



Smt. Vijay Laxmi,
Sr Assistant, O/o Deputy Statistical,
And Accounts Advisor.Sangrur.

... Appellant

Versus

Public Information Officer,
O/o Deputy Economic and Statistical,
Advisor, Sangrur.

First Appellate Authority,
O/o Economic and Statistical,
Advisor, Chandigarh.

...Respondent

Appeal Case No. 2256 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 25.11.2019 has sought information regarding annual progressive reports from 1988-89 to 2018-19 and instructions relating to ACR and other information as enumerated in the RTI application from the office of Deputy Economic and Statistical, Advisor, Sangrur. The appellant was not satisfied with the reply of the PIO dated 08.01.2020 vide which the information was denied u/s 8(i)(j) after which the filed first appeal before the first appellate authority on 27.01.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Sangrur. The PIO is absent and vide letter received in the Commission on 24.02.2021 has sought exemption due to the budget session.

The appellant is also absent. If the appellant wants information, he is directed to appear before the Commission on the next date of hearing and plead his case.

To come up for further hearing on **12.05.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Sangrur.

Chandigarh
Dated:25.02.2021

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. Krishan Singh,
VPO Shero,
Tehsil Sunam, District Sangrur.

... Appellant

Versus

Public Information Officer,
O/o XEN,
Punjab Water Supply and Sewerage Division,
Sangrur.

First Appellate Authority,
O/o SE,
Water Supply and Sewerage Division,
Patiala.

...Respondent

Appeal Case No. 2379 of 2020

PRESENT: Sh.KrishanSingh as the Appellant
Sh.Amandeep Singh, Jr Assistant for the respondent

ORDER:

The appellant through RTI application dated 10.02.2020 has sought information regarding regularization of contractual, daily wage, work charged/outsource employees vide letter No.01 dated 02.01.2017 – copy of order/circular relating to age limit-educational qualifications- copy of advertisement published while regularizing the contractual employees in 2017 –verification reports of educational qualification- name of the officer who verified the character certificates – NOC from police stations and other information as enumerated in the RTI application from the office of Xen Water Supply & Sanitation Division, Sangrur. The appellant was not provided the information after which the filed first appeal before the first appellate authority on 20.03.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Sangrur. The appellant claims that the PIO has not provided the information but has informed that they have regularized the employees, however, no circular is available. As per respondent, the reply has been sent to the appellant vide letter dated 09.02.2021 that no circular is available in their record.

However, during the hearing, the respondent stated that the circular might exist with the higher authority and they will try to obtain and provide it to the appellant.

The Commission observes that if the department was aware that such a circular existed, it should have transferred the application to the concerned authority or replied to the appellant suitably. Instead, the department chose to reply that no such circular was available. The PIO is directed to file a detailed reply on an affidavit.

Further there has been an enormous delay of more than one year in tending to the RTI application. The Commission has taken a serious view 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.

To come up for further hearing on **12.05.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Sangrur.

Chandigarh
Dated:25.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Surjit Singh,
Village.Aujla Dhak,
P.O Lidhar Kalan, Distt. Jalandhar.

... Appellant

Versus

Public Information Officer,
O/o XEN,
Water Supply and Sanitation Division-2,
Amritsar.

First Appellate Authority,
O/o SE,
Water Supply and Sanitation Circle,
Amritsar.

...Respondent

Appeal Case No. 2141of 2020

ORDER:

The appellant through RTI application dated 16.03.2020 has sought information regarding details of tenders issued for work got done from 01.03.2019 to 15.03.2020 in sub sub-divisions under Amritsar Division2 –copy of bills passed for the work done for annual maintenance - copy of cash books – copy of quotation registers – name of SDOs alongwith monthly travelling allowance bills and other information as enumerated in the RTI application from the office of Xen Water Supply and Sanitation Division No.2 Amritsar The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 28.04.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Amritsar. Due to technical fault in VC at Amritsar, the hearing could not take place.

The case is adjourned. To come up for further hearing on **18.05.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated:25.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Sudhir Mahajan, S/o Sh Om Parkash,
1438/39, Ka04.06.202tra Jaimal Singh,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Department of Local Govt,
Sector-35-A, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Department of Local Govt,
Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 2726 of 2020

PRESENT: Sh.Harjit Singh, Superintendent-cum-PIO for the Respondent

ORDER:

The appellant through RTI application dated 04.06.2020 has sought information regarding record relating to change of cadre of Sh.Rajinder Sharma and Sh.Sanjeev Devgan from Junior Engineer to Building Inspector (Technical) and other information as enumerated in the RTI application from the office of Principal Secretary Department of Local Govt. Pb Chandigarh. The appellant was not provided the information after which the filed first appeal before the first appellate authority on 23.07.2020 which took no decision on the appeal. After filing first appeal, the PIO sent a reply to the appellant vide letter dated 28.08.2020 stating that they were tracing the record, and if traced the information would be provided.

The case has come up for hearing today through video conferencing at DAC Amritsar. Due to technical fault in the VC at DAC Amritsar, the appellant could not be heard. The Commission has received a representation from the appellant on 18.02.2021 in response to the reply of the PIO which has been taken on the file of the Commission.

Sh.Harjit Singh, PIO is present at Chandigarh. He informed the commission that since the record relating to the sought information was very old, it has been misplaced due to continuous shifting of office space. As per him, since the record was untraceable the department has already filed a DDR and a reply alongwith a copy of DDR has been sent to the appellant vide letter dated 28.08.2020 and again on 04.01.2021.

After hearing the PIO's plea, the Commission is not convinced with the reply. The commission makes it clear that it does not accept the plea that the record is missing or misplaced until an enquiry is conducted and an enquiry report is submitted which establishes that the record is missing and the responsibility has been fixed for the person under whose custody the record was found missing.

Appeal Case No. 2726 of 2020

The concerned department is directed to conduct an enquiry into the matter by constituting a committee, and submit a complete enquiry report which establishes that the record is missing, and appropriate action has been taken against the person as per service rules under whose custody the record went missing.

The PIO is also directed to send a reply on an affidavit.

To come up for further hearing on **18.05.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated:25.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Jatinder Kumar,
C/o Sachkhand Mishthan Bhandar,
Nehru Gate, Nawanshehar.

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Local Govt Department,
Sector-35-A, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Local Govt Department,
Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 2717 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 27.11.2019 has sought information regarding action taken on application dated 22.08.2019 filed for postponing the action of dismissal vide resolution No.426 dated 10.07.2019 till hearing the applicant and other information as enumerated in the RTI application from the office of Principal Secretary Department of Local Govt. Pb Chandigarh. The appellant was not provided the information after which the filed first appeal before the first appellate authority on 27.07.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Nawanshahar. Both the parties are absent.

The appellant vide email has informed that the PIO has not provided the information. The PIO is directed to provide the information within 15 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. 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 **24.05.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Nawanshahar. The PIO to appear at Chandigarh.

Chandigarh
Dated:25.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Jatinder Kumar,
C/o Sachkhand Mishthan Bhandar,
Nehru Gate, Nawanshehar.

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Local Govt Department,
Sector-35-A, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Local Govt Department,
Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 2718 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 04.11.2019 has sought information regarding action taken on application dated 23.09.2019 filed for not releasing the retirement benefits to Sh. Dharmotam Kumar, Municipal Engineer till completion of enquiry and other information as enumerated in the RTI application from the office of Principal Secretary Department of Local Govt. Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 27.07.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Nawanshahar. Both the parties are absent.

The appellant vide email has informed that the PIO has not provided the information. The PIO is directed to provide the information within 15 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. 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 **24.05.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Nawanshahar. The PIO to appear at Chandigarh.

Chandigarh
Dated: 25.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Bharat Bhushan Mattu,
H NO-153, Akash Nagar,
Near Greenland School, P.O Netaji Nagar,
Salem Tabri, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o DEO (EE),
Hoshiarpur.

First Appellate Authority,
O/o DPI (EE),
Phase-8, Mohali.

...Respondent

Appeal Case No. 2349of 2020

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

ORDER:

The appellate through RTI application dated 29.05.2020 has sought information regarding recruitment of 9998 posts of JBT ETT teachers advertised in Sept.2007 – number of applications under SC(M&B) category – copies of caste certificates of SC category – experience certificates of the applicants – name of verification officers of certificates and other information as enumerated in the RTI application concerning the office of DEO(EE) Mohali. The appellant was not provided the information after the appellant filed first appeal before the First Appellate Authority on 10.07.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Nawanshahar. The respondent present pleaded that the information has already been sent to the appellant vide letter dated 09.01.2021 and again on 25.01.2021. The respondent further informed that the information after the communication of 09.01.2021. the appellant had pointed out some discrepancies, which after being sorted, were sent on on 08.02.2021

The appellant is absent and vide email has again pointed out some discrepancies in points No.3,4,6, 8 & 9. However, the letter is not legible. The appellant is directed to send a legible typed copy of deficiencies to the Commission with a copy to the PIO.

It has also come to the notice that the appellant has also filed another appeal case No.2259/2020 for seeking exactly the same information from the office of DEO(EE) Mohali which is fixed for hearing on 26.05.2021. The appellant is directed to clarify whether he has sought the same information in this case.

To come up for further hearing on **25.05.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Ludhiana

Chandigarh
Dated:25.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Sushil Kumar, S/o Sh.Nand Lal,
Plot No-13, Bus Stand Road,
Malerkotla.

... Appellant

Versus

Public Information Officer,
O/o Chief Vigilance Officer,
Local Deptt, Pb, Chandigarh.

First Appellate Authority,
O/o Chief Vigilance Officer,
Local Deptt, Pb, Chandigarh.

...Respondent

Appeal Case No. 874of 2020

PRESENT: Sh.Sushil Kumar as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 01.12.2019 has sought information regarding name of the officer who were assigned the job to prepare enquiry report in case No.6/106/1704 – documents filed before the Hon'ble court as evidence – name of the officer who filed FIR - copy of FIR and other information concerning the office of Chief Vigilance Officer, Local Govt Department, Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.01.2020 which took no decision on the appeal.

The case was first heard on 03.09.2020. Both the parties were absent. Having gone through the record, the Commission observed that there has been an enormous delay in attending to the RTI application. The PIO was directed to provide the information to the appellant as per the RTI Act and send a compliance report to the Commission, otherwise the Commission will be constrained to take action against the PIO as per the RTI Act.

Hearing dated 25.02.2021:

The case has come up for hearing today through video conferencing at DAC Sangrur. The appellant claims that the PIO has not provided the information.

Sh.Rajiv Saggat,PIO appeared late and informed that the enquiry on the complaints is pending with Regional Deputy Director, Patiala since 13.08.2019 and the reply has been sent to the appellant vide letter dated 17.01.2020 that after receipt of enquiry report, the information will be provided to the appellant.

The respondent further informed that after receipt of complete enquiry report, the same will be sent to the Chief Vigilance Officer for final decision and thereafter the information can be provided to the appellant.

Appeal Case No. 874of 2020

The Commission recommends that the Regional Deputy Director, Local Bodies, Patiala to complete the enquiry report within 30 days and send it to the Chief Vigilance Officer for final decision. The Chief Vigilance Officer is directed to send a status report of the enquiry to the appellant.

To come up for further hearing on **12.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Sangrur. The PIO to appear at Chandigarh.

Chandigarh
Dated 25.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner