22.07.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Commissioner of Police, Ludhiana.



Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Ladowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1297 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
Sh.Raj Kumar, ASI for the respondent

ORDER: This order should be read in continuation to the earlier order.

The case last came up for hearing on 03.06.2020 through video conferencing at DAC, Ludhiana. The respondent present pleaded that the information has been sent to the appellant via speed post. The appellant claimed that the information which was sent via speed post relates to another appeal case No.2063 and the PIO has not provided the information in the present case.

The PIO was directed to send complete reply and provide the information to the appellant. If the information is not available in the record, to give detailed reply on an affidavit. The PIO was also directed to bring original record pertaining to the RTI application to the Commission on the next date of hearing.

Hearing dated 22.07.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent has supplied affidavit to the appellant as per last order. The appellant has however, stated that what the respondent is stating, is not the fact finding since as per the document procured by the appellant from the Tehsildar through RTI, it is clear that the tehsildar has sent this document to the police vice-versa.

The appellant is asked to place the discrepancies case-wise to the Commission as well as to the PIO. The respondent is directed to relook and provide the information. If need be, to revise the affidavit.

To come up for further hearing on **09.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 22.07.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Commissioner of Police, Ludhiana.



Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Ladawal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1298 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
Sh.Raj Kumar, ASI for the respondent

ORDER: This order should be read in continuation to the earlier order.

The case last came up for hearing on 03.06.2020 through video conferencing at DAC, Ludhiana. The respondent present pleaded that the information has been sent to the appellant via speed post. The appellant claimed that the information which was sent via speed post relates to another appeal case No.2063 and the PIO has not provided the information in the present case.

The PIO was directed to send complete reply and provide the information to the appellant. If the information is not available in the record, to give detailed reply on an affidavit. The PIO was also directed to bring original record pertaining to the RTI application to the Commission on the next date of hearing.

Hearing dated 22.07.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent has supplied affidavit to the appellant as per last order. The appellant has however, stated that what the respondent is stating, is not the fact finding since as per the document procured by the appellant from the Tehsildar through RTI, it is clear that the tehsildar has sent this document to the police vice-versa.

The appellant is asked to place the discrepancies case-wise to the Commission as well as to the PIO. The respondent is directed to relook and provide the information. If need be, to revise the affidavit.

To come up for further hearing on **09.09.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 22.07.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Commissioner of Police, Ludhiana.