PUNJAB STATE INFORMATION COMMISSION Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

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Ms Ravinder Kaur, D/o Sh Baghwan Singh, R/o Ghor Mohalla, Ward No-6, Zira, Distt.Ferozepur.

...Complainant

Versus

Public Information Officer, O/o SDO, PSPCL, Zira, Distt Ferozepur.

...Respondent

Complaint Case No. 804 of 2019

PRESENT: Ms.R.K.Grewal, Advocate for the Complainant

None for the Respondent

ORDER:

The complainant through RTI application dated 23.07.2019 has sought information regarding power connection No.AP-34/2755(7.1/2 BHP) Bhagwan Singh s/o Atma Singh of Zira and other information concerning the office of SDO PSPCL Zira. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 04.09.2019.

The case was last heard on 06.01.2020. Both the parties were absent. In the interest of justice, one more opportunity was given and the case was adjourned.

Hearing dated 27.01.2020:

The counsel appeared on behalf of the complainant informed that the PIO has not provided the information. The respondent is absent on 2nd consecutive hearing. The Commission observes that the complainant has filed RTI application on 23.07.2019 but has not gone to the First Appellate Authority. The Commission hereby remands back the case to First Appellate Authority with the direction to hear the case and dispose off the appeal within 30 days.

The Commission further observes that there has been an enormous delay of six months in attending to the RTI application by the PIO. 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 31.03.2020 at 11.00 AM.

Chandigarh Dated 27.01.2020 Sd/(Khushwant Singh)
State Information Commissioner

CC to: Superintending Engineer, PSPCL Circle Ferozepur Cantt. Ferozepur.

Note:Sh.Santokh Singh, AE O/o PSPCL Zira appeared late and informed that the information has been sent to the complainant. He was informed that the case stands adjourned.

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Sh.Manjeet Singh, H No-1435, Street No-6, Block-A, Guru Nanak Colonly, Gill Road, Ludhiana.

.....Appellant.

Versus

Public Information Officer, O/o XEN, PSPCL, Unit-1, Ludhiana-3, Ludhiana.

First Appellate Authority, O/o XEN, PSPCL, Unit-1-2443, Sub Division-1, Ludhiana-3, Ludhiana.

...Respondent

Appeal Case No. 407 of 2019

PRESENT: None for the Appellant

Sh. Jasvir Singh, AEE Commercial Janta Nagar Div(spl) for the

Respondent

ORDER: The case was first heard on **07.05.2019.**The appellant informed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information as per RTI application and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. The PIO was also directed to be present personally or through a representative on the next date of hearing.

The case was last heard on **03.07.2019.** The appellant claimed that the PIO has not provided the information. The respondent Sh.Gurcharan Singh, AEE PSPCL Janta Nagar, Ludhiana appeared late and informed that they have already supplied the information to the appellant vide letter dated 13.12.2018 which the appellant had acknowledged having received the information on 17.01.2019. A copy of acknowledgement was submitted to the Commission.

The case was again heard on **13.08.2019.** The respondent present informed that the information has been provided to the appellant. The appellant was not satisfied and stated that he wants the status of his complaint. The PIO was directed to relook at the RTI application and provide status report on the complaint of the appellant.

The case was last heard on **29.11.2019.** The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was issued a **show cause notice and directed to file reply on an affidavit.** The PIO was again directed to provide the information to the appellant within 10 days.

Hearing dated 27.01.2020:

The respondent pleaded that the information has been provided to the appellant vide letter dated 27.12.2019. The PIO is absent nor has sent any reply to the show cause, rather has tried to take the Commission into confidence on the ground that the information has been provided. The PIO is given one last opportunity to file a reply to the show cause on an affidavit otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will be constrained to take action in terms of the provisions of section 20 of the RTI Act.

To come up for further hearing on 31.03.2020 at 11.00 AM.

Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh Dated 27.01.2020

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Sh. Krishan Gopal Singla, Ward NO-16-B/190, Sangrur Road, Dhuri, Distt.Sangrur.

... Appellant

Versus

Public Information Officer, O/o DC, Ludhiana.

First Appellate Authority, O/o DC,

Ludhiana. ...Respondent

Appeal No.725 of 2019

PRESENT: None for the Appellant

Sh.Kulwant Singh, Clerk O/oDC Ludhiana for the Respondent

ORDER:

The case was fitst heard on 21.08.2019. The respondent present pleaded that the information has been provided to the appellant. The appellant stated that the information is not available on the website of the department. The appellant further stated that he has asked for the documents required for registration of vasika for the property falling in redline of the city.

Hearing both the parties, the respondent was directed to relook at the RTI application and provide copies of any circular/notification issued by the Govt.(2010 onwards) stating the basis of identification through which the ownership of property can be transferred in the name of the occupants.

The case was last heard on **29.11.2019.** Both the parties were absent. The Commission received an email from the PIO stating that the information has been provided to the appellant vide letter dated 18.09.2019. Sh.Prem Kumar Rattan, a reprehensive of the appellant vide email informed that the PIO has not provided the information as sought in the RTI application.

Hearing dated 27.01.2020:

The respondent present pleaded that they have already written a letter to the Financial Commissioner, Department of Revenue, Govt of Punjab regarding documents required for registration of vasika on the basis of TS-1 form for the properties falling in the redline and notified area of Panchayat/NC/MC which do not have any sale deed or jamabandi and the appellant has already been sent reply vide letter dated 18.09.2019. The respondent has also submitted a copy of letter sent to the State Govt. asking them to issue instructions in this regard.

The respondent says that they have not received any observations from the appellant.

Having gone through the reply, the Commission finds that the RTI application has been replied suitably and no further course of action is required.

The case is **disposed off and closed.**

Sd/(Khushwant Singh)
State Information Commissioner

Chandigarh Dated:27.01.2020

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Sh K.N.S Sodhi, # 1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer, O/o GMADA, Sector-62, Mohali.

First Appellate Authority, O/o GMADA, Sector-62, Mohali.

...Respondent

Appeal Case No. 1625 of 2019

PRESENT: Sh.K.N.S.Sodhi as the Appellant

Sh.Sukhdeep Singh, Jr Assistant, GMADA for the Respondent

ORDER:

The appellant through RTI application dated 21.12.2018 has sought information regarding land allotted under Institutional Land Policy to different institutions in sector 70 alongwith memorandum of articles, approval of land, site plan and other information concerning the office of GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal. After filing appeal, the PIO sent reply to the appellant vide letter dated 30.01.2019 stating that the information sought is not specific and the appellant was asked to inspect the record by visiting the office of PIO and get the relevant information.

The case was last heard on 14.11.2019. The respondent present pleaded that the appellant has already inspected some of the files and the appellant can inspect the other files by fixing a mutually convenient date and time. The representative appeared on behalf of the appellant had agreed for the same.

Hearing dated 27.01.2020:

The appellant claims that after inspection of the record on 01.11.2019, he has already flag marked the information required by him but the PIO has not supplied the information. The respondent present has not been able to reply on the submission of the appellant.

Keeping the above in view, the PIO is hereby 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 to the appellant within 10 days.

The case is adjourned. To come up for further hearing on 25.02.2020 at 11.00 AM.

Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh
Dated 27.01.2020

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Regd Post

Sh. Harmit Singh, C/o Baba Kala Finance Company, Near Truck Union, Phool Road, Rampura Phul, Bathinda.

... Appellant

Versus

Public Information Officer,

O/o Secretary, Regional Transport Authority, Sangrur.

First Appellate Authority,
O/o State Transport Commissioner,

Pb, Chandigarh.

...Respondent

Appeal Case No. 182 of 2019

Present: Sh.Harmit Singh as the Appellant

None for the Respondent

ORDER:

The case was first heard on 10.04.2019. Both the parties were absent. The case was adjourned.

The case was again heard on **11.06.2019.** The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information to the appellant within 15 days and appear personally or through a representative on the next date of hearing alongwith the explanation for not attending to the RTI application within the time prescribed under the RTI Act.

The case last came up for hearing on **23.07.2019** through video conference facility available in the office of **Deputy Commissioner**, **Bathinda**. Due to technical fault, the hearing could not take place and the case was adjourned. The PIO-RTA Sangrur was directed to comply with the earlier order of the Commission which still stands.

A copy of the order was sent to the STC, Punjab, Chandigarh to get the order served to the concerned PIO and to ensure compliance of this order, as well as ensure that the concerned PIO to provide the information and appears personally or through its representative at the next date of hearing.

The case was again heard on **28.08.2019.** Both the parties were absent. The PIO was directed to comply with the earlier order of the Commission which still stands and appear personally or through a representative on the next date of hearing alongwith the explanation for not attending to the RTI application within the time prescribed under the RTI Act.

It was also bought to the notice of the Secretary Transport that the Regional Transport Authority, Sangrur is not attending the court either personally or through its representative and this has been observed in various cases. A notice may be taken of this dereliction and appropriate disciplinary action be taken against the RTA Sangrur.

The case was last heard on **05.12.2019**. The appellant claimed that the PIO has not provided the information. The PIO was absent on 4th hearing nor has complied with the order of the Commission. The PIO RTA Sangrur was issued a **show cause notice and** directed to file reply on an affidavit. The PIO was again directed to provide the information to the appellant within 10 days.

Hearing dated 27.01.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Bhatinda. The appellant claims that the PIO has not provided the information. The respondent is absent nor has filed any reply to the show cause notice. The PIO-RTA Sangrur is given one last opportunity to appear before the Commission at the next date of hearing alongwith a reply to the show cause on an affidavit otherwise the Commission will be constrained to take action against the PIO in terms of the provisions of section 20 of the RTI Act.

A copy of the order is being sent to the Secretary, Govt of Punjab, Department of Transport with the Direction to get the order served to the RTA Sangrur as well as to ensure that the concerned PIO to appear before the Commission personally or through its representative at the next date of hearing alongwith reply to the show cause notice.

To come up for further hearing on **07.04.2020 at 11.00AM** through video conference facility available in the office of Deputy Commissioner, Bhatinda. Copies of order be sent to both the parties through registered post. The PIO-RTA Sangrur to appear at Chandigarh.

Chandigarh
Dated 27.01.2020

Sd/-(Khushwant Singh) State Information Commissioner

CC to :1. State Transport Commissioner, Pb, Sector 17, Chandigarh.

2. Secretary, Govt of Punjab, Department of Transport, Chandigarh.

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Sh. Harjit Singh, S/o ShTarsem Singh, R/o Rose Avenue Chamiari Road, Ainala, Distt Amritsar.

... Appellant

PSIC

Versus

Public Information Officer, O/o Addl, SE, Operational, PSPCL, Division, Ajnala, Distt Amritsar.

First Appellate Authority, O/o Chief Engineer, Border Zone. Amritsar.

...Respondent

Appeal Case No. 909 of 2019

PRESENT: None for the Appellant

None for the Respondent

ORDER:

The case was first heard on 18.06.2019. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated that regarding point-1, he has sought copies of MCO and SCO issued for the said electric connections. The respondent pleaded that the record stands destroyed being more than 20 years old. The PIO was directed to enquire into the matter and submit a complete enquiry report which establishes that the record is missing or destroyed as per the procedure.

The information regarding point-2 & 6 had been provided. Regarding information on point-3, the PIO was directed to get it from the Computer Cell and provide to the appellant. The PIO was also directed to provide information on point-4 and sort out the anomaly regarding point-5.

The case was last heard on **28.11.2019.** The appellant claimed that the PIO has not provided the information. The respondent pleaded that the information has not been received from the computer cell. The PIO was given one more opportunity to comply with the earlier order of the Commission and provide the information to the appellant within 10 days and send a compliance report to the Commission otherwise the Commission will be constrained to issue a show cause notice under section 20 of the RTI Act.

Hearing dated 27.01.2020:

The case has come up for hearing today through video conference facility available in the office of the Deputy Commissioner, Amritsar. Both the parties are absent. The case is adjourned.

The PIO is given one last opportunity to comply with the earlier order of the Commission and provide the information to the appellant. otherwise the Commission will be constrained to take action against the PIO in terms of the provisions of section 20 of the RTI Act.

To come up for further hearing on **07.04.2020 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Amritsar. Copies of the order be sent to the parties *through registered post*.

Chandigarh Dated 27.01.2020

Sd/-(Khushwant Singh) State Information Commissioner

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Sh.Jagmohan Singh, #334, G.T Road, Salem Tabri, Ludhiana.

... Appellant

PSIC

Versus

Public Information Officer, O/o Sub Registrar (East), Transport Nagar, Ludhiana.

First Appellate Authority, O/o SDM. Ludhiana (East).

...Respondent

Appeal Case No. 660 of 2019

PRESENT: **Sh.Jagmohan Singh as the Appellant**

Sh.Shiv Kumar, Registry Clerk O/o Tehsildar Ludhiana for the Respondent

ORDER:

The case was first heard by Sh.S.S.Channay, Chief Information Commissioner on 27.03.2019. Both the parties were absent. The appellant vide letter dated 27.03.2019 informed that the PIO has not provided the information and the Sub-Registrar is pressurizing him to withdraw the RTI application. The PIO was directed to supply the information to the appellant before the next date of hearing otherwise the Commission will take action under the provisions of the RTI Act.

The case was again heard on 22.08.2019 by this bench. Both the parties were absent. The case was adjourned. The PIO was directed to comply with the earlier order which still stands and be present on the next date of hearing alongwith the explanation for not attending to the RTI application.

The case was last heard on 28.11.2019. Both the parties were absent. The case was adjourned.

Hearing dated 27.01.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Ludhiana. The respondent present pleaded that the appellant has not specified the information regarding point-1 and the information regarding point-2 is 3rd party information. The respondent further informed that the matter has already been discussed in appeal case No.3847 of 2018 which was heard by Ms.Preety Chawla, State Information Commission and disposed off.

The case is adjourned. To come up further hearing on 07.04.2020 at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. Copies of order be sent to both the parties through registered post.

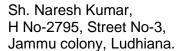
Chandigarh Dated: 27.01.2020

Sd/-(Khushwant Singh) State Information Commissioner

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Appellant.

PSIC

Versus

Public Information Officer

O/o Deputy Chief engineer, Operational Urban (West) Division, PSPCL, Ludhiana.

First Appellate Authority, O/o Chief Engineer, Central Zone,

PSPCL, Ludhiana.

...Respondent

Appeal Case No. 3249 of 2018

Present: Sh.Naresh Kumar as Appellant

Sh.Vijay Kumar, Inspector-SHO-PS Daresi, Ludhiana for the Respondent

Order:

The case was first heard on 28.01.2019. The respondent present pleaded that the handover/takeover report is not available in their record. The respondent claimed that the concerned Police Division No.4 Ludhiana was asked vide letter dated 21.06.2018 to provide the handover/takeover list. The respondent further pleaded that as per report of the Police Division No.4, the Police Division No.4 has been changed to Police Station Daresi and they have requested the concerned SHO Police Station Daresi vide letter dated 30.07.2018 and again on 30.11.2018 to provide the information but their response is awaited.

The Commission directed the PIO to respond to the RTI application as per facts on an affidavit. The PIO, Police Station, Daresi Ludhiana was also directed to send response.

The case was again heard on 19.03.2019. The respondent present submitted an affidavit stating that handover/takeover report is not available in their record and the appellant has already been informed vide letter dated 25.05.2018. The respondent further pleaded that the SHO Police Station Daresi has not sent any reply.

The SHO Police Station DaresiLudhiana was directed to look into the matter and send response as per facts of the case. The PIO Police Station Daresi Ludhiana was also impleaded as a party in the case and directed to appear before the Commission regarding this particular case on the next date of hearing.

On the next date of hearing which was held on **15.05.2019**, the appellant claimed that he has not received the information. The respondent present pleaded that hand-over/take-over report was not available in their record. The SHO Thana Daresi Ludhiana was absent. The SHO Police Station, Daresi, Ludhiana was again directed to provide hand-over/take-over list and be present on the next date of hearing otherwise the Commission will take action as per the RTI Act. The PIO-PSPCL was also directed to send a certified copy of the affidavit to the appellant.

The case was last again on **17.07.2019.** The appellant informed that the PIO has not provided the information. The respondent present informed that the SHO Police Station Daresi has not sent any reply. The SHO Police Station, Daresi, Ludhiana was given one last opportunity and directed to provide hand-over/take-over list and be present on the next date of hearing otherwise the Commission will take action as per the RTI Act.

A copy of the order was also sent to the SSP Ludhiana to get the order served to the concerned PIO and to ensure compliance of this order, as well as ensure that the concerned PIO to provide the information and appears personally at the next date of hearing.

The case was last heard on **28.11.2019**. The PIO-SHO Police Station Daresi-Ludhiana was absent. The direction of the Commission had not been followed. The SSP Ludhiana was again directed to ensure the presence of the PIO-SHO Police Station Daresi otherwise the Commission will be constrained to issue warrants under section 18 of the RTI Act.

The case has come up for hearing today through video conference facility available in the office of **Deputy Commissioner**, **Ludhiana**. The SHO-Police Station Daresi is present and informed that the record being very old, the information is not available. The SHO-PS Daresi is directed to give this in writing on an affidavit within ten days and send a compliance report to the Commission.

With the above order, the case is **disposed off and closed.** The Commission makes it clear that if the information is not provided, the appellant is free to come to the Commission again.

Chandigarh Dated: 27.01.2020 Sd/-(Khushwant Singh) State Information Commissioner

CC to :1. PIO-SHO, Police Station, Daresi, Ludhiana.

2. Senior Superintendent of Police Ludhiana.

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Sh. Lakhwinder Singh, S/o ShGurjant Singh, VPO PatiiSadiq, Tehsil Abohar, DisttFazilka.

... Appellant

Versus

Public Information Officer,

O/o DC, Fazilka.

First Appellate Authority,

O/o DC,

Fazilka. ...Respondent

Appeal Case No. 1349 of 2019

PRESENT: Sh.Lakhwinder Singh as the Appellant

Sh.Amarjit Singh for the Respondent

ORDER:

The case was first heard on 27.08.2019. The respondent present has pleaded that the information has been provided to the appellant and the appellant has received the same.

The appellant was absent and vide email sought adjournment. In the same email, the appellant informed that the PIO has not provided the requisite information and requested for next hearing through video conferencing at District Administrative Complex, Fazilka. The case was adjourned.

The case was last heard on **28.11.2019.** The respondent present pleaded that the enquiry is pending with Tehsildar Abohar and after receipt of complete enquiry report, the information will be provided to the appellant. The appellant was absent. The PIO was directed to send complete status report on the enquiry to the appellant within 10 days.

Hearing dated 27.01.2020:

The case has come up for hearing today through video conference facility available in the office of **Deputy Commissioner**, **Fazilka** The respondent present pleaded that the information has been provided to the appellant and the appellant has acknowledged having received the information and is satisfied.

The appellant stated that the PIO has not provided the status of action taken on his complaint against Patwari. The appellant further stated that he has given the acknowledgement of having received the information on the assurance by the Tehsildar that he will be provided the action taken report on his complaint. The respondent however, informed that the enquiry is still pending.

The Commission hereby directs the PIO that once the enquiry is completed, the enquiry report be supplied to the appellant.

With the above order, the case is **disposed off and closed**.

Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh Dated:27.01.2020

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registered post.

Sh. Sharvan Kumar, VPO Kular, Tehsil Abohar, Distt.Fazilka.

... Appellant

Versus

Public Information Officer,

O/o DC, Fazilka.

First Appellate Authority,

O/o DC,

Fazilka. ...Respondent

Appeal Case No. 742 of 2019

PRESENT: None for the Appellant

Sh.Rakesh Kumar o/o ADC(D) for the Respondent

ORDER:

The case was first heard on 18.06.2019. The respondent present pleaded that since the complaint of the appellant was not found in their record, the appellant was asked vide letter dated 29.04.2019 to appear and clarify the information but he did not turn up. The appellant was again called telephonically on 13.06.2019 when he appeared and informed that in his complaint, inadvertently, he had mentioned the date as 25.09.2015 instead of 25.09.2018 and sought action taken report on the complaint. The respondent further pleaded that they have sent the complaint to the BDPO Fazilka for investigation and the BDPO was asked vide letter dated 13.06.2019 to complete the report within two days. The information to be provided to the appellant on receipt of investigation report.

The appellant was absent and vide email requested for hearing through video conference facility available in the office of DC Fazilka. The case was adjourned.

The case was last heard on **28.11.2019.** Both the parties were absent. The case was adjourned.

Hearing dated 27.01.2020:

The case has come up for hearing today through video conference facility available in the office of **Deputy Commissioner**, **Fazilka**. The respondent present informed that the information has been sent to the appellant on 26.06.2019.

The appellant is absent on 2nd consecutive hearing nor has communicated any discrepancy. It is presumed that the appellant has received the information and is satisfied.

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

Chandigarh
Dated 27.01.2020

Sd/(Khushwant Singh)
State Information Commissioner

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Sh Anil Kumar Singh, Office Bus Stand Rahon, Tehsil & Distt SBS Nagar.

... Appellant

Versus

Public Information Officer, O/o PSPCL, SBS Nagar.

First Appellate Authority, O/o PSPCL, Nawanshehar, SBS Nagar.

...Respondent

Appeal Case No. 3868 of 2019

PRESENT: None for the Appellant

Sh.Talvinder Singh, SDO-PSPCL Rahon for the Respondent

ORDER:

The appellant through RTI application dated 09.08.2019 has sought information regarding electric connection khata No.N45CF320299Y, Khata No.N45BT520283M, meter No.68359, 1445041, 161258 and other information concerning the office of PSPCL BSBS Nagar. The appellant was not was provided the information after which the appellant filed first appeal before the First Appellate Authority on 02.09.2019 which took no decision on the appeal.

The respondent present pleaded that information is not available since the record is very old and has been destroyed by the termites. The Commission however, does not consider the record missing or destroyed by the termite until an enquiry is conducted and a complete enquiry report is submitted which establishes that the record stands destroyed. The PIO is directed to conduct an enquiry into the matter and submit a complete enquiry report.

The respondent further informed that the information sought by the appellant is also 3rd party information. The appellant is absent. The case is adjourned.

To come up for further hearing on 24.02.2020 at 02.00 PM.

Chandigarh
Dated 27.01.2020

Sd/-(Khushwant Singh) State Information Commissioner

Note:The appellant appeared late and informed that he is asking action of the public authority on the electric meters installed in the building relating to the public authority. The appellant was directed to point out the electric connection khata numbers belonging to the public authority. The PIO is directed to provide the document that belongs to the electric connection relating to the public authority. Whether the information about private connection be disclosed or not will be adjudicated at the next date of hearing subject to the applicant establishing a larger public interest.