

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Smt. Madhu Sharma, W/o Sh. Sawtantar Kumar,
4811/1, Sector-38 (West),
Chandigarh.

... Appellant

Versus

Public Information Officer,
O/o XEN, Water Supply and Sanitation, Division-2,
Ludhiana Metro Road, Partap Chowk,
Ludhiana.

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

... Respondent

Appeal Case No. 1850 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellate through an RTI application dated 05.12.2019 has sought information regarding the enlistment of M/s M.S.Constructions, Pro Mrs. Mamta Sharma w/o Sanjeev Sharma Civil Lines, Lajpat nagar Ludhiana – approval issued for all works – Bills passed at division level & sub division level – work order issued – payment alongwith vouchers – payment made through division office – payment made through sub division office and other information concerning the office of Xen Water Supply & Sanitation Division No.2, Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 07.01.2020 which took no decision on the appeal. After filing first appeal, the PIO sent reply to the appellant on 21.01.2020 to which the appellant was not satisfied and filed 2nd appeal in the Commission.

The case last came up for hearing on **08.02.2021** through video conferencing at DAC Ludhiana. Both the parties were absent. The case was adjourned.

Hearing dated 25.05.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that the appellant had earlier filed similar RTI applications for seeking exactly the same information which were disposed of by the State Information Commission on the basis of available information provided and affidavit.

The appellant is absent on 2nd consecutive hearing to pursue the case nor has communicated any legitimate reasons for the absence.

The PIO is directed to submit copies of earlier RTI applications filed by the appellant and the orders of the State Information Commissioner thereon. The appellant is given last opportunity to appear before the Commission on the next date of hearing to pursue the case otherwise the matter will be decided ex-parte.

The case is adjourned. To come up for further hearing on **24.08.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The appellant to appear through VC in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated: 25.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Smt. Madhu Sharma, W/o Sh.Sawtantar Kumar,
4811/1, Sector-38 (West),
Chandigarh.

... Appellant

Versus

Public Information Officer,
O/o XEN, Water Supply and Sanitation,
Division-3, Mini Secretariat, Ludhiana.

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

...Respondent

Appeal Case No. 1853 of 2020

PRESENT: None for the Appellant
Sh.Ajay Bhanot, SDO for the Respondent

ORDER:

The appellate through RTI application dated 08.11.2019 has sought information regarding the list of enlistment cases received in the division from 01.01.2017 till date along with recommendations – documents received from various contractors – enlistment cases forwarded to SE for approval – all notings which approval for enlistment is granted and other information concerning the office of Water Supply and Sanitation Division No.3, Ludhiana. The appellant was not provided the information after the appellant filed the first appeal before the First Appellate Authority on 29.01.2020 which took no decision on the appeal.

The case last came up for hearing on **08.02.2021** through video conferencing at DAC Bathinda. The respondent present pleaded that the information has been sent to the appellant vide letter dated 25.01.2021.

The appellant was absent nor had communicated any discrepancies. The appellant was given one more opportunity to point out the discrepancy and appear before the Commission to plead her case.

There had been an enormous delay in attending to the RTI application. In reply, the respondent informed that the delay was on the part of earlier PIO as he had since joined as PIO. The respondent was directed to submit a list of PIOs from the date of filing of RTI application till the date of supply of information.

Hearing dated 25.05.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. As per the respondent, the information has already been provided.

At the last hearing, the appellant was absent and the appellant was directed to point out the discrepancies and appear before the Commission to plead her case.

The appellant is absent nor has communicated any discrepancies. It is presumed that the appellant has received the information and is satisfied.

The Commission has received a letter from the Xen, Water Supply & Sanitation Division No.3, Ludhiana on 16.02.2021 as per which Sh. Rohit Kumar, Xen was the PIO from 08.11.2019 to 19.10.2020, who has since been transferred to Nawanshahar.

There has been an enormous delay in providing the information since the RTI application was filed on 08.11.2019 whereas the information has been supplied on 25.01.2021 i.e. with a delay of more than one year and two months. The Commission has taken a serious view of this and hereby directs Sh.Rohit Kumar, Xen-cum-PIO, Water Supply & Sanitation Division Nawanshahar(earlier Xen-cum-PIO, Water Supply & Sanitation Division No.3, Ludhiana) 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 as well as for non-appearance**. 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 case is adjourned. To come up for further hearing on **24.08.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The appellant to appear through VC in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated: 25.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner