

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
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Visit us: - www.infocommpunjab.com



Sh. Yogesh Majahan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Provincial,
Sub Division PWD B&R,
Khanna Distt Ludhiana.

First Appellate Authority,
O/o SE, Construction Circle,
PWD B&R, Ludhiana.

...Respondent

Appeal Case No. 197 of 2019

Present: None for the Appellant
None for the Respondent

Order:

The appellant through RTI application dated 03.10.2018 has sought information regarding works undertaken/carried out during 02.07.2017 to 01.10.2018 and other information concerning the office of SDO-Provincial Sub Division, PWD (B&R) Khanna. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.11.2018 which disposed off the appeal on 14.12.2018.

Both the parties are absent. The Commission has received a letter diary No.6426 dated 26.03.2019 from the PIO stating that the information has been provided to the appellant vide letter dated 12.02.2019.

The appellant is absent and vide letter received in the Commission on 24.04.2019 has sought exemption. The appellant in the same letter has informed that he has received the information.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated: 25.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Yogesh Majahan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Construction,
Sub Division No-3, PWD B&R,
Bathinda.

First Appellate Authority,
O/o SE, Construction Circle,
PWD B&R, Bathinda.

...Respondent

Appeal Case No. 198 of 2019

Present: None for the Appellant
Sh.Sukhpreet Singh, SDO-cum-APIO, O/o PWD(B&R) Bhatinda for the
Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO-Construction Sub Division No.3, PWD (B&R) Bhatinda. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018. Thereafter, the PIO vide letter dated 05.11.2018 asked the appellant to visit the office of the PIO on any working day and get the information. The First Appellate Authority also disposed off the appeal upholding the PIO's view.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 15.04.2019. The appellant is absent and vide letter received in the Commission on 24.04.2019 has sought exemption. The appellant in the same letter has informed that he has received the information from the APIO till date.

The Commission observes that there has been an enormous delay of 6 months in providing the information. In reply, the respondent pleaded that the appellant was asked to come and collect the information vide letter dated 05.11.2018 and again vide letter dated 20.11.2018 but the appellant failed to collect the information.

The Commission finds gross negligence on the part of the PIO who rather than sending the information, chose to direct the appellant to come and collect the information. The First Appellate Authority also disposed off the appeal upholding the PIO's view.

Appeal Case No. 198 of 2019

The Commission has taken a serious note on the view taken by the PIO as well as FAA who rather than sending the information preferred to asked the appellant to come and collect the information, and violated the spirits of section 7(1) of the RTI Act. Even though the information has been supplied, I hereby show cause the PIO **why penalty be not imposed on him under Section 20 of the RTI Act 2005 for asking the appellant to come and collect the information rather than sending the information within the statutorily prescribed period of time**, he 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 also directed to appear personally alongwith written reply on an affidavit on the next date of hearing.

To come up for further hearing on **10.06.2019 at 11.00 AM.**

Chandigarh
Dated: 25.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Majahan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o XEN, Electrical Division,
PWD B&R No-1,
Patiala Near Barbar Dari Garden.

First Appellate Authority,
O/o SE, Electrical,
PWD B&R, Circle, Patiala.

...Respondent

Appeal Case No. 204 of 2019

Present: None for the Appellant
Sh.Gagandeep Singh, SDE for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding grants received and utilized from 02.10.2017 to 01.10.2018 and other information concerning the office of Executive Engineer, Electrical Engineer Division, PWD (B&R) No.-1, Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant. The appellant is absent and vide letter received in the Commission on 24.04.2019 has sought exemption. The appellant in the same letter has informed that he has received the information.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated: 25.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Yogesh Majahan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Construction,
Sub Division No-1, PWD B&R,
Sangrur.

First Appellate Authority,
O/o SE,
PWD B&R, Sangrur.

...Respondent

Appeal Case No. 205 of 2019

Present: None for the Appellant
None for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO-Construction Sub Division No.1, PWD (B&R) Sangrur. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal`

The appellant is absent and vide letter received in the Commission on 24.04.2018 has sought exemption. The appellant in the same letter has informed that the PIO has not provided the information. The respondent is absent without intimation to the Commission. The PIO is directed to provide the information and be present on the next date of hearing.

The case is adjourned. Both the parties to be present on **10.06.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 25.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Provincial,
Sub Division, PWD B&R, Sangrur.

First Appellate Authority,
O/o SE,
PWD B&R, Sangrur.

...Respondent

Appeal Case No. 206 of 2019

Present: None for the Appellant
None for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO-Provincial Sub Division, PWD (B&R) Sangrur. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The appellant is absent and vide letter received in the Commission on 24.04.2018 has sought exemption. The appellant in the same letter has informed that the PIO has not provided the information. The respondent is absent without intimation to the Commission. The PIO is directed to provide the information and be present on the next date of hearing.

The case is adjourned. Both the parties to be present on **10.06.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 25.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Electrical,
Sub Division PWD B&R, Nabha.

First Appellate Authority,
O/o SE, Electrical Division (South),
PWD B&R Circle, Patiala.

...Respondent

Appeal Case No. 207 of 2019

Present: None for the Appellant
Sh.Gagandeep Singh SDE for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO-Electrical Sub Division No.4,, PWD (B&R) Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The appellant is absent and vide letter received in the Commission on 24.04.2018 has sought exemption. The appellant in the same letter has informed that the PIO has not provided the information.

The respondent present pleaded that due to restructuring, the total area of Nabha Sub Division has been merged with Electrical Sub Division No.1 Patiala and the information has been sent to the appellant by Electrical Sub Division No.1 Patiala vide letter dated 29.03.2019. There has been some confusion in the minds of the appellant. The respondent stated that the information sent by the Electrical Sub Division No.1 Patiala should be treated as the information from Sub Division Nabha.

However, since the appellant has informed that he has not received the information, the case to come up for further adjudication on 10.06.2019.

To come up on **10.06.2019 at 11.00 AM.**

Chandigarh
Dated: 25.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Electrical,
Sub Division No-4, PWD B&R,
Patiala.

First Appellate Authority,
O/o SE, Electrical Division (South),
PWD B&R Circle, Patiala.

...Respondent

Appeal Case No. 208 of 2019

Present: None for the Appellant
Sh.Dharminder Singh, APIO for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO-Electrical Sub Division No.4,, PWD (B&R) Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The appellant is absent and vide letter received in the Commission on 24.04.2018 has sought exemption. The appellant in the same letter has informed that the PIO has not provided the information.

The respondent present pleaded that since the concerned clerk is on medical leave, the information could not be provided. The respondent further pleaded that they will send the information before the next date of hearing.

The Commission observes that since there has been an enormous delay of 6 months in providing the information and the respondent is making frivolous excuses, the PIO is directed to provide the information to the appellant within 10 days and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. The explanation be sent on an affidavit.

The case is adjourned. Both the parties to be present on **10.06.2019 at 11.00 AM.**

Chandigarh
Dated: 25.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o XEN, Electrical Engineer,
Division No-2, PWD B&R,
Mini Secretariat, Block-C, Patiala.

First Appellate Authority,
O/o SE, Electrical Division (South),
PWD B&R Circle, Patiala.

...Respondent

Appeal Case No. 209 of 2019

Present: None for the Appellant
Sh.Dharminder Singh, APIO for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding grants received and utilized from 02.10.2017 to 01.10.2018 and other information concerning the office of Executive Engineer, Electrical Division, PWD (B&R) No.-2, Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The appellant is absent and vide letter received in the Commission on 24.04.2018 has sought exemption. The appellant in the same letter has informed that the PIO has not provided the information.

The respondent present pleaded that since the concerned clerk is on medical leave, the information could not be provided. The respondent further pleaded that they will send the information before the next date of hearing.

The Commission observes that since there has been an enormous delay of 6 months in providing the information and the respondent is making frivolous excuses, the PIO is directed to provide the information to the appellant within 10 days and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. The explanation be sent on an affidavit.

The case is adjourned. Both the parties to be present on **10.06.2019 at 11.00 AM.**

Chandigarh
Dated: 25.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Electrical,
Sub Division No-1,
PWD B&R, Patiala.

First Appellate Authority,
O/o SE, Electrical Division (South),
PWD B&R Circle, Patiala.

...Respondent

Appeal Case No. 211 of 2019

Present: None for the Appellant
Sh.Gagandeep Singh, SDE for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO-Electrical Sub Division No.1,, PWD (B&R) Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant. The appellant is absent and vide letter received in the Commission on 24.04.2019 has sought exemption. The appellant in the same letter has informed that he has received the information.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated: 25.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Majahan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO, Electrical,
Sub Division No-1, PWD B&R,
Sangrur.

First Appellate Authority,
O/o SE, Electrical Division (South),
PED B&R Circle, Patiala.

...Respondent

Appeal Case No. 212 of 2019

Present: None for the Appellant
Sh.Gagandeep Singh, SDE for the Respondent

Order:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO-Electrical Sub Division, PWD (B&R) Sangrur. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant. The appellant is absent and vide letter received in the Commission on 24.04.2019 has sought exemption. The appellant in the same letter has informed that he has received the information.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated: 25.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner