



Sh Parveen Kumar, S/o Sh Sham Lal,
R/o Shivji Ram Thekedar, Street, Jawaharke Road,
Mansa.

... Appellant

Versus

Public Information Officer,
O/o EO, Bathinda Development Authority,
Bathinda..

...Respondent

Complaint Case No. 276 of 2019

PRESENT: None for the Appellant
Sh.Karanpreet Singh, Clerk O/o BDA Bhatinda for the Respondent

ORDER:

The complainant through RTI application dated 31.12.2018 has sought information regarding allotment of plot by the BDA in phase 4 &5 alongwith court case if any pending and other information concerning the office of BDA Bhatinda. The complainant was not provided the information after which he filed complaint in the Commission on 15.03.2019.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 17.07.2019 and a copy submitted to the Commission. The appellant is absent to point out the discrepancies, if any. It is presumed that the appellant has received the information and is satisfied.

The Commission observes that there has been an enormous delay in attending to the RTI application. The Commission has taken a serious view of this and directs the PIO to be careful in future.

A copy of the order is being sent to the Additional Chief Administrator, BDA Bathinda to take note of this and ensure that the RTI applications are looked into well within the time prescribed under the RTI Act.

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

Chandigarh
Dated:24.07.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to Additional Chief Administrator,
Bathinda Development Authority,
Bathinda.



Sh Parminder Singh,
H No-422, Palam Enclave,
Morinda, Distt Roopnagar.

... Appellant

Versus

Public Information Officer,
O/o EO, PUDA,
Mohali.

...Respondent

Complaint Case No. 277 of 2019

PRESENT: Sh.Parminder Singh as the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 20.12.2018 has sought information regarding registration deed dated 19.10.2004, allotment letter no.1138, transfer of ownership right dated 07.11.2004 and other information concerning the office of Estate Officer, PUDA Mohali. The complainant was not provided the information after which he filed complaint in the Commission on 18.03.2019.

The complainant claims that the PIO has not provided the information even after a reminder issued to them on 23.02.2019.

The respondent is absent. The Commission observes that there has been an enormous delay 7 months in attending to the RTI application. The Commission has taken a serious note 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 to the appellant within 10 days.

The case is adjourned. To come up for further hearing on **23.10.2019 at 11.00 AM.**

Chandigarh
Dated:24.07.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Rajan Choudhary, s/o Sh Rmaesh Chander,
R/o 1474/06, Sunder Nagri, Abohar,
Distt Fazilka .

... Appellant

Versus

Public Information Officer,
O/o Addl, DC,
Fazilka.

...Respondent

Complaint Case No. 310 of 2019

PRESENT: Sh.Rajan Chaudhary as the Appellant
Sh.Pawan Kumar, Technical Assistant O/o BDPO Khuian Sarvar Block
for the Respondent

ORDER:

The complainant through RTI application dated 01.11.2018 has sought information regarding construction of unpaved road(Kachi Sarak) under MGNREGA scheme in Khuian Server Block in District Fazilka and other information concerning the Addl DC Fazilka. The complainant was not satisfied with the reply of the PIO(BDPO Abohar) dated 26.11.2018 vide which the PIO raised requisite fee of Rs.7500/- after which the complainant filed complaint in the Commission on 20.03.2019.

The complainant pleaded that after depositing the fee of Rs.7500/-, the PIO provided only 275 pages of information and refunded remaining amount. However, the information provided is not relevant.

Hearing both the parties, the Commission observed that the complainant filed RTI application with the office of DC Fazilka which transferred the same to Additional DC (Development) Fazilka and the reply was received to the appellant from BDPO who raised an amount of Rs.7500/- but without any break-up. The appellant deposited Rs.7500/- after which he has been provided 275 pages of information, which as per the complainant are not relevant. Since the pages of information provided were not as per fee deposited, the BDPO refunded an amount of Rs.11430/-(a fee of Rs.6000/- had been raised by the PIO for almost similar RTI application in complaint case No.311/2019). Obviously, there has been mishandling of this RTI application as the fee has been raised inappropriately and the information provided is not accurate.

The PIO-BDPO, Khuian Sarvar, Abohar is hereby directed to look into the case and provide the relevant information as per the RTI Act before the next date of hearing otherwise the Commission will be constrained to take action as per provisions of the RTI Act. PIO to raise actual amount for the information. If the complainant needs an inspection, he may be allowed to inspect the record and provide the relevant information.

The case is adjourned. To come up for further hearing on **29.10.2019 at 11.00 AM.**

Chandigarh
Dated:24.07.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

Sh Rajan Choudhary, s/o Sh Rmaesh Chander,
R/o 1474/06, Sunder Nagri, Abohar,
Distt Fazilka .

... Appellant

Versus

Public Information Officer,
O/o Addl, DC,
Fazilka.

...Respondent

Complaint Case No. 311 of 2019

PRESENT: Sh.Rajan Chaudhary as the Appellant
Sh.Pawan Kumar, Technical Assistant O/o BDPO Khuian Sarvar Block
for the Respondent

ORDER:

The complainant through RTI application dated 01.11.2018 has sought information regarding construction of personal water courses/irrigation channels under MGNREGA scheme in Khuian Server Block in District Fazilka and other information concerning the Addl DC Fazilka. The complainant was not satisfied with the reply of the PIO(BDPO Abohar) dated 26.11.2018 vide which the PIO raised requisite fee of Rs.6000/- after which the complainant filed complaint in the Commission on 20.03.2019.

The complainant pleaded that after depositing the fee of Rs.6000/-, the PIO provided only 670 pages of information and refunded remaining amount. However, the information provided is not relevant.

Hearing both the parties, the Commission observed that the complainant filed RTI application with the office of DC Fazilka which transferred the same to Additional DC (Development) Fazilka and the reply was received to the appellant from BDPO who raised an amount of Rs.6000/- but without any break-up. The appellant deposited Rs.6000/- after which he has been provided 670 pages of information, which as per the complainant are not relevant. Since the pages of information provided were not as per fee deposited, the BDPO refunded an amount of Rs.11430/-(a fee of Rs.7500/- had been raised by the PIO for almost similar RTI application in complaint case No.310/2019). Obviously, there has been mishandling of this RTI application as the fee has been raised inappropriately and the information provided is not accurate.

The PIO-BDPO, Khuian Sarvar, Abohar is hereby directed to look into the case and provide the relevant information as per the RTI Act before the next date of hearing otherwise the Commission will be constrained to take action as per provisions of the RTI Act. PIO to raise actual amount for the information. If the complainant needs an inspection, he may be allowed to inspect the record and provide the relevant information.

The case is adjourned. To come up for further hearing on **29.10.2019 at 11.00 AM.**

Chandigarh
Dated:24.07.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Regd Post

Sh Kawalpal Singh, S/o Sh Babu Ram,
H NO-683, Urban State, Phase-1,
Tehsil & Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o DPI (E.E),
Mohali.

First Appellate Authority,
O/o Secretary, Education,
Punjab, Chandigarh.

...Respondent

Appeal Case No. 853 of 2019

PRESENT: None for the Appellant
Mrs. Jasbir Kaur, Sr. Assisnt O/o DPI(EE) Mohali for the Respondent

ORDER:

The case was last heard on 25.06.2019. The appellant claimed that the PIO has not provided the information. The respondent present had brought nothing.

Having gone through the record, the RTI application was found time barred However, in the interest of justice, the appeal was accepted and the PIO was directed to look at the RTI application and provide the information to the appellant within one week.

Hearing dated 24.07.2019:

The respondent present has brought nothing and sought adjournment pleading that since the concerned dealing person is on leave due to illness, the information could not be provided and assured to provide the information within a week.

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

However, the Commission makes it clear that if the information is not provided, the appellant is free to come to the commission again.

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

Chandigarh
Dated 24.07.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Jasvir Singh,
H No-310, Baba Namdev Road, Jandiala Guru,
Distt Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Chief Engineer,
Technical Audit/ Inspect,
PSPCL, Patiala.

First Appellate Authority,
Chief Engineer, Technical Audit Inspection,
PSPCL, Patiala.

...Respondent

Complaint Case No. 1104 of 2019

PRESENT: Sh.Jasvir Singh as the Appellant
Sh.Avtar Singh,Sr.Xen O/o CE-TA/Inspect, PSPCL Patiala for the
Respondent

ORDER:

The appellant through RTI application dated 08.08.2018 has sought information regarding inspection of record relating to enquiry report submitted by committee of officers under supervision of CE TA/ Civil Works vide office order No.1067 dated 19.10.2012 and other information concerning the office of Chief Engineer, Technical Audit/ Inspect, PSPCL, Patiala. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 11.12.2018 which took no decision on the appeal.

The respondent present pleaded that the information relates to the office of Dy Chief Engineer, Operation Division, PSPCL Gurdaspur and they had asked the concerned office vide letter dated 02.04.2019 to provide the information. However, the office of Dy.CE (Operation Div) Gurdaspur has shown its inability to provide the information stating that the record is not available with them. The respondent present has submitted photo copies of the record of whatever the information the appellant has sought. However, appellant in his RTI application has sought to inspect the original record which as per respondent lies in the custody of the Dy.Chief Engineer-Operation Division, PSPCL Gurdaspur.

The PIO-Dy.Chief Engineer, Operation Division, PSPCL Gurdaspur is impleaded in the case and directed to allow the inspection of the original record to the appellant and provide the information that he requires. In case, the original record is not traceable, even though it should be in the custody of the Dy. CE-Operation Division, PSPCL Gurdaspur as per document submitted by the respondent-TA/Elec, the Commission will be constrained to order an enquiry into the matter for tracing the original record.

A copy of the order is being sent to the Chief Engineer, Border Zone, PSPCL Gurdaspur to look into the matter and ensure that the PIO to allow inspection of the original record to the appellant and provide the relevant information as per the RTI application.

To come up for further hearing on **28.08.2019 at 11.00 AM.**

Sd/-

Chandigarh
Dated:24.07.2019

(Khushwant Singh)
State Information Commissioner

CC to : 1. PIO- Dy.Chief Engineer, Operation Division,
PSPCL Gurdaspur
2. Chief Engineer, Border Zone, PSPCL Gurdaspur



Sh Jasvir Singh,
H No-310, Baba Namdev Road, Jandiala Guru,
Distt Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Chief Engineer,
Enforcement, PSPCL,
Patiala.

First Appellate Authority,
Chief Engineer, Enforcement,
PSPCL, Patiala.

...Respondent

Complaint Case No. 1105 of 2019

PRESENT: Sh.Jasvir Singh as the Appellant
Sh.Harmanpreet Singh, Sr.Xen, Enforcement, PSPCL Batala and
Sh.Deepak Kumar, Sr.Xen, Circle Gurdaspur

ORDER:

The appellant through RTI application dated 05.08.2018 has sought information regarding enquiry conducted vide office order no.403/408/PS/EC Enforcement dated 02.06.2016 and other information concerning the office of Chief Engineer, Enforcement, PSPCL, Patiala. . The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 11.12.2018 which disposed off the appeal on 02.01.2019 and informed the appellant that the complete enquiry report alongwith other related documents have been sent to the Xen-Technical, PSPCL Patiala and the same can be obtained from them.

The respondent present from the office of Sr Xen, PSPCL Circle Gurdaspur has brought the information and handed over to the appellant. The appellant has received the information. However, the appellant is not satisfied with the information regarding point-1 and stated that the PIO has not provided the copy of the reply received from the circle office as sought in point-1.

The PIO is directed to provide the 2nd part of the information regarding point-1, i.e. the reply received from the circle office. The information be provided within 10 days.

To come up for compliance on **28.08.2019 at 11.00 AM.**

Chandigarh
Dated:24.07.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Jit Singh, S/o Sh Ram Saroop,
R/o Village Saketri, Tehsil & Distt Panchkula,
Haryana.

... Appellant

Versus

Public Information Officer,
O/o PSPCL, Badali Ala Singh,
Fatehgarh Sahib..

First Appellate Authority,
O/o Chief Engineer, PSPCL,
Distt Ludhiana.

...Respondent

Appeal Case No. 1109 of 2019

PRESENT: Sh.Jit Singh as the Appellant
Sh.Rajinder Kumar, SDO Badali Ala Singh for the Respondent

ORDER:

The appellant through RTI application dated 20.11.2018 has sought information regarding transfer of electric motor connection a/c No.07/9967 and other information concerning the office of PSPCL, Badali Ala Singh, Fatehgarh Sahib. The appellant was not satisfied with the reply of the PIO dated 19.12.2018 vide which the appellant was informed that they have sought consent of concerned consumer and on receipt of same, the information will be provided, after which he filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal.

The respondent present pleaded that since the information is 3rd party information and the 3rd party has not given its consent for disclosure of information, it cannot be provided. The appellant contested that since he was a co-sharer in the land and had given an affidavit to transfer the electric connection in favour of his relative, he wants a copy of that affidavit.

Having gone through the RTI application, the PIO is directed to provide a copy of affidavit filed by the co-sharer, to the appellant within a week.

With the above order, the case is **disposed off and closed**. However, the Commission makes it clear that if the information is not provided, the appellant is free to come to the Commission again.

Chandigarh
Dated:24.07.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Regd Post

Sh Jit Singh, S/o Sh Ram Saroop,
R/o Village Saketri, Tehsil & Distt Panchkula,
Haryana.

... Appellant

Versus

Public Information Officer,
O/o PSPCL, Badali Ala Singh,
Fatehgarh Sahib.

First Appellate Authority,
O/o Chief Engineer, PSPCL,
Distt Ludhiana.

...Respondent

Complaint Case No. 1110 of 2019

PRESENT: Sh.Jit Singh as the Appellant
Sh.Rajinder Kumar, SDO Badali Ala Singh for the Respondent

ORDER:

The appellant through RTI application dated 20.11.2018 has sought information regarding copy of affidavit furnished by the appellant in electric /tubewell connection a/c No.AP-07/507 relating to Sh.Gian Singh and other information concerning the office of PSPCL, Badali Ala Singh, Fatehgarh Sahib. The appellant was not satisfied with the reply of the PIO dated 19.12.2018 vide which the appellant was informed that the PIO has sought consent of third party after which he filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal.

The respondent present pleaded that since the information is 3rd party information and the 3rd party has not given its consent for disclosure of information, it cannot be provided.

The case is adjourned. To be adjudicated on the next date of hearing.

To come up for adjudication on **13.08.2019 at 11.00 AM.**

Chandigarh
Dated:24.07.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Regd Post

Sh Rohit Sabharwal,
Kundan Bhawan, 126, Model Gram,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o EO, GLADA,
Ludhiana.

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

...Respondent

Appeal Case No. 1121 of 2019

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

ORDER:

The appellant through RTI application dated 29.11.2018 has sought information regarding survey report of the commercial activities carried out in the LIG flats in Dugri Road Ludhiana and other information concerning the office of EO, GLADA, Ludhiana. The appellant was not satisfied with the reply of the PIO dated 17.01.2019 after which he filed first appeal before the First Appellate Authority on 04.01.2019 which took no decision on the appeal.

The respondent present pleaded that the information has been sent to the appellant vide letter dated 03.07.2019 and again on 23.07.2019. The respondent has again brought the certified copies of the information as sought by the appellant.

Having gone through the record, the Commission observes that the appellant has filed written statement with the First Appellate Authority on 29.01.2019 claiming that the information is incomplete and uncertified. The PIO is directed to consider the written statement of the appellant which has been submitted to the First Appellate Authority and provide the information accordingly within 10 days.

To come up for compliance on **27.08.2019 at 11.00 AM.**

Chandigarh
Dated:24.07.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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 Jasbir Singh,
Village Bholapur, P.O Ramgarh,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o SDM,
Fazilka.

First Appellate Authority,
O/o SDM,
Fazilka.

...Respondent

Appeal Case No. 1125 of 2019

PRESENT: Sh.Jasbir Singh as the Appellant
Sh.Mrs.Manpreet Kaur, SDC for the Respondent

ORDER:

The appellant through RTI application dated 19.12.2018 has sought information regarding action taken on the implementation of Section 4(a, b, c & d) of the RTI Act and other information concerning the office of SDM, Fazilka.. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 21.01.2019, which took no decision on the appeal.

The appellant claims that the PIO has not provided the information. The respondent present has informed that record is maintained manually and has not been uploaded on the internet and the information has been provided to the appellant.

From the reply of the respondent, it is clear that the department has not yet taken any steps to create a system to maintain the records, as well disseminate them suo-motto in easily accessible form, preferably electronic and the internet, so that the public have minimum resort to use this Act to obtain information. The Deputy Commissioner, Fazilka is implicated in the case and directed to take necessary steps towards implementation of section 4 of the RTI Act and its sub-sections which pertain to the obligations of the Public Authorities to create a system to maintain records in easily accessible form, preferably electronic and the Internet.

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

Chandigarh
Dated:24.07.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to Deputy Commissioner, Fazilka