



Ms Anju Rani Prashar,
R/o Ward NO-2, Near Nagar Khara Dharamshala,
Kuruli, Mohali.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Mohali.

First Appellate Authority,
O/o SSP,
Mohali.

...Respondent

Appeal Case No. 79 of 2019

PRESENT: Ms Anju Rani as the Appellant
Sh.Ravinder Singh ASI O/o SSP Mohali and Ms.Sangeeta O/o DPR
for the Respondent

ORDER:

The case was first heard on 24.06.2019. The appellant claimed that the PIO has not provided the information. The respondent was absent. Having gone through the RTI application, the Commission found that the information regarding points 1 to 6 is not covered under the ambit of the information as per the RTI Act. The PIO was directed to look at points 7 to 10 and provide the information to the appellant as per the RTI Act within 15 days. The PIO was also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. And be present on the next date of hearing.

The case was again heard on **26.08.2019**. The respondent present pleaded that point-wise information has been sent to the appellant vide letter dated 12.08.2019 and a copy of the same submitted to the Commission. The respondent again handed over a copy to the appellant. The appellant was not satisfied. The appellant also raised objection on points 1 to 6. Hearing both the parties, following was concluded:

Points 1,2 & 3 - The PIO-Directorate of Information & Public Relation Punjab is impleaded in the case and directed to look at the RTI application and provide the information on these points. To provide press releases for advertisement released for emergency phone call number 100 and women helpline phone call number 181.

Point-6 - PIO-SSP Mohali to provide number of complaints filed.

Rest of the information stands provided.

The case was last heard on **25.11.2019**. The respondent present from the office of SSP informed that they have already provided the information relating to them. The appellant however, pointed out that the document which the respondent had provided during last hearing and the document that the respondent stated to have sent to her on 12.08.2019 was the same. The appellant however, claimed that the document which the respondent claims to have got received by the appellant is not signed by the appellant nor by any relative or known people, thus the police is falsely claiming that they received the information.

The PIO-Directorate of Information & Public Relation, Punjab was absent and vide letter received in the Commission on 06.11.2019 has asked for copy of RTI application. A copy of the RTI application was enclosed with the order. The PIO-Directorate of information & Public Relation was given one more opportunity to look at the RTI application and provide the information to the appellant as per earlier order of the Commission.

Hearing dated 23.01.2020:

The respondent present from the office of DPR informed that the information does not relate to them. The respondent present from the office of SSP Mohali has brought the information regarding point-6 and handed over to the appellant. Regarding points 1,2& 3, the respondent informed that the information is available on line.

The respondent is directed to give in writing the purpose of release of phone numbers regarding points 1,2 & 3. The information be provided within a week.

With the above order, the case is **disposed off and closed**.

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Sudhir Sharma,C/o Shiv Enterprises,
Opposite Triveni Palace,
Paitala Road, Nabha.

... Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council,
Nabha, Distt Patiala.

...Respondent

Complaint Case No. 95 of 2019

PRESENT: Sh.Sudhir Sharma as the Appellant
Sh.Amrik Singh, EO-cum-PIO, NC Nabha for the Respondent

ORDER:

This order should be considered in continuation to the previous order.

The case was first heard by Sh.A.S.Chanduraian, State Information Commissioner on 13.03.2019. Sh.Gagandeep Singh, JE appeared on behalf of the respondent who sought adjournment which was granted.

The case was again heard by this bench on **30.07.2019**. The complainant was absent and vide email informed that the PIO has not provided the information. The respondent was also absent.

Having gone through the file, the Commission observed that there has been an 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 and directed to file reply on an affidavit. The PIO was again directed to provide the information to the complainant within 10 days.

The case was further heard on **06.11.2019**. The appellant was absent and telephonically sought exemption. The appellant further informed that the PIO has not provided the information.

The respondent present pleaded that he had recently joined this office on 23.07.2019 and the delay had occurred on the part of the earlier PIO. The respondent also submitted his reply which was taken on the file of the Commission. In the reply, the respondent has stated that after assuming the charge, he immediately asked the concerned junior engineer Sh.Gaganpreet Singh vide letter dated 23.07.2019 to provide the information to the appellant. Sh.Gaganpreet Singh was again instructed vide letter dated 16.08.2019 to provide the information to the appellant and be present before the Commission on the date of hearing on 06.11.2019. Sh.Gaganpreet Singh has been transferred and now posted in NC- Bagha Purana.

The PIO was directed to submit a detailed reply to the show cause notice on an affidavit and be present on the next date of hearing.

Hearing dated 23.01.2020:

The respondent present has submitted reply to the show cause notice on an affidavit which is taken on the file of the Commission. The respondent has also submitted a list of officers posted as PIOs at NC Nabha from the date of filing of RTI application till date. The respondent also informed that Sh.Rakesh Garg was the PIO-cum-EO NC Nabha when the RTI application was filed and he is now posted as EO-MC Bhawanigarh.

Complaint Case No. 95 of 2019

Having gone through the list, the Commission observes that Sh.Rakesh Garg had a significant tenure of stay as PIO in NC Nabha, but the RTI application was not attended to by him.

Sh.Rakesh Garg, EO-MC Bhawanigarh is hereby directed to appear personally before the Commission on the next date of hearing and explain the reasons why the RTI application was not attended to within the time prescribed under the RTI Act, otherwise the Commission will be constrained to take action under section 20 of the RTI Act.

To come up for further hearing on **15.04.2020 at 11.00 AM.**

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Sudhir Sharma,C/o Shiv Enterprises,
Opposite Triveni Palace,
Paitala Road, Nabha.
Appellant

...Complainant

Versus

Public Information Officer,
O/o EO, Muncipal Council,
Nabha, Distt Patiala

...Respondent

Complaint Case No. 109 of 2019

PRESENT: Sh.Sudhir Sharma as the Appellant
Sh.Amrik Singh, EO-cum-PIO, NC Nabha for the Respondent

ORDER:

This order should be considered in continuation to the earlier order.

The case was first heard by Sh.A.S.Chanduraian, State Information Commissioner on 13.03.2019. Sh.Gagandeep Singh, JE appeared on behalf of the respondent who sought adjournment which was granted.

The case was again heard on 30.07.2019. The complainant was absent and vide email sought exemption. The complainant further informed that the PIO has not provided the information. The respondent was also absent.

Having gone through the file, the Commission observed that there has been an enormous delay of more than seven 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 a reply on an affidavit. The PIO was again directed to provide the information to the complainant within 10 days.

The case was last heard on **06.11.2019**. The complainant was absent and telephonically sought exemption. The complainant further informed that the PIO has not provided the information.

The respondent present pleaded that he had recently joined this office on 23.07.2019 and the delay had occurred on the part of the earlier PIO. The respondent further stated that after assuming the charge, he immediately asked the concerned junior engineer Sh.Gaganpreet Singh vide letter dated 23.07.2019 to provide the information to the appellant. Sh.Gaganpreet Singh was again instructed vide letter dated 16.08.2019 to provide the information to the appellant and be present before the Commission on the date of hearing on 06.11.2019. Sh.Gaganpreet Singh has been transferred and now posted in NC- Bagha Purana.

The PIO was directed to submit a detailed reply to the show cause notice on an affidavit and be present on the next date of hearing.

Hearing dated 23.01.2020:

The respondent present has submitted reply to the show cause notice on an affidavit which is taken on the file of the Commission. The respondent has also submitted a list of officers posted as PIOs at NC Nabha from the date of filing of RTI application till date. The respondent also informed that Sh.Rakesh Garg was the PIO-cum-EO NC Nabha when the RTI application was filed and he is now posted as EO-MC Bhawanigarh.

Complaint Case No. 109 of 2019

Having gone through the list, the Commission observes that Sh.Rakesh Garg had a significant tenure of stay as PIO in NC Nabha but the RTI application was not attended to by him.

Sh.Rakesh Garg, EO-MC Bhawanigarh is hereby directed to appear personally before the Commission on the next date of hearing and explain the reasons why the RTI application was not attended to within the time prescribed under the RTI Act, otherwise the Commission will be constrained to take action under section 20 of the RTI Act.

To come up for further hearing on **15.04.2020 at 11.00 AM.**

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Sudhir Sharma,C/o Shiv Enterprises,
Opposite Triveni Palace,
Paitala Road, Nabha.

... Complainant

Versus

Public Information Officer,
O/o EO, Municipal Concl,
Nabha, Distt Patiala.

...Respondent

Complaint Case No. 110 of 2019

PRESENT: Sh.Sudhir Kumar as the Appellant
Sh.Amrik Singh, EO-cum-PIO, NC-Nabha for the Respondent

ORDER:

This order should be considered in continuation to the earlier order.

The case was first heard by Sh.A.S.Chanduraian, State Information Commissioner on 13.03.2019. Sh.Gagandeep Singh, JE appeared on behalf of the respondent who sought adjournment which was granted.

The case was again heard on 30.07.2019. The complainant was absent and vide email sought exemption. The complainant further informed that the PIO has not provided the information. The respondent was also absent.

Having gone through the file, the Commission observed that there has been an enormous delay of more than seven 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 a reply on an affidavit. The PIO was again directed to provide the information to the complainant within 10 days.

The case was last heard on **06.11.2019**. The complainant was absent and telephonically sought exemption. The appellant further informed that the PIO has not provided the information.

The respondent present pleaded that he had recently joined this office on 23.07.2019 and the delay had occurred on the part of the earlier PIO. The respondent further stated that after assuming the charge, he immediately asked the concerned junior engineer Sh.Gaganpreet Singh vide letter dated 23.07.2019 to provide the information to the appellant. Sh.Gaganpreet Singh was again instructed vide letter dated 16.08.2019 to provide the information to the appellant and be present before the Commission on the date of hearing on 06.11.2019. Sh.Gaganpreet Singh has been transferred and now posted in NC- Bagha Purana.

The PIO was directed to submit a detailed reply to the show cause notice on an affidavit and be present on the next date of hearing.

Hearing dated 23.01.2020:

The respondent present has submitted reply to the show cause notice on an affidavit which is taken on the file of the Commission. The respondent has also submitted a list of officers posted as PIOs at NC Nabha from the date of filing of RTI application till date. The respondent also informed that Sh.Rakesh Garg was the PIO-cum-EO NC Nabha when the RTI application was filed and he is now posted as EO-MC Bhawanigarh.

Complaint Case No. 110 of 2019

Having gone through the list, the Commission observes that Sh.Rakesh Garg had a significant tenure of stay as PIO in NC Nabha but the RTI application was not attended to by him.

Sh.Rakesh Garg, EO-MC Bhawanigarh is hereby directed to appear personally before the Commission on the next date of hearing and explain the reasons why the RTI application was not attended to within the time prescribed under the RTI Act, otherwise the Commission will be constrained to take action under section 20 of the RTI Act.

To come up for further hearing on **15.04.2020 at 11.00 AM.**

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Sudhir Sharma,C/o Shiv Enterprises,
Opposite Triveni Palace,
Paitala Road, Nabha.

... Complainant

Versus

Public Information Officer,
O/o EO, Municipal Concl,
Nabha, Distt Patiala.

...Respondent

Complaint Case No. 111 of 2019

PRESENT: Sh.Sudhir Kumar as the Appellant
Sh.Amrik Singh, EO-cum-PIO, NC-Nabha for the Respondent

ORDER:

This order should be considered in continuation to the earlier order.

The case was first heard by Sh.A.S.Chanduraian, State Information Commissioner on 13.03.2019. Sh.Gagandeep Singh, JE appeared on behalf of the respondent who sought adjournment which was granted.

The case was last heard on 30.07.2019. The complainant was absent and vide email has sought exemption. The complainant further informed that the PIO has not provided the information. The respondent was also absent.

Having gone through the file, the Commission observed that there has been an enormous delay of more than seven 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 a reply on an affidavit. The PIO was again directed to provide the information to the complainant within 10 days.

The case was last heard on **06.11.2019**. The complainant was absent and telephonically has sought exemption. The complainant further informed that the PIO has not provided the information.

The respondent present pleaded that he had recently joined this office on 23.07.2019 and the delay had occurred on the part of the earlier PIO. The respondent further stated that after assuming the charge, he immediately asked the concerned junior engineer Sh.Gaganpreet Singh vide letter dated 23.07.2019 to provide the information to the appellant. Sh.Gaganpreet Singh was again instructed vide letter dated 16.08.2019 to provide the information to the appellant and be present before the Commission on the date of hearing on 06.11.2019. Sh.Gaganpreet Singh has been transferred and now posted in NC- Bagha Purana.

The PIO was directed to submit a detailed reply to the show cause notice on an affidavit and be present on the next date of hearing.

Hearing dated 23.01.2020:

The respondent present has submitted reply to the show cause notice on an affidavit which is taken on the file of the Commission. The respondent has also submitted a list of officers posted as PIOs at NC Nabha from the date of filing of RTI application till date. The respondent also informed that Sh.Rakesh Garg was the PIO-cum-EO NC Nabha when the RTI application was filed and he is now posted as EO-MC Bhawanigarh.

Having gone through the list, the Commission observes that Sh.Rakesh Garg had a significant tenure of stay as PIO in NC Nabha but the RTI application was not attended to by him.

Sh.Rakesh Garg, EO-MC Bhawanigarh is hereby directed to appear personally before the Commission on the next date of hearing and explain the reasons why the RTI application was not attended to within the time prescribed under the RTI Act, otherwise the Commission will be constrained to take action under section 20 of the RTI Act.

To come up for further hearing on **15.04.2020 at 11.00 AM.**

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Manjinder Singh,
2469, Sunny Enclave,
Sector-125, Kharar,
Distt Mohali.

... Appellant

Versus

Public Information Officer,
O/o Regional Transport Authority,
Sangrur.

First Appellate Authority,
Secretary, Regional Transport Authority
Sangrur.

...Respondent

Appeal Case No. 122 of 2019

Present: Sh.Manjinder Singh as the Appellant
Sh.GurcharanSingh Sandhu-ATO O/o RTA Sangrur for the Respondent

ORDER: The case was first heard on 09.04.2019. The appellant claimed that no information has been provided to him. The respondent was absent without intimation to the Commission. The PIO was directed to look at the RTI application and provide the information within 15 days and be present on the next date of hearing alongwith the reasons for not attending to the RTI application.

The case was again heard on **28.05.2019**. The appellant claimed that despite order of the Commission, the PIO has not provided the information. The respondent was absent without intimation to the Commission. Since there has been an enormous delay of eight months in providing the information, the PIO was issued a **show cause notice under section 20 of the RTI Act and directed to file an affidavit in this regard**. The PIO was again directed to provide the information to the appellant within 10 days.

The case was further heard on **05.08.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO-RTA Sangrur was given one last opportunity to comply with the earlier order of the Commission and be present on the next date of hearing otherwise the Commission will be constrained to decide the case ex-parte assuming that you have nothing to say on the matter.

A copy of the order was sent to the STC, Punjab, Chandigarh to get the order served to the concerned PIO and to ensure compliance of this order, as well as ensure that the concerned PIO provide the information and appear personally or through its representative at the next date of hearing. It may also be noted that the PIO-RTA Sangrur has shown dereliction in attending to the summons of the Commission from time to time.

The case was last heard on **13.11.2019**. Since both the parties were absent, in the interest of justice, one more opportunity was given and the case was adjourned.

Hearing dated 23.01.2020:

The respondent present pleaded that the information has been provided to the appellant. The appellant has received the information and does not want to pursue his case.

Since the information has been provided and the appellant does not want to pursue the case further, the show cause is dropped and the case is **disposed off and closed**.

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Gurmukh Singh, S/o Sh.Mohinder Singh,
H No-610, Sector-11, Preet Nagar,
Kharar, Distt.Mohlai.

... Appellant

Versus

Public Information Officer,
O/o General Manager,
PRTC, Chandigarh.

First Appellate Authority,
O/o PRTC, Head Officer,
Patiala.

...Respondent

Appeal Case No. 143 of 2019

Present: Sh.Gurmukh Singh as the Appellant
Sh.Gurvinder Singh, PIO O/o PRTC Patiala (Earlier PIO-PRTC Chandigarh)
for the Respondent

ORDER:

The case was first heard on 09.04.2019. The respondent present pleaded that the information has been provided to the appellant vide letter dated 03.04.2019. The appellant was not satisfied. The respondent further informed that since the dealing official has been on medical leave, the complete information could not be provided and the remaining information will be provided on joining the dealing official.

Since there had been an enormous delay of seven months, the PIO was issued a **show cause notice under section 20 of the RTI Act** and the PIO was directed to file reply on an affidavit. The PIO was also directed to provide the information within a week and be present personally on the next date of hearing.

The case was again heard on **28.05.2019**. The respondent present pleaded that the information has been provided to the appellant again vide letter dated 12.04.2019 and a copy submitted to the Commission. In the reply, the PIO had mentioned that as per record available, the appellant had not filed claim for reimbursement of TA bills from January 2013 to December 2013 and that no reimbursement was made. The appellant however, shown a document that he had filed claim for reimbursement of TA but the reimbursement was not made. Senior authority of the department was directed to look into the matter and resolve it as per provisions of the Department.

The respondent did not bring any reply to the show cause and said that the delay had occurred at the level of previous PIO Sh.Gurvinder Singh who has been now transferred and posted at Head Office Patiala. Sh.Gurvinder Singh, PRTC Patiala (earlier PIO-PRTC Chandigarh) was directed to appear personally and reply to the show cause notice on an affidavit on the next date of hearing.

Appeal Case No. 143 of 2019

The case was further heard on **05.08.2019**. Sh.Gurvinder Singh, earlier PIO-PRTC Chandigarh appeared and pleaded that the information has been provided to the appellant. The appellant was not satisfied with the information. The respondent also submitted reply to the show cause notice on an affidavit which was taken on the file of the Commission.

The PIO was directed to remove the discrepancies and provide whatever the information is available on record, to the appellant. The case to be adjudicated on the next date of hearing.

The case was last heard on **13.11.2019**. The appellant claimed that the PIO has not provided the information as per the RTI application. The respondent was absent. The PIO was given one more opportunity and directed to be present on the next date of hearing alongwith the original record relating to the TA bills.

Hearing dated 23.01.2020:

The respondent present pleaded that the complete information has been provided to the appellant and the appellant has received the information.

However, having gone through the reply submitted by the PIO on 05.08.2019, the Commission finds the reply of the PIO absolutely wishy washy where the PIO has taken plea of leave and ill-health of various superintendents involved in providing the information.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, such an enormous delay in providing the information cannot be condoned and Sh.Gurvinder Singh, PRTC Patiala (earlier PIO-PRTC Chandigarh) is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request, and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of **Rs.10,000/-** is hereby imposed upon Sh.Gurvinder Singh, PRTC Patiala (earlier PIO-PRTC Chandigarh) which be deposited in the Govt. Treasury. The PIO, PRTC Chandigarh is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

Further, the Commission is of the view that since the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO-PRTC Chandigarh is directed to pay an amount of **Rs.2500/-** via demand draft drawn through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

The case is adjourned. To come up for compliance on **20.04.2020 at 11.00 AM.**

Sd/-

Chandigarh
Dated: 23.01.2020

(KhushwantSingh)
State Information Commissioner

CC to:Sh.Gurvinder Singh,
O/o PRTC - Patiala
(Earlier PIO-PRTC,Chandigarh.)



Sh. Lalit Mohan, S/o Sh.Satpal Gargi,
13813-A, Street No-7, Ganesha Basti,
Bathinda.

... Appellant

Versus

Public Information Officer,
O/o Secretary, Regional Transport Officer,
Faridkot.

First Appellate Authority,
O/o State Transport Commission,
Pb, Chandigarh.

...Respondent

Appeal Case No. 152 of 2019

Present: None for theAppellant
None for the Respondent

ORDER:

The case was first heard on **10.04.2019**. The respondent present pleaded that the information has been provided to the appellant on 01.04.2019. The appellant had received the information and was satisfied. The appellant however, pleaded that the information has been provided with a delay of one year. The Commission observed that there has been an enormous delay of one year in attending to the RTI application, and issued a **show cause notice under section 20 of the RTI Act and** directed the PIO to file reply on an affidavit.

The case was again heard on **29.05.2019**. In reply to the show cause, the respondent submitted an affidavit which was taken on the file of the Commission. The PIO in the reply stated that the appellant had filed RTI application with the office of SDM Faridkot which was transferred by them to this office. The PIO further stated that since the record was with Vigilance Department which was not handed over by them to this office in time, the information was delayed.

Having gone through the affidavit, the PIO was directed to elaborate point-6 of the affidavit and specify through documentary evidence, so that the Commission can ascertain the exact time when the record was returned by the Vigilance Department, to arrive at a conclusion whether the plea of the PIO is bonafide or not.

The case was again heard on **05.08.2019**. The information had been provided. The appellant was exempted. The respondent was absent. The PIO was given one more opportunity to comply with the earlier order and be present on the next date of hearing.

The case was last heard on **13.11.2019**. The respondent was absent nor has complied with the order of the Commission. The PIO was given one last opportunity to comply with the earlier order and be present on the next date of hearing otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Hearing dated 23.01.2020:

Both the parties are absent. The information stands provided and the appellant has been exempted. The respondent vide email has informed that the information has been provided and they have already submitted reply to the show cause on 29.05.2019. The PIO has further mentioned in the said email that since the record regarding information relating to point-6 was provided by the Vigilance in March, 2019, the information was delayed and that the delay in providing the information was not malafide.

Since the information has been provided, I accept the plea of the PIO and drop the show cause.

No further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Ram Singh, S/o Sh Ishar Singh,
R/o Village Todarwal, P.O Babarpur,
Tehsil Nabha, Distt Patiala

... Appellant

Versus

Public Information Officer,
O/o SSP,
Patiala.

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

...Respondent

Appeal Case No. 1635 of 2019

PRESENT: Sh.Shamsher Singh s/o Sh.Surjan Singh for the Appellant
Sh.Sukhbahal Singh HC for the Respondent

ORDER:

The appellant through RTI application dated 30.11.2018 has sought information regarding case No.293 dated 4.9.2014 Police Station Tripti Patiala and case no.309 dated 15.09.2014 Police Station Tripti Patiala and other information concerning the office of SSP patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 09.01.2019 which took no decision on the appeal.

The case was last heard on 14.11.2019. The respondent present pleaded that the enquiry in both the cases has been completed and the reports alongwith complete files have been submitted in the courts of Sh.Randeep Kumar, Judicial Magistrate (1st Class)Patiala. The reply has been sent to the appellant. The respondent further informed that the appellant is satisfied with the reply and has agreed to get the information from the concerned court. The appellant has however, asked for supply of copy of FIR only which they will send to the appellant through registered post.

The appellant was absent and telephonically had asked for adjournment.

Hearing dated 23.01.2020:

The respondent pleaded that the appellant be asked to inspect the record and get the relevant information. The appellant has agreed for the same. The appellant is directed to inspect the record by fixing a mutually convenient date and time and get the relevant information. The PIO is directed to allow inspection and provide the information as per the RTI Act before the next date of hearing.

The case is adjourned. To come up for further hearing on **17.02.2020 at 02.00PM.**

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Surinder Kumar,
1869/92, Killa Mohalla,
Dareshi Road, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o XEN, PSPCL,
G.T.Road, Near Chand Cinema
Ludhiana.

First Appellate Authority,
O/o XEN, PSPCL,
G.T.Road, Near Chand Cinema
Ludhiana.

...Respondent

Appeal Case No. 1629 of 2019

PRESENT: None for the Appellant
Sh.Brij Mohan Mittal, AAO PSPCL Ludhiana for the Respondent

ORDER:

The appellant through RTI application dated 02.02.2019 has sought information regarding electric meter khata no.CD01/0230-N installed in the house No.1869/74 Kila Mohalla, Ludhiana in name of Gurmeet Singh and site plan and other information concerning the office of Xen, PSPCL, G.T.Road, Near Chand Cinema, Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 11.03.2019 which took no decision on the appeal. After filing appeal, the reply was sent to the appellant by Assistant Executive Engineer, City Central Division (Special), PSPCL Ludhiana vide letter dated 13.03.2019. However, on being not satisfied with the information, the appellant filed second appeal in the Commission on 30.04.2019.

The case was last heard on 14.11.2019. Since both the parties were absent, in the interest of justice, one more opportunity was granted and the case was adjourned.

Hearing dated 23.01.2020:

The respondent present pleaded that the information has been supplied to the appellant vide letter dated 13.03.2019 and a copy submitted to the Commission.

The appellant is absent on 2nd hearing nor has communicated any discrepancy. I have gone through the information and find that the information has been provided to the best possible extent.

No further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Regd Post

Sh. Sukhwinder Singh, S/o Sh Mewa Singh,
R/o Flat No-501, Block-A, New Generation Extension,
Dhakoli, Zirkapur.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Patiala.

First Appellate Authority,
O/o IGP,
Patiala.

...Respondent

Appeal Case No. 3395 of 2019

PRESENT: Sh.Paras Sharma, Advocate for the Appellant
Sh.Jagvinder Singh, ASI and Sh.Sukhbahal Singh, HC for the Respondent

ORDER:

The case was first heard on **13.11.2019**. The respondent present pleaded that the appellant has been declared proclaimed offender by Sh.Balwant Singh, PCS Principal Magistrate Juvenile Board Patiala on 07.06.2011 and the challan has been presented in the Court on 23.09.2011 and that the accused is yet to be arrested, the information cannot be provided. None appeared on behalf of the appellant.

The case was again heard on 04.12.2019. The respondent present pleaded that since the accused has been declared proclaimed offender and they do not have file as the same has been presented in the court, the information cannot be provided. The case was adjourned.

The case was last heard on **08.01.2020**. The respondent reiterated that since the accused has been declared proclaimed offender and they do not have the case file, the information cannot be provided. The case was adjourned.

Hearing dated 23.01.2020:

Both the parties are present. During the course of hearing, the advocate present on behalf of the appellant asked for a copy of FIR and the procedure followed by police authorities under section 82 of CRPC 1973. The respondent has supplied the same. The counsel 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**.

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Smt Shiv Mehra. W/o Sh Lt Sh Surinder Chand,
R/o Kothi No-N7/15, Albert Road,
Ratna Giri Avenue, Near Kumar International Hotel,
Amritsar.

... Complainant

Versus

Public Information Officer,
O/o Tehsildar,
Amritsar-1.

...Respondent

Complaint Case No. 159 of 2019

PRESENT: Sh.Shubham Mehta, Advocate for the Appellant
None for the Respondent

ORDER:

The case was first heard by Sh.S.S.Channay, Chief Information Commissioner on 27.03.2019. The respondent was absent. The PIO was directed to supply the information to the complainant before the next date of hearing.

The case was last heard by this bench on **22.08.2019**. The counsel appeared on behalf of the appellant claimed that the PIO has not provided the information. The respondent was absent. The Commission received an email from the PIO-Tehsildar, Amritsar-1 stating that they have already sent reply to the complainant vide letter dated 22.07.2019 whereby the PIO sent a copy of jamabandi and informed that there is no record available in their office pertaining to lease of the property. The complainant was also asked to provide the vasika number of the lease and get the copy of lease deed by visiting the office of PIO on any working day.

The counsel present pleaded that vasika number is not available with the appellant. The Commission observed that there has been an enormous delay in providing the information and issued a **show cause notice to the PIO under Section 20 of the RTI Act 2005 and directed to** file an affidavit in this regard. The PIO was again directed to appear before the Commission on the next date of hearing alongwith entire record of the case.

Sh.Arinder Singh O/o Tehsildar, Amritsar-1 appeared late and informed that the information cannot be provided since the record stands destroyed in fire in 2015. The respondent was directed to submit detailed reply on an affidavit that the entire record stands destroyed, and that there is no other provision to ascertain the availability of the sought documents.

The case was last heard on **25.11.2019**. The counsel present on behalf of the appellant pleaded that the PIO has not provided the information. The respondent was absent. The PIO was given one last opportunity to comply with the earlier order of the Commission and be present on the next date of hearing otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Complaint Case No. 159 of 2019

Hearing dated 23.01.2020:

In the earlier order, the PIO was directed to submit detailed reply on an affidavit that the entire record stands destroyed and that there is no other provision to ascertain the availability of the sought documents but the PIO has not submitted any reply. The Commission has taken a serious view of this.

If the record stands destroyed in an incident of fire, an FIR must have been registered. The PIO is given one more opportunity to comply with the earlier order of the Commission which still stands and be present on the next date of hearing otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will be constrained to take action against the PIO in terms of the provisions of section 20 of the RTI Act.

To come up for further hearing on **24.02.2020 at 02.00 PM.**

Chandigarh
Dated: 23.01.2020

Sd/-
(Khushwant Singh)
State Information Commissioner