



Sh.Bhupinder Singh, S/o ShGurjail Singh,
Village BahmnaBasti,
Tehsil Samana, DisttPatiala.

...Appellant

Versus

Public Information Officer,
O/o DC,
Patiala.

First Appellate Authority,
O/o Commissioner, Patiala Division,
Patiala..... Respondent

Appeal Case No. 411 of 2019

PRESENT: Sh.Bhupinder Singh as theAppellant
None for theRespondent

ORDER:

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

During the hearing on 04.11.2019, the respondent stated that the information regarding point-1 is not available in their record and it might be available with the office of Director Land Records, Punjab, Kapurthala Road, Jalandhar. The respondent further stated that information regarding point-2 is also not available in their record and it may be available in PWD office. The PIO-Director Land Record, Kapurthala Road, Jalandhar and the PIO-PWD(B&R), Patiala were impleaded in the case and directed to look at the RTI application and provide the relevant information to theappellant.

On the date of hearing on **15.01.2020**, the appellant claimed that no information has been provided to him. The PIO-Director Land Record, Kapurthala Road, Jalandhar and the PIO-PWD(B&R), Patiala were absent. The PIO-Director Land Record, Kapurthala Road, Jalandhar and the PIO-PWD(B&R), Patiala were given one more opportunity to look at the RTI application and provide the information as per the RTI application and be present on the next date of hearing.

The case came up for further hearing on **29.05.2020** through video conferencing at DAC Patiala. The Commission received a letter diary No.2166 on 31.01.2020 from the PIO-Director Land Record stating that they have sent the available information to the appellant concerning them vide letter dated 28.01.2020 and a copy sent to the Commission.

The respondent present from the office of PWD informed that they had not received the copy of RTI application. The appellant provided a copy of the RTI application to the respondent during the hearing. The PIO-PWD(B&R) was directed to look at the RTI application and provide the information whatever available in the record to the appellant as per the RTI ACT.

On the date of last hearing on **20.07.2020**, the appellant claimed that the PIO has not provided the information. The respondent from PWD was absent.

Appeal Case No. 411 of 2019

The PIO-PWD(B&R) was directed to provide the information within 10 days and send a compliance report to the Commission otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Sh.Harinder Singh, JE O/o PWD(B&R) appeared late and brought the information. He was directed to send the information to the appellant through registered post with a copy to the Commission.

Hearing dated 24.09.2020:

The case has come up for hearing today through video conferencing at DAC Patiala. The appellant informed that the PIO has not supplied any information as per order of the Commission.

The PIO-PWD (B&R) is absent nor has complied with the order of the Commission to send the information to the appellant. The Commission has taken a serious view of this and hereby directs the PIO-PWD(B&R), Patiala is directed to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide the information within 10 days of the receipt of this order.

To come up for further hearing on **04.11.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 24.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: 1. PIO-Director Land Records,
Kapurthala Road, Jalandhar

2. PIO-PWD(B&R), Patiala

Smt. Rachana Devi,
127, Phulkian Enclave,
Patiala.

...Appellant

Versus

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

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

Appeal Case No. 2018 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER: The case was first heard on 21.10.2019. The respondent present pleaded that the information has been supplied to the appellant vide letter dated 18.03.2019. The appellant was not satisfied on points a, c & d. The respondent further pleaded that the concerned dealing person is on medical leave due to illness. The appellant stated that he filed RTI application on 31.12.2018 and even after a lapse of nine months, he has not been provided the complete information.

Having gone through the record, the Commission observed that the information stands provided on points b, c & e. However, there was an enormous delay in providing the information, the PIO was issued **show cause notice and directed to file reply on an affidavit**. The PIO was again directed to provide the information on points a & d within 10 days.

The case was again heard on **08.01.2020**. The respondent present pleaded that the information has been provided to the appellant. The PIO however, did not respond to the show cause notice. At the hearing, the representative of the PIO stated that at the time of filing RTI application, Sh. Amarjit Singh was the PIO who has since retired. The PIO at the time of issue of show cause was Sh. Vinod Bansal in the capacity of EO-BDA Bathinda. The EO-BDA had not responded to the show cause.

The PIO was given one last opportunity to file a reply to the show cause notice issued for delay in providing the information, otherwise the Commission would be constrained to take a view that the PIO has nothing to say in the matter and would take decision as per the RTI Act.

On the date of hearing on **28.05.2020 which was** held through video conferencing at DAC, Patiala, the PIO was absent. Sh. Gurpreet Singh representing the PIO on Mobile W/S video sent a reply via email on behalf of the PIO which was taken in the file of the Commission. The reply was not from the PIO.

In the reply, the respondent mentioned that at the time of RTI application, Sh. Udaydeep Singh Sidhu, PCS was the EO-cum-PIO for the period from Jan. 2019 to July, 2019 and Sh. Vinod Bansal, PCS was PIO-cum-EO from Oct 2019 to Dec. 2019 and at present the post of PIO-cum-EO BDA is lying vacant after the transfer of Sh. Vinod Bansal. The respondent had not informed the present posting of these officers.

The respondent was directed to clarify –

- Who was the PIO when the RTI application was filed;
- Who was the PIO when the show cause notice was issued.

Appeal Case No. 2018 of 2019

On the date of last hearing on **20.07.2020**, which was held through video conferencing at DAC Patiala, both the parties were absent. The appellant vide email informed that she had received the information but with a delay of more than one year.

The Commission received a letter diary No.6607 on 15.06.2020 from APIO-cum-Asstt.Estate Officer, BDA regarding period of stay of the officers as PIO-cum-Estate officer from the date of filing of RTI which was taken on the file of the Commission. Having gone through the letter, it was observed that Sh.Udaydeep Singh was the PIO for maximum period when the RTI application was filed and Sh.VinodBansal was the PIO receiving the Commission's orders to provide the information.

As per information given by the APIO-cum-AEO,BDA, Sh.Vinod Kumar Bansal is presented posted as Assistant Commissioner (General) Ludhiana and Sh.Udaydeep Singh is posted as Director Lotteries, Punjab at Chandigarh

Since both the officers who served as PIOs on different times, had failed to implement the RTI Act, the Commission issued a **show cause** notice to both the PIOs Sh.Vinod Kumar Bansal and Sh.Udaydeep Singh Sidhu **under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

The Commission also observed that the appellant had to suffer undue inconvenience to get the information, the PIO was directed to pay an amount of **Rs.3000/-** 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 was directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

Hearing dated 24.09.2020:

The case has come up for hearing today through video conferencing at DAC Patiala. None is present on behalf of the PIO-respondents. The commission has received reply of Sh.Udaydeep Singh Sidhu, Director Punjab State Lotteries(earlier PIO-cum-EO,BDA Bathinda) which has been taken on the file of the Commission.

The reply of Sh.VinodBansal, Assistant Commissioner(General)Ludhiana (earlier PIO-cum-EO BDA Bathinda) has not been received and the letter of show cause sent to him has been returned by the postal authorities with the remarks 'Left'. As per information from the DC Office Ludhiana, Sh.VinodBansal was again transferred from Ludhiana and is currently posted as SDM, Maur, District Bathinda and that he is going to retire on 30.09.2020.

The PIO-EO, BDA has also not sent a compliance report regarding payment of compensation amount to the appellant. The present PIO-EO, BDA is directed to comply with the earlier order of the Commission and send proof of having paid the compensation amount to the appellant.

The decision on the reply to show cause notice will be taken on the next date of hearing.

To come up for further hearing on **04.11.2020 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 24.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: Sh.Udaydeep Singh Sidhu,
Director, Punjab State Lotteries,
Yojna Bhawan, Sector 33-A,
Chandigarh.(Earlier PIO-cum-EO, BDA)



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. Bhupinder Pal Singh on behalf of the Appellant
Sh. Kamalpreet Singh, Dy. Manager PSPCL for the Respondent

ORDER:

The case was first heard on 22.10.2019. 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 brought the information and handed over to the appellant.

As per appellant, the information was 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 had been provided. The appellant was directed to go through the information and point out the discrepancies, if any at the next date of hearing.

The case was again heard on **08.01.2020**. The appellant pointed out the discrepancies. The respondent provided the information on points- 9, 13 & 25.

Regarding point-16, the PIO-Powercom was directed to provide whatever the document is available which defines the powers of the Administrative Secretary.

Points 17 & 18:	The respondent stated that the information is not available. The PIO was directed to give this in writing on an affidavit.
Point No. 24	The PIO to remove the anomaly.

On the date of hearing on **28.05.2020**, the respondent present from the office of PSPCL Patiala provided the information on point-24 during the hearing. The representative present for the appellant was not satisfied with the affidavit regarding points 17 & 18. The representative also approached the Commission about the inadequacy of few more points. The respondent from Powercom was absent. Hearing both the parties, following was directed:

- | | |
|-----------------|--|
| - Point-17 & 18 | - The PIO to provide proper affidavit duly attested. |
| - Point-16 | - PIO-Powercom to provide |
| - Point-13 | - To provide whatever instruction is available |
| - Point-10 | - PIO to procure from the concerned person and provide |
| - Point-12 | - To provide link |

Appeal Case No. 2088 of 2019

On the date of last hearing on **20.07.2020**, the representative present on behalf of the appellant informed that they have received the information on point-12 but the PIO has not supplied the information on points 10 & 13. The appellant further informed that the affidavit regarding information relating to points-17 & 18 provided by the PIO is not in proper form and the copy of information regarding point-16 is not legible.

