

PUNJAB STATE INFORMATION COMMISSION
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Sh.Sarabjeet Singh,
Whistle Blower, H No-60-35-P-376-1,
Street No-8, Maha Singh Nagar,
PO Dhandari Kalan, 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. 2027 of 2019

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

ORDER:

The appellant through RTI application dated 26.12.2018 has sought information on 6 points regarding details of road constructed from Jan. 2013 till date in the jurisdiction of GLADA Ludhiana alongwith tarkol purchased and used, name of contractor 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 28.01.2019 which took no decision on the appeal.

The respondent present pleaded that since the appellant had attached wrong identity proof (the ID proof of Smt.Neena w/o Sh.Ashok Kumar who is not the applicant), the appellant was asked vide letter dated 07.02.2019 to rectify his ID proof which he did not send and hence the information was not provided. The respondent further pleaded that the information is voluminous in nature and will divert sufficient resources of the department.

I have gone through the RTI application and find that the appellant is seeking very voluminous information which will divert sufficient resources of the department. Section 7(9) of the RTI Act, 2005 provides; that an information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question.

Keeping this in view, I advise the appellant to file a fresh RTI application with specific information and for the information which can be provided without diversion of resources of the public authority.

The appeal is dismissed and the case is **closed**.

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner



ShManjit Singh, S/o ShSohan Singh,
H no-388/3, Dhandholian road,
Patiala.

... Appellant

Versus

Public Information Officer,
O/o IGP,
Patiala.

First Appellate Authority,
O/o DGP,
Punjab, Chandigarh.

...Respondent

Appeal Case No. 2049 of 2019

PRESENT: Sh.Manjit Singh as the Appellant
Sh.Charanjiv, DSP and Sh.Ajit, ASI for the Respondent

ORDER:

The appellant through RTI application dated 27.02.2019 has sought information on 8 points regarding details of correspondence by the office of SSP Patiala getting approval of bills relating to purchase of different items alongwith list of items purchased and other information concerning the office of IGP Patiala. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 26.03.2019, which took no decision on the appeal.

The respondent present has submitted a letter of the PIO dated 03.10.2019 which is taken on the file of the Commission. In the letter, the PIO has stated that the appellant has no concern with the sought information and the disclosure of information has no larger public interest. The respondent further pleaded that the information is voluminous and will divert sufficient resources of the department since the appellant has already filed 18 such applications for seeking unnecessary information with a malafide intention.

Keeping in view that the appellant has filed RTI application for seeking voluminous information which will divert sufficient manpower of the public authority, the appellant is directed to convince the Commission that there is a larger public interest involved in disclosure of information.

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

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner

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MsKamaldeepKaur, D/o ShPritpal Singh,
R/o Village Guntala, Oppo Dispensary,
Ward No-5, Amritsar.

... Appellant

Versus

Public Information Officer,
O/oADA,
Amritsar.

First Appellate Authority,
O/o Addl, Chief Administrator,
ADA, Amritsar.

...Respondent

Appeal Case No. 2060 of 2019

PRESENT: Ms.KamaldeepKaur as the Appellant
Sh.Charanjit Singh, SDO-ADA Amritsar for the Respondent

ORDER:

The appellant through RTI application dated 23.02.2019 has sought information on 17 points regarding details of various works for streets and roads in ward No.5, Village Guntala Amritsar and other information concerning the office of ADA Amritsar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 25.03.2019, which took no decision on the appeal. After filing appeal, the PIO vide letter dated 03.05.2019 asked the appellant to deposit requisite fee of Rs.4000/- for approximately 2000 pages and get the relevant information.

The respondent present pleaded that since the information is voluminous, the appellant was asked to inspect the record and get the relevant information but the appellant did not prefer to inspect the record. Thereafter, vide letter dated 03.05.2019, the appellant was asked to deposit requisite fee of Rs.4000/- for 2000 pages which the appellant did not deposit and hence, the information was not provided. The respondent has brought entire record in the Commission.

However, the appellant has now asked for information on 8 points (points 1,2,4, 5, 6, 7, 13 & 14). The respondent is directed to provide the information on these points as per the RTI application.

The case is adjourned. To come up for further hearing on **02.01.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner

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ShSimranjit Singh, S/o ShJagdish Singh,
93/2, Adarsh Nagar, Jalandhar.

... Appellant

Versus

Public Information Officer,
O/o JDA,
Jalandhar.

First Appellate Authority,
O/o JDA,
Jalandhar

...Respondent

Appeal Case No. 2064 of 2019

PRESENT: None for the Appellant
Sh.Sanjeev Sharma, PIO-JDA for the Respondent

ORDER:

The appellant through RTI application dated 15.02.2019 has sought information on 16 points regarding details of tenders of new roads constructed from 2002 to 2019 alongwith the repair work carried out through contractual agency and other information concerning the office of JDA Jalandhar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 28.03.2019, which took no decision on the appeal.

The respondent present pleaded that they received the RTI application on 18.02.2019 and transferred it to concerned APIO-O/o Divisional Engineer(W), JDA Jalandhar vide letter dated 22.02.2019 for providing the information and issued reminders on 18.04.2019 and 30.09.2019. The reply was sent to the appellant. The respondent further pleaded that the information is very voluminous and would disproportionately divert the resources of the department.

I have gone through the entire points of the RTI application and agree with the view of the PIO that the information is voluminous. **Section 7 (9) of RTI Act 2005 also provides that;** "An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question."

Keeping the above in view, I hereby direct the appellant to prove that the disclosure of information has a larger public interest.

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, Jalandhar. Order be sent to both the parties **through Registered Post.**

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner

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ShJasbir Singh,
Village Bolapur, Jhabewal,
PO Ramgarh, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Environment Er.
Punjab Pollution Control Board,
Regional Office-II, Ludhiana.

First Appellate Authority,
O/o Pollution Control Board,
Patiala .

...Respondent

Appeal Case No. 2079 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 22.03.2019 has sought information on points regarding fulfillment of conditions of pollution control board by M/s Asian Drug Store Ludhiana alongwith NOC obtained by the firm and other information concerning the office of Environment Engineer, Punjab Pollution Control Board, Ludhiana. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 26.04.2019, which took no decision on the appeal.

The respondent is absent without intimation to the Commission. Having gone through the file, the Commission observes that the appellant had filed RTI application with O/o Environment Engineer, Pollution Control Board, Regional Office-II, Ludhiana which transferred it to the Regional Office-III Ludhiana. There is an enormous delay in attending to the RTI application. The appellant is also absent nor has communicated whether he has received the information or not.

The Commission hereby directs the PIO-Pollution Control Board, Regional Office-II, Ludhiana to provide the information to the appellant as per the RTI application within 15 days and send a compliance report to the Commission.

To come up for further hearing on **02.01.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner

CC to PIO-Environment Engineer,
Punjab Pollution Control Board,
Regional Office-II, Ludhiana

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ShMehar Singh, S/o ShHarbans Singh,
R/o Aroor SinghWali, R/o Abohar ,
Fazilka.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Fazilka.

First Appellate Authority,
O/oIGP, Ferozepur Range,
FerozepurCantt.

...Respondent

Appeal Case No. 2086 of 2019

PRESENT: Sh.Mehar Singh as the Appellant
Sh.Maninder Singh, HC for the Respondent

ORDER:

The appellant through RTI application dated 25.02.2019 has sought information regarding cancellation report relating to FIR No.160 Police Station Sadar Abohar and other information concerning the office of SSP Fazilka. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 30.03.2019, which took no decision on the appeal.

The respondent present pleaded that as per report of Chief Officer, Police Station Sadar Abohar, the cancellation report has yet to be presented in the Court and hence the information cannot be provided. The reply has been sent to the appellant vide letter dated 25.03.2019 and again on 07.10.2019. The respondent has also submitted a reply of the PIO dated 09.10.2019 which is taken on the file of the Commission. In the reply, the PIO has stated that the cancellation report is yet to be submitted to the court.

From the reply of the PIO, it appears that the investigation is over and the report has been prepared but it has yet not been submitted to the Court. However, the Commission directs the PIO to clarify that whether the investigation of a 20 years old case has been completed or not and if yes, whether a cancellation report has been prepared.

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

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner

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ShMehar Singh, S/o ShHarbans Singh,
R/o Aroor Singh Wali, R/o Abohar ,
Fazilka.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Fazilka.

First Appellate Authority,
O/o IGP, Ferozepur Range,
Ferozepur Cantt.

...Respondent

Appeal Case No. 2087 of 2019

PRESENT: Sh.Mehar Singh as the Appellant
Sh.Maninder Singh, HC for the Respondent

ORDER:

The appellant through RTI application dated 25.02.2019 has sought information on 8 points regarding cancellation report in respect to FIR No.219 police station City-1 Abohar and other information concerning the office of SSP Fazilka. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 30.03.2019, which took no decision on the appeal.

The respondent present pleaded that as per report of Chief Officer, Police Station Sadar Abohar, the investigation is pending and cancellation report has yet to be presented in the Court and hence the information cannot be provided. The reply has been sent to the appellant vide letter dated 09.04.2019 and again on 07.10.2019. The respondent has also submitted a reply of the PIO dated 09.10.2019 which is taken on the file of the Commission. In the reply, the PIO has stated that since the investigation is pending, the information cannot be provided.

From the reply of the PIO, it appears that a cancellation report has been prepared but yet to be submitted to the Court. However, since the PIO's reply is not clear, the Commission directs the PIO to clarify that whether the investigation of a 20 years old case has been completed or not and if yes, whether a cancellation report has been prepared.

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

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner



Dr. Arvinder Pal Kaur.
H No-B-2/1139, Lehal Colony,
Patiala.

... Appellant

Versus

Public Information Officer,
O/o Chairman-cum-Managing Director,
PSPCL, Patiala.

First Appellate Authority,
O/o Pr. Secretary,
Deptt of Power Govt of Punjab,
Chandigarh.

... Respondent

Appeal Case No. 2088 of 2019

PRESENT: Dr. Arvinder Pal Kaur as the Appellant
Sh. Abhimanyu, Sr Assistant, O/o Powercom and Sh. Dharambir Singh,
PSPCL Patiala

ORDER:

The appellant through RTI application dated 21.12.2018 has sought information on 26 points regarding action taken on office order dated 24.04.2018 in respect of salary of Dr. Arvinder Pal Kaur Gill and other information concerning the office of Chairman-cum-MD, PSPCL Patiala. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 29.01.2019, which took no decision on the appeal.

The respondent present from the office of Department of Power, Govt of Punjab pleaded that since the information relates to the office of Chairman-cum-Managing Director, PSPCL Patiala, the RTI application was transferred to them on 04.01.2019. The respondent present from the office of PSPCL Patiala has brought the information and handed over to the appellant.

The appellant is not satisfied and stated that the information is incomplete. Having gone through the RTI application and the information provided by the respondent, following was concluded:

Points-8	-	Not required
Point-9	-	To provide
Points-13, 16, 17, 18, 21	-	To provide whatever the information is available on Record
Points-24 & 25	-	PIO to procure and provide

Rest of the information has been provided. The appellant is directed to go through the information and point out the discrepancies, if any at the next date of hearing.

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

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner

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ShRajwinder Singh, S/o ShKarnail Singh,
R/o village Karm Patti, Tehsil Malout,
Distt Sri Mukatsar Sahib.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Sri Mukatsar Sahib .

First Appellate Authority,
O/o IGP, Ferozepur Range,
Ferozepur.

...Respondent

Appeal Case No. 2090 of 2019

PRESENT: None for the Appellant
Sh.Anil Rattan, constable –Vigilance,Pb Mohali and Sh.Manjit Singh, ASI
O/o SSP Sri Mukatsar Sahib for the Respondent

ORDER:

The appellant through RTI application dated 04.12.2018 has sought information on 9 points regarding action taken on complaint dated 16.08.2018 filed against Sarpanch Baljit Kaur & her husband Sh.Jagdeep Singh Panchayat Secretary for misappropriation of funds and other information concerning the office of SSP Sri Mukatsar Sahib. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 23.01.2019, which took no decision on the appeal.

The respondent present from the office of SSP Sri Mukatsar Sahib pleaded that the information relates to the office of Vigilance Bureau. The Commission has also received a letter diary No.19116 on 04.10.2019 from the PIO-cum-SSP Sri Mukatsar Sahib whereby the PIO has informed that since the information relates to the office of Vigilance Bureau, the information has to be provided by the Chief Officer, Thana Vigilance Bureau Ferozepur or Police Commissioner, Vigilance Bureau, Ferozepur.

The PIO has not transferred the RTI application to the concerned PIO. The respondent present from the office of Vigilance Bureau, Mohali informed that they have not received RTI application. A copy of the RTI application has been handed over to the respondent. The respondent is directed to respond to the RTI application within three weeks and send a compliance report to the Commission.

To come up for further hearing on **02.01.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner

CC to Joint Director (Admn),
Vigilance Bureau, Punjab,
Vigilance Bhawan, Sector 68, Mohali.

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ShSatpalGoyal,
H No 102, Model Town,
Phase-1, Bathinda.

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 2102 of 2019

PRESENT: Sh.Satpal Goyal as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 18.12.2017 has sought information on 8 points regarding enhancement of cost of plot in phase-1 Urban Estate Bhatinda and other information concerning the office of EO BDA Bhatinda. The appellant was not satisfied with the reply of the PIO dated 06.02.2019 vide which the PIO asked to the appellant to specify the khasra number after which the appellant filed a first appeal before the First Appellate Authority on 19.03.2019 which took no decision on the appeal.

The appellant claims that the PIO has not provided the information. The respondent is absent. The PIO is directed to provide the information to the appellant as per RTI Act within 15 days and send a compliance report to the Commission. The PIO is also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

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, Bathinda. Order be sent to both the parties through **registered post**.

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner

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ShRanjeet Singh,
H No-95, Maharaja Yadvindra Enclave,
Nabha road, Patiala.

... Appellant

Versus

Public Information Officer,
O/o Dy. Chief Engineer,
Technical Audit (Electrical),
PSPCL, Patiala.

First Appellate Authority,
O/o Chief Engineer,
Technical Audit (Electrical),
PSPCL, Patiala.

...Respondent

Appeal Case No. 2211 of 2019

PRESENT: Sh.Ranjeet Singh as the Appellant
Sh.Dharmvir Kansal, APIO for the Respondent

ORDER:

The appellant through RTI application dated 16.11.2018 has sought information on 13 points regarding file No.TA-7581 relating to charge sheet issued to SE Technical and other information concerning the office of Dy.CE-Technical Audit (Electrical), PSPCL Patiala. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 31.12.2018 which took no decision on the appeal. After filing appeal, the PIO sent reply/information to the appellant vide letter dated 01.02.2019. On being not satisfied with the information, the appellant filed 2nd appeal in the Commission on 20.06.2019

The respondent present pleaded that the information has been supplied to the appellant vide letter dated 01.02.2019 and a copy of the same submitted to the Commission. The appellant informed that he has received the information only on point-11 and the information provided on other points is not relevant and not as per the RTI application.

Having gone through the RTI application and hearing both the parties, the PIO is directed to relook at the RTI application and provide the information as per the RTI Act. If any of the document is not available on record, to give in writing that such document is not available.

To come up for further hearing on **02.01.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated 22.10.2019

(Khushwant Singh)
State Information Commissioner

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Sh.KrishanLal, S/o Sh.Darshan Lal,
R/o H NO-B-1/171, Mohalla Chaudhrian,
Near Shiv Mandir,
Tehsil Philaur, Distt Jalandhar.

... Appellant

Versus

Public Information Officer,
O/o Police Commissioner,
Ludhiana.

First Appellate Authority,
O/o Police Commissioner,
Ludhiana.

...Respondent

Appeal Case No. 1438 of 2019

PRESENT: Sh.KrishanLal as the Appellant
Sh.Pawandeep Singh, SI for the Respondent

ORDER: The case was last heard on 09.07.2019. The appellant claimed that the PIO has not provided the information. The respondent pleaded that since the enquiry was pending, the information was denied under section 8(1)(h) and the reply was sent to the appellant by the SHO Police Station Salem Tabri Ludhiana vide letter dated 22.04.2019.

The respondent further pleaded that now the enquiry has been completed and the case challan has been filed in the court, they do not have information. The appellant stated that the record is available with the concerned police station since a copy of the record is always being retained by the enquiry officer for showing it in the court any time the court summons the inspecting officer for witness.

Hearing both the parties, the PIO was directed to relook at the RTI application and submit point-wise reply on an affidavit. If the record is available in the custody of the police department, the information be provided.

Hearing dated 22.10.2019:

The respondent present pleaded that the information has already been provided to the appellant. The appellant had earlier filed a similar RTI application No.1617 of 2019 seeking exactly the same information which was disposed off by Sh.Avtar Singh Kler, SIC on 30.09.2019. The information has already been provided in the earlier case and the information was handed over to the appellant before the Commission.

Since the information has already been provided in a previous case and this RTI application is similar to the one which was disposed off, there is no reason to take this case further. The Commission also observed that the appellant had earlier filed a similar RTI application whereas as per a certificate submitted to the Commission, the appellant has declared that the matter is not previously filed with this commission nor is pending with any court. The appellant is hereby warned not to repeat this, otherwise the Commission will be constrained to take action against him for concealing the facts.

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

Chandigarh
Dated:22.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner