

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,

Email: psic21@punjabmail.gov.in



REGISTERED **SHOW CAUSE NOTICE**

Smt. Krishna,
W/o Tarlok Singh,
340, Majitha Road,
Ekroop Avenue, Naushihra,
District Amritsar.

Versus

Public Information Officer,
o/o Estate Officer (R),
Jalandhar Development Authority,
SCO No. 41, PUDA Complex,
Ladowali Road, front of DC Office,
District Jalandhar.

First Appellate Authority,
o/o Punjab Urban Development Authority (PUDA),
Mohali.

Appeal Case No. 2596 of 2020 (Video Conference proceedings)

PRESENT:

Balwinder Singh (for the Appellant) 98880-25310

Sanjeev Sharma, SDO-cum-PIO, Jalandhar Development Authority (Respondent) 98151-48712

ORDER:

1. The RTI application is dated **3.1.2020** vide which the appellant has sought information **regarding noting of File No. 93-K Village Maheru, Tehsil Phagwara, District Kapurthala**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **13.2.2020** and Second Appeal was filed in the Commission on **11.9.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **21.1.2021**.

2. Both parties are present via Video Conference from Jalandhar. The appellant is represented by her son Balwinder Singh. The respondent PIO-cum-SDO, Jalandhar Development Authority, Sanjeev Sharma, had handed over the requested information to the appellant at the last hearing and the appellant had requested time to examine said information. The appellant has now confirmed vide her email of 30.4.2021 that she received the information on 21.1.2021. This RTI application is Dated 3.1.2020 and there has been inordinate delay in supplying the information.

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Appeal Case No. 2596 of 2020 (Video Conference proceedings)

3. As per the respondent PIO-cum-SDO, Jalandhar Development Authority, the RTI application was received in his office on 3.1.2020 following which the concerned APIO was requested to supply the information under Section 5(4) of the RTI Act 2005 on 7.1.2020. The PIO-cum-SDO, sent several reminders to the concerned APIO but despite this, the information was not supplied. The concerned PIO only acted after appellant filed Second Appeal.

4. The Commission takes a very serious view of the conduct of the concerned APIO and deems it fit to serve him with this Show Cause Notice after impleading him as the deemed PIO as per Section 5(5) of the RTI Act.

5. **Sh. Chander Shekhar** APIO o/o Estate Officer Kapurthala, is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **3.1.2020**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

6. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

7. Next hearing on 29.10.2021 at 11.00 am through Video Conference Facility at D.C. Office, Jalandhar.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
25.8.2021

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Sushil Kumar,
S/o Lal Chand,
1410, Phase-I, Urban Estate,
Dugri Road, District Ludhiana – 141 013

Versus

Public Information Officer,
o/o Additional Superintendent Engineer,
Technical, Provincial-1,
Punjab State Power Corporation Limited,
Model Town, Sub Division,
District Jalandhar.

Complaint Case No. 542 of 2020 (Video Conference proceedings)

PRESENT:

(Complainant) Absent

(Respondent) Absent

ORDER:

1. The complainant, **Sushil Kumar**, filed this RTI application dated **17.4.2019** and sought information **regarding complaint vide letter dated: 14.9.2016 to CMD, PSPCL, Patiala**, from the PIO o/o **Addl. S.E., Technical, PSPCL, Jalandhar**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **18.8.2020**. The case was last heard on **21.1.2021**.

2. Both parties are absent without intimation. The respondent PIO is absent for second time in succession. This is a Complaint Case wherein this Commission is under no obligation to provide the complainant access to the requested information. The complainant is herewith advised to inform this Commission in writing whether he is seeking the information requested in his RTI application of 17.4.2019 or has filed this Complaint Case for action against the respondent PIO.

3. **Next hearing on 29.10.2021 at 11.00 am through Video Conference Facility at D.C. Office, Jalandhar.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
25.8.2021

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REGISTERED **SHOW CAUSE NOTICE**

Nitin Nanda,

S/o Sh. Subhash Nanda,

PO Bal Bawa,

Tehsil Ajnala,

District Amritsar.

Versus

Public Information Officer,

o/o Chairman,

State Powercom,

District Patiala.

First Appellant Authority,

o/o Chief Engineer, Border Zone,

Punjab State Power Corporation Limited (PSPCL),

District Amritsar.

Appeal Case No. 3229 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Parveen Soni, SDO (for the Respondent) 96461-13065

ORDER:

1. The RTI application is dated **11.3.2020** vide which the appellant has sought information **regarding checking following a complaint against Nitin Electric works, Fatehgarh Churian,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **24.8.2020** and second appeal was filed in the Commission on **23.10.2020** under Section 19 of the Right to Information Act, 2005. This case was last heard on **22.1.2021**.

2. The appellant is absent without intimation. The respondent PIO, represented by Parveen Soni, SDO, present via Video Conference from Amritsar, stated that the information was given to the appellant by hand on 20.8.2021. The respondent PIO has however, failed to comply with this Commission's direction of 22.1.2021, wherein he was directed to submit a duly Notarised Affidavit reproducing his reply to the appellant vide Memo No. 570 Dated 19.1.2020.

3. The respondent PIO is directed to submit a copy of the information supplied to the appellant along with all his reply/correspondence with the appellant in a sequential manner along with an index. The respondent PIO is also directed to comply with this Commission's order of 22.1.2021 wherein he was directed to submit an Affidavit. In view of the failure to comply with this Commission's orders and inordinate delay in furnishing the information, this Commission deems it fit to serve him/her with this Show Cause Notice.

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Appeal Case No. 3229 of 2020 (Video Conference Proceedings)

4. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **11.3.2020**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

5. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

6. Next hearing on 25.11.2021 at 11.00 am through Video Conference Facility at D.C. Office, Amritsar.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
25.8.2021

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Navpreet Kaur,

W/o Harjinder Singh,

11, SG Garden,

Majitha Road, Naushera,

District Amritsar.

Versus

Public Information Officer,

o/o Deputy Chief Engineer,

Operational, Sub Urban Division,

Punjab State Power Corporation Limited,

District Amritsar.

First Appellate Authority,

O/o Chief Engineer,

Operational, Border Zone,

District Amritsar

Appeal Case No. 2680 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Vipan Vig, SDO (for the Respondent) 96461-13057

ORDER:

1. The RTI application is dated **25.6.2020** vide which the appellant has sought information **regarding the installation and use of generators etc.,** as enumerated in her RTI application. First appeal was filed with the First Appellate Authority (FAA) on **27.7.2020** and Second Appeal was filed in the Commission on **17.9.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.1.2021**.

2. The appellant is absent without intimation. In an email Dated 30.4.2021, the appellant had sent deficiencies in the information furnished to her vide Letter No. 2073 Dated 12.2.2021. The respondent PIO represented by Vipan Vig, SDO, present via Video Conference from Amritsar, is directed to send a copy of the reply sent to the appellant vide Letter No. 2073 Dated 12.2.2021 alongwith the information furnished.

3. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

Contd. ...2

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Appeal Case No. 2680 of 2020 (Video Conference Proceedings)

4. **Next hearing on 25.11.2021 at 11.00 am through Video Conference Facility at D.C. Office, Amritsar.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
25.8.2021

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REGISTERED SHOW CAUSE NOTICE

Ravinder Singh (Advocate),
S/o Gulzar Singh,
H.No.16, Shaheed Nagar,
Chheharatta, Amritsar – 143 105.

Versus

Public Information Officer,
o/o Amritsar Development Authority,
PUDA Bhawan, Green Avenue,
District Amritsar.

First Appellant Authority,
o/o Chief Administrator,
Amritsar Development Authority,
PUDA Bhawan, Green Avenue,
District Amritsar.

Appeal Case No. 2556 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

1. The RTI application is dated **10.2.2020** vide which the appellant has sought information regarding a complaint filed to the Chief Administrator, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **18.3.2020** and second appeal was filed in the Commission on **9.9.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.1.2021**.

2. Both parties are absent without intimation. At the last hearing on 22.1.2021, the respondent PIO was given 15 days time to submit point-wise reply to the RTI application alongwith requested information. The PIO was also directed to cite provisions of the RTI Act 2005, where he sought exemption for disclosure of information. The respondent PIO is failed to comply this Commission's direction and so this Commission deems it fit to serve respondent PIO with this Show Cause Notice.

3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **10.2.2020**.

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Appeal Case No. 2556 of 2020 (Video Conference Proceedings)

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. Next hearing on 25.11.2021 at 11.00 am through Video Conference Facility at D.C. Office, Amritsar.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

25.8.2021

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Ajay Nand/Ajay Kumar Mehta,

S/o. Late Nand Kishore,

118-C, East Mohan Nagar,

Chamrang Road,

District Amritsar.

Versus

Public Information Officer,

o/o Chief Engineer,

Punjab State Power Corporation Limited (PSPCL),

District Amritsar.

First Appellant Authority,

o/o Chief Engineer,

Punjab State Power Corporation Limited (PSPCL),

District Amritsar.

Appeal Case No. 2995 of 2020 (Video Conference Proceedings)

PRESENT:

Ajay Nand/Ajay Kumar Mehta (Appellant) 98146-46309

Amrinder Pal Singh, Assistant Executive Engineer (for the Respondent) 96461-13043

ORDER:

1. The RTI application is dated **13.7.2020** vide which the appellant has sought information **regarding CWP-146 of 2019 etc.,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **3.8.2020** and second appeal was filed in the Commission on **8.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.1.2021**.

2. Both parties are present via Video Conference Facility from Amritsar. The respondent PIO represented by Amrinder Pal Singh, Assistant Executive Engineer. The appellant was handed over the requested information at the last hearing and given the time to examine the same. He is also present in today's hearing and confirms that the information furnished is satisfactory. He however, pointed to the delay in furnishing the information despite the direction from the FAA.

3. The respondent PIO is directed to explain the delay in furnishing the information in writing to this Commission within 10 days of receipt of this order.

4. **Next hearing on 25.11.2021 at 11.00 am through Video Conference Facility at D.C. Office, Amritsar.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

25.8.2021

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Raman Kumar,
S/o Karori Lal,
114, Street No. 6,
Islamabad, Ram Nagar Colony,
District Amritsar.

Versus

Public Information Officer,
o/o Deputy Chief Engineer, Operational,
Sub Urban Circle,
Majitha Road, Power Colony,
Punjab State Power Corporation Limited (PSPCL),
District Amritsar.

Complaint Case No. 437 of 2020 (Video Conference proceedings)

PRESENT:
(Complainant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier order on **19.11.2020 and 21.1.2021**)

1. The complainant, **Raman Kumar**, filed this RTI application dated **15.10.2019** and sought information **regarding copies of status report of the land**, from the PIO o/o **Deputy Chief Engineer, Amritsar**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **14.7.2020**. The case was last heard on **21.1.2021**.

2. Both parties are absent without intimation for the third time. At the hearing on 19.11.2020, the respondent PIO was directed to personally retrieve the information from PSPCL Patiala and provide it to the complainant before the next hearing. There is since been no communication from either the respondent PIO or complainant. Notably, the complainant has remained absent from all hearings of this complaint case. Additionally, there has been no communication from him since the filing of this Complaint Case on 13.7.2020.

3. The respondent PIO is herewith given a final opportunity to be heard failing which this Commission will be constrained to initiate penal action against him. The complainant is also advised to attend next hearing of this complaint case via Video Conference or through Cisco Webex.

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Complaint Case No. 437 of 2020 (Video Conference proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 25.11.2021 at 11.00 am through Video Conference Facility at D.C. Office, Amritsar.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
25.8.2021