The respondent was absent. The PIO was directed to provide information on points 10 & 13. The PIO was also directed to provide affidavit regarding points 17 & 18 in a proper form and legible copy of information regarding point-16.

Hearing dated 24.09.2020:

The case has come up for hearing today through video conferencing at DAC Patiala. As per respondent, the information has been provided. As per appellant, the information is incomplete.

Hearing both the parties, the PIO is directed for the following:-

- Point-10 The PIO has sought information for entire dispensaries under PSPCL, it be provided
- Point-13 PIO to provide noting of nomenclature used in this office for administration purpose.
- Point-16 PIO to provide legible copy.
- Point-17&18 Sort out the discrepancies regarding affidavit.

To come up for further hearing on **04.11.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 24.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Karamjit Singh, S/o ShMaghar Singh,
1169, Khanna Nagar, Bye Pass road,
LehraGaga, DisttSangrur.

...Appellant

Versus

Public Information Officer,
O/o Director Administrator,
PSPCL, Patiala.

First Appellate Authority,
O/o Chief Engineer, H.O,
PSPCL, TheMall, Patiala

..... Respondent

Appeal Case No. 3285 of 2019

PRESENT: None for theAppellant
None for the Respondent

ORDER:

The case was first heard on 24.12.2019. Sh.NachattarSingh, SDO PSPCL Lehragaga was present who pleaded that the information has been provided to the appellant. The appellant was not satisfied.

Having gone through the file and hearing both the parties, the PIO-Director Administration, PSPCL Patiala was directed to provide the information as per available record within 10 days. The PIO was also directed to be present on the next date of hearing.

On the date of hearing on 28.05.2020 which was held through video conferencing at DAC Patiala, both the parties were absent. The case was adjourned.

On the date of hearing on **20.07.2020, which** was held through video conferencing at DAC Patiala, both the parties were absent. The case was adjourned.

Hearing dated 24.09.2020:

The case has come up for hearing today through video conferencing at DAC Patiala.

Both the parties are absent. The PIO vide email has sought adjournment due to one of their staff members testing Corona positive, and rest of the staff members being placed under quarantine.

The appellant vide email has also sought exemption and has requested for further hearing after 19.10.2020.

The case is adjourned. To come up for further hearing on **04.11.2020 at 11.00AM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 24.09.2020

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.Karamjit Singh, S/o shMaghar Singh,
1169, Khanna Nagar, Bye Pass Road,
LehraGaga, DisttSangrur.

...Appellant

Versus

Public Information Officer,
O/o Director Administrator,
PSPCL, Patiala.

First Appellate Authority,
O/o Chief Engineer, H.O,
PSPCL, Patiala

..... Respondent

Appeal Case No. 3286 of 2019

PRESENT: **None for the Appellant**
 None for the Respondent

ORDER:

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

The case was first heard on 24.12.2019. The respondent pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated that the reply has not been given from the PIO of the office from which he has sought the information.

The PIO-Director Administration, PSPCL Patiala was directed to relook at the RTI application and respond to all the points of the RTI application and provide the information as per available record. The PIO was also directed to be present on the next date of hearing.

The case came up for hearing again on 29.05.2020 through a video conference facility available in the office of Deputy Commissioner, Patiala. Both the parties were absent. The case was adjourned.

On the date of hearing on **20.07.2020 which** was held through video conferencing at DAC Patiala, both the parties were absent. The case was adjourned.

Hearing dated 24.09.2020:

The case has come up for hearing today through video conferencing at DAC Patiala.

Both the parties are absent. The PIO vide email has sought adjournment stating that due to one of their staff members having been tested Corona positive, rest of the staff members have been quarantined.

The appellant vide email has also sought exemption and has requested for further hearing after 19.10.2020.

The case is adjourned. To come up for further hearing on **04.11.2020 at 11.00AM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 24.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Smt.AvtarKaur, D/o Sh.Surinder Singh,
Village Neelpur, Tehsil Rajpura,
Distt.Patiala

..... Appellant

Vs

Public Information Officer,
O/o SSP,
Patiala.

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

..... Respondent

Appeal Case .No. 4481 of

2019PRESENT: None for theAppellant
Sh.Hakam Singh, ASI for the Respondent

ORDER:

The appellant through RTI application dated 20.06.2019 has sought information regarding enquiry report on FIR No.46 dated 27.02.2018 Police Station City Rajpuraalongwith statement of witnesses and other information concerning the office of SSP Patiala. The appellant was not satisfied with the reply of the PIO dated 09.07.2019 after which the appellant filed first appeal before the First Appellate Authority on 22.08.2019 which took no decision on theappeal.

The case came up for hearing last on 29.05.2020 through video conferencing at DAC, Patiala. The respondent present pleaded that since the case after completion of enquiry report has been presented in the court, the appellant to get the information from the court. The appellant claimed that they have checked from the Civil Court and as per information, the case for cancellation of FIR has not been presented in the court.

The respondent was directed to relook at the RTI application and if the information is in the custody of the police, the same be provided to the appellant within 10 days

On the date of hearing on 20.07.2020, which was held through video conferencing at DAC Patiala, the appellant informed that the police has not submitted the case for cancellation of FIR in the court. The respondent was absent and vide email soughtadjournment.

ThePIOwasdirectedtocomplywiththeearlierorderoftheCommissionandprovidethe information to the appellant under the RTIAct.

Hearing dated 24.09.2020:

The case has come up for hearing today through video conferencing at DAC Patiala.

The respondent present pleaded that the information has been provided to the appellant. The appellant is absent.

The case is adjourned.To come up for further hearing on **04.11.2020 at 11.00AM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated24.09.2020

Sd/-
(KhushwantSingh)
State InformationCommissioner



Sh.Jasbir Singh, S/o ShHarbans Singh,
Village Jalal Khera, P.O Sular ,
DistPatiala.

....Appellant

Vs

Public Information Officer,
O/o SSP,
Patiala.

First Appellate Authority,
O/o SSP,
Patiala.

.....Respondent

Appeal Case .No. 4583 of 2019

PRESENT: Sh.Jasbir Singh for the Appellant
Sh.Hakam Singh, ASI for the Respondent

ORDER:

The appellant through RTI application dated 16.09.2019 has sought information regarding FIR No.125 filed against Jasbir Singh and Harbans Singh on 07.08.2014 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 21.10.2019 which took no decision on the appeal.

The case came up for hearing on 29.05.2020 through video conferencing at, Patiala. The appellant claimed that the PIO has not provided the information. The respondent present pleaded that since the case after completion of enquiry report has been presented in the court, the appellant to get the information from the court. The copy of FIR had been provided to the appellant.

The PIO-SSP was directed to relook at the RTI application and reply that under the RTI Act), under whose custody this information lies and how can the petitioner obtain it.

On the date of hearing on **20.07.2020**, both the parties were absent. The case was adjourned.

Hearing dated 24.09.2020:

The case has come up for hearing today through video conferencing at DAC Patiala. The appellant claims that the PIO has not provided the information. The respondent stated that since the enquiry report along with complete file has been presented in the court, no information is available with them.

Having gone through the RTI application and hearing both the parties, the respondent is directed to provide information on points 2 & 3. Appellant to get the rest of the information from the court as per procedure of the court.

To come up for further hearing on **04.11.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 24.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Jasbir Singh, S/o ShHarbans Singh,
Village Jalal Khara, P.O Sular ,
Dist Patiala.

.....Appellant

Vs

Public Information Officer,
O/o SSP,
Patiala.

First Appellate Authority,
O/o SSP,
Patiala.

.....Respondent

Appeal Case .No. 4584 of 2019

PRESENT: None for theAppellant
None for the Respondent

ORDER:

The appellant through RTI application dated 16.09.2019 has sought information regarding copy of complaint No.1032 CPRC dated 07.06.2014 filed by Sh.Sohan Singh against Jasbir Singh and Harbans Singh 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 21.10.2019 which took no decision on the appeal.

The case came up for hearing on 29.05.2020 through video conference facility available in the office of Deputy Commissioner, Patiala. The appellant claimed that the PIO has not provided the information. The respondent present pleaded that since case after completion of enquiry report has been presented in the court, the appellant to get the information from the court. The copy of FIR had been provided to the appellant.

The PIO-SSP was directed to relook at the RTI application and reply that under whose custody this information lies and how can the petitioner obtain it.

On the date of hearing on **20.07.2020**, **both** the parties were absent. The case was adjourned.

Hearing dated 24.09.2020:

The case has come up for hearing today through video conferencing at DAC Patiala. The appellant claims that the PIO has not provided the information. The respondent stated that since the enquiry report along with the complete file has been presented in the court, no information is available with them.

Having gone through the RTI application and hearing both the parties, the respondent is directed to provide information on points 3 & 4. Appellant to get the rest of the information from the court as per due procedure.

To come up for further hearing on **04.11.2020 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 24.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